

**CITY OF STORM LAKE
REGULAR COUNCIL MEETING, DUE TO
COVID-19, THIS MEETING WILL BE A
TELEPHONIC MEETING ONLY ~ DIAL IN
TO PARTICIPATE: 1-408-418-9388 ACCESS
CODE: 146 170 5214
DECEMBER 21, 2020
5:00 PM**



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

AGENDA

To join the Meeting, follow this link:

<https://stormlake.webex.com/stormlake/j.php?MTID=m64e452f96fc2799fc4f4bdd2428bc1a3>

- A. Pledge of Allegiance
- B. Consideration of Changes in Agenda and Setting the Agenda
- C. Disclosure by City Council Members
- 1. Hear the Public
- 2. Consent Agenda
 - A. Approve Consent Agenda
 - B. Buy Local Information
 - C. Motion to Approve Applications For Tax Abatement On Residential and Commercial Properties
 - D. Methodist Church Road Closure Request
 - E. SLPD City Code Enforcement Summary
- 3. Storm Lake United Update
- 4. Motion to Approve City Manager's Contract
- 5. Public Hearing On The Proposed Sale Of Real Estate To Tyson Fresh Meats (Wastewater Treatment Plant)
- 6. Resolution No. 32-R-2020-2021 of Council Approving Sale of Real Estate to Tyson (Wastewater Treatment Plant)
- 7. Ordinance No. 03-O-2020-2021 Amending City Code Chapter 5-10 Property Maintenance - 2nd Reading
- 8. Motion Setting A Public Hearing On Plans, Specifications, Form Of Contract, and Engineer's Estimate of Cost For The Storm Lake Radio Park Lift Station Project
- 9. Public Hearing On A Proposal To Amend The City Code By Updating The Referenced Electrical Code To The Most Recent Edition
- 10. Ordinance No. 02-O-2020-2021 Amending The City Code By Updating The Referenced Electrical Code To The Most Recent Edition - 1st Reading
- 11. Public Hearing Of Application 2020-3, Request For Change In Zoning From R-1, Low

Density Residential, To R-3 Medium Density Residential.

12. **Ordinance No. 04-O-2020-2021 Of Application 2020-3, Request For Change In Zoning From R-1, Low Density Residential, To R-3 Medium Density Residential**
13. **Fiscal Year 2022-2026 Proposed Capital Improvement Plan Workshop**
14. **City Council Requested Items**
15. Adjourn

Meeting Protocol

If you wish to speak today, please:

1. To speak on an agenda item please approach the podium when that agenda item is called and upon recognition by the Mayor identify yourself by stating your name and address.
2. If your issue is not a topic on the agenda please approach the podium under the "Hear the Public" agenda item and upon recognition by the Mayor identify yourself by stating your name and address.
3. Please keep your remarks to three (3) minutes or less.
4. If you require accommodation for this meeting including but not limited to translation services, hearing assistance, or accessibility please contact the City Clerk at least four (4) hours prior to the start of the meeting.

**If you have concerns about any of the items on the consent agenda, they may be separated from the consent agenda and voted on individually.*

***Ordinances may be read at three consecutive meetings or readings may be waived and ordinances may be passed at only one or two meetings.*



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Find us on the Web at <http://www.stormlake.org>

Staff Summary

12/21/2020

Agenda Item # B.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
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f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM:

SUBJECT: Consideration of Changes in Agenda and Setting the Agenda

BACKGROUND:

FISCAL IMPACT:

RECOMMENDATION:

Staff Summary

12/21/2020

Agenda Item # C.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
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REPORT TO: Honorable Mayor and City Council

FROM:

SUBJECT: Disclosure by City Council Members

BACKGROUND:

FISCAL IMPACT:

RECOMMENDATION:

Staff Summary

12/21/2020

Agenda Item # A.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Mayra Martinez, City Clerk

SUBJECT: **Approve Consent Agenda**

BACKGROUND: The Consent Agenda Includes:

- List of bills for approval
- King's Pointe and Sunrise Pointe disbursements for approval
- Approve the December 7, 2020 Special City Council Minutes and December 7, 2020 Regular City Council Minutes
- Approve Renewal Liquor License for Smokin Hereford
- Approve renewal of taxicab license for Storm Lake Cabs
- Approve the Code Enforcement Summary (see staff summary)

FISCAL IMPACT: The City will pay the following expenditures:

- List of Bills - -\$567,508.78
- King's Pointe & Sunrise Pointe Golf Course Bills - \$93,501.73
- Liquor License Renewal -\$845.00

RECOMMENDATION:

ATTACHMENTS:

Description	Type
☐ Minutes - December 7, 2020	Minutes
☐ Minutes - December 7, 2020 Special	Minutes
☐ King's Pointe and Golf Course List of Bills	List of Bills
☐ Smokin Hereford Liquor Application	Backup Material
☐ Taxi Cab Application - Storm Lake Cab	Application

**REGULAR COUNCIL MEETING, CITY OF STORM LAKE, DECEMBER 7, 2020, 5:00 PM.
DUE TO COVID-19, THIS MEETING WILL BE A TELEPHONIC MEETING ONLY. ~ DIAL
IN TO PARTICIPATE: 1-408-418-9388 ACCESS CODE: 146 409 9250**

Present: Mayor Michael Porsch, Council Members Tyson Rice, Dan Smith, Kevin McKinney. Jose Ibarra (left at 6:22 pm) and Maria Ramos (arrived at 5:57 pm). Absent: none

Staff present: City Manager Keri Navratil, Assistant City Manager David Derragon, City Attorney Phil Havens, Police Chief Chris Cole, Fire Chief Mike Jones, Water Quality Code Compliance Director Scott Olesen, Library Director Elizabeth Huff, Public Services Supervisor Scott Bonebrake, King's Pointe Manager Mark Clossey, Finance Director Brian Oakleaf, Staff Accountant Tyler Gibbins, and City Clerk Mayra Martinez.

Media Present via telephone: Dana Larson with Pilot Tribune, Tom Cullen with The Times and Ryan Thompson with KAYL.

Mayor Porsch called the meeting to order at 5:00 pm.

Pledge of Allegiance

Agenda – Moved by Council Member Smith to approve setting the Agenda as presented. Seconded by Council Member McKinney. Roll call vote: All ayes with Council Members Ramos absent. Motion carried.

Disclosure by City Council Members – None at this time.

Hear the Public – None at this time.

Consent Agenda - Moved by Council Member McKinney to approve the Consent Agenda which includes list of bills Check #'s 76024 through 76111, EFT #' 1546 through 1592, DFT #'s 977 through 1002 and 1007, King's Pointe and Sunrise Pointe disbursements, November 19, 2020 minutes, acknowledge the October 2020 Library Board and Airport Commission minutes, and renew Brewsters Liquor License. Seconded by Council Member Rice. Roll call vote: All ayes with Council Members Ramos absent. Motion carried.

Updating The National Electrical Code To The 2020 Edition - Moved by Council Member McKinney to adopt Resolution No. 28-R-2020-2021 approve setting a Public Hearing for December 21, 2020 at 5:00 pm at the regular council meeting. Due to Covid-19, this meeting will be a telephonic meeting only ~ dial in to participate: 1-408-418-9388 ACCESS CODE: 146 170 5214. Seconded by Council Member Rice. Roll call vote: All ayes with Council Member Ramos absent. Motion carried.

Proposed Rezone - Moved by Council Member Smith to approve setting the Public Hearing for December 21, 2020 at 5:00 pm at the regular council meeting for the proposed re-zoning of a parcel of land at 1401 Poplar Lane, 1404 Poplar Lane, and Parcel #1402131001. Due to Covid-19, this meeting will be a telephonic meeting only ~ dial in to participate: 1-408-418-9388 ACCESS CODE: 146 170 5214. Seconded by Council Member Rice. Roll call vote: All ayes with Council Members Ramos absent. Motion carried.

Memorial Lift Station Improvements Project - Moved by Council Member Smith to adopt Resolution No. 29-R-2020-2021 to award a bid in the amount of \$2,076,000.00 to

Gridor Construction of Buffalo, Minnesota, for the Memorial Lift Station Improvements project. Seconded by Council Member McKinney. Roll call vote: All ayes with Council Members Ramos absent. Motion carried.

Storm Lake's Airport Capital Improvement Program - Moved by Council Member Rice to adopt Resolution No. 30-R-2020-2021 adopting Storm Lake's Airport Capital Improvement Program submittal. Seconded by Council Member Smith. Roll call vote: All ayes with Council Member Ramos absent. Motion carried.

Sale of real estate to Tyson Fresh Meats (Wastewater Treatment Plant)- Moved by Council Member Rice to adopt Resolution No. 31-R-2020-2021 setting a Public Hearing on the proposed sale of real estate to Tyson Fresh Meats (Wastewater Treatment Plant). Seconded by Council Member McKinney. Roll call vote: All ayes with Council Member Ramos absent. Motion carried.

Ordinance Amending City Code Chapter 5-10 Property Maintenance - Mayor Porsch opened the public hearing for submission of an Ordinance amending Chapter 5-10 Property Maintenance stating this was the time and place for any comments. Hearing no comments from the public and no comments from the City Council the Mayor then closed the public hearing.

Moved by Council Member Smith to approve the 1st reading of Ordinance No. 03-O-2020-2021 Amending Chapter 5-10 of Title V of the City Code of the City of Storm Lake, Iowa, titled, "Property Maintenance Code," to revise requirements relating to the paving of vehicle parking areas. Seconded by Council Member Ramos. Roll call vote: All ayes with Council Member Ibarra absent. Motion carried.

Motion to Approve Memorandum of Understanding between the Iowa Department of Natural Resources and City of Storm Lake for the Nutrient Reduction Program

Moved by Council Member Rice to approve a Memorandum of Understanding between the Iowa Department of Natural Resources and City of Storm Lake for the Nutrient Reduction Program. Seconded by Council Member McKinney. Roll call vote: All ayes with Council Member Ibarra absent. Motion carried.

FY 2022-2026 CIP Workshop – City Council and staff reviewed the FY 2022-2026 Capital Improvement Plan for the General Fund.

Council Member Ramos arrived at 5:57 pm
Council Member Ibarra left at 6:22 pm

City Council Requested Items – None at this time.

Adjourn - Moved by Council Member McKinney to adjourn the meeting at 6:40 pm. Seconded by Council Member Smith. Roll call vote: All ayes with Council Member Ibarra absent. Motion carried.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

**SPECIAL COUNCIL MEETING, CITY OF STORM LAKE, IOWA,
CITY HALL, DECEMBER 7, 2020, 4:00 PM. DUE TO COVID-19, THIS MEETING
WILL BE A TELEPHONIC MEETING ONLY ~ THE PUBLIC MAY DIAL IN TO
PARTICIPATE: 1-408-418-9388. ACCESS CODE: 146 443 6583**

Pledge of Allegiance

Present: Mayor Michael Porsch, Council Members Tyson Rice, Dan Smith, and Kevin McKinney.
Absent: Council Members Maria Ramos and Jose Ibarra

Staff present: City Manager Keri Navratil (arrived at 4:42 pm) and City Clerk Mayra Martinez.

Mayor Porsch called the meeting to order at 4:00 pm.

Hear the Public – None at this time

Agenda – Moved by Council Member McKinney to approve setting the Agenda as presented.
Seconded by Council Member Rice. Roll call vote: All ayes with Council Members Ibarra and Ramos absent. Motion carried.

Disclosure by City Council Members – None at this time.

Closed Session - Moved by Council Member McKinney to go into closed session at 4:04 pm in reference to Iowa Code Chapter 21.5 (i) to discuss the City Manager's evaluation. Seconded by Council Member Smith. Roll call vote: All ayes with Council Members Ibarra and Ramos absent. Motion carried.

Attendance in Closed session: Rice, Smith, McKinney, Porsch, and Martinez.

Keri Navratil attended the closed session at 4:42 pm.

Moved by Council Member Rice to return to open session at 4:57 pm. Seconded by Council Member McKinney. Roll call vote: All ayes with Council Members Ibarra and Ramos absent. Motion carried.

Adjourn – Moved by Council Member Rice to adjourn the meeting at 4:58 pm. Seconded by Council Member McKinney. Vote: All ayes with Council Members Ibarra and Ramos absent. Motion carried.

ATTEST:

Michael Porsch, Mayor

Mayra A. Martinez, City Clerk

King's Pointe Resort

Claims Publication

From 12/4/2020 to 12/16/2020

Vendor	Description	Amount
Weigand Omega Pay 12/9/20	Payroll	\$61,575.79
Long Lines LLC	Utilities	\$983.69
MidAmerican Energy	Utilities	\$9,390.08
Verizon Wireless	Utilities	\$156.46
Mediacom	Utilities	\$472.90
Hawk-I Plumbing, Inc.	Services	\$7,332.78
Alliant Energy	Utilities	\$298.81
Martin Brothers	Food	\$5,567.84
Iowa Dept of Revenue	Taxes	\$5,000.00
Pitney Bowes	Postage	\$231.86
City of Storm Lake	Utilities	\$1,707.67
Fintech	Services	\$56.65
Heartland Payment	Services	\$555.00
Johnson Brothers	Beverages	\$172.20
		<u>\$93,501.73</u>

Applicant License Application (LC0044026)

Name of Applicant: <u>SMOKIN' HEREFORD, L.L.C.</u>		
Name of Business (DBA): <u>Smokin Hereford, LLC</u>		
Address of Premises: <u>1605 West Milwaukee</u>		
City <u>Storm Lake</u>	County: <u>Buena Vista</u>	Zip: <u>50588</u>
Business <u>(712) 213-3750</u>		
Mailing <u>1615 W. Milwaukee Ave.</u>		
City <u>Storm Lake</u>	State <u>IA</u>	Zip: <u>50588</u>

Contact Person

Name <u>Jennifer A Hustedt</u>	
Phone: <u>(712) 213-3750</u>	Email <u>jennhustedt@gmail.com</u>

Classification Class C Liquor License (LC) (Commercial)

Term:12 months

Effective Date: 01/05/2021

Expiration Date: 01/04/2022

Privileges:

Class C Liquor License (LC) (Commercial)

Status of Business

BusinessType: <u>Limited Liability Company</u>	
Corporate ID Number: <u>XXXXXXXXXX</u>	Federal Employer ID <u>XXXXXXXXXX</u>

Ownership

Nathan Jensen

First Name: <u>Nathan</u>	Last Name: <u>Jensen</u>	
City: <u>Storm Lake</u>	State: <u>Iowa</u>	Zip: <u>50588</u>
Position: <u>Partner</u>		
% of Ownership: <u>25.00%</u>	U.S. Citizen: <u>Yes</u>	

Jennifer Hustedt

First Name: <u>Jennifer</u>	Last Name: <u>Hustedt</u>	
City: <u>Alta</u>	State: <u>Iowa</u>	Zip: <u>51002</u>
Position: <u>Partner</u>		
% of Ownership: <u>25.00%</u>	U.S. Citizen: <u>Yes</u>	

Chad Hustedt

First Name: <u>Chad</u>	Last Name: <u>Hustedt</u>	
City: <u>Alta</u>	State: <u>Iowa</u>	Zip: <u>51002</u>
Position: <u>Partner</u>		
% of Ownership: <u>25.00%</u>	U.S. Citizen: <u>Yes</u>	

Nancy Jensen

First Name: Nancy

Last Name: Jensen

City: Storm Lake

State: Iowa

Zip: 50588

Position: Partner

% of Ownership: 25.00%

U.S. Citizen: Yes

Insurance Company Information

Insurance Company: Illinois Casualty Co

Policy Effective Date:

Policy Expiration

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:



RECEIVED
11-17-20

CITY OF STORM LAKE
APPLICATION FOR TAXICAB LICENSE

Applicant's Name Jeff DeWall Date of Birth 10/2/64

DBA STORM LAKE CABS LLC

Address 1237 Highway 7 Storm Lake IA 50588

Phone: 712-299-1684 Business Phone: 732-4420 Email: boni.taggart@co.yakw

Address of Business or Base Operation 1237 Highway 7 Storm Lake IA 50588

Legal Description of Business or Base Operation: CAB Company

For each taxicab to be used under this permit provide the following:

Make /	Model /	License #/	Owner /	Date of last Inspection of Taxi
Dodge	Caravan	<u>IRW 514</u>	SL CAB	<u>10-11-20</u>
Dodge	Caravan	<u>HIG 338</u>	SL CAB	<u>10-1-20</u>
Chrysler Dodge	Caravan	<u>JRX 484</u>	SL CAB	<u>10-11-20</u>
Dodge	Caravan	<u>HLC 664</u>	SL CAB	<u>11-16-20</u>
Chrysler	Impulse	<u>IAM 717</u>	SL CAB	<u>9-29-20</u>

\$1,000,000 Liability Insurance Certificate on file with City yes

License Fee: First cab = \$100.00, plus \$10.00 for each additional cab. # of cabs 5 Fee \$ 140.00
Drivers Names & Driver's License Number:

Jeff DeWall 801225537

Joann Spangler 885225317

Boni DeWall 885224624

Dan Petree 861221995

Ken Weverling 885226636

Haylee Hindquist 438AF4171

Nancy Condit 529 XX 0267

I hereby certify that all drivers will meet requirements of City Code 4-5-5 Personal Qualifications (see attached). I understand I am required to notify the City of Storm Lake of any changes to the list of drivers.

[Signature]
Signature of Applicant

11/11/2020
Date

Approved by City Council: _____

City Clerk _____

Date _____

Staff Summary

12/21/2020

Agenda Item # B.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Mayra Martinez, City Clerk

SUBJECT: Buy Local Information

BACKGROUND: Early in 2011 during a Study Session discussion Council asked staff to look at putting together some analysis information regarding the amount of purchases made locally. We have pulled that information together and a provided a summary of purchases identified in the current list of bills to be approved that are purchased locally (within the City of Storm Lake), within Buena Vista County, and outside of Buena Vista County are presented here for Council's review. This information is presented for for both the City and King's Pointe's bills.

As the reader reviews the information they should note the following key notes:

- Costs associated with any major capital project (those bid under the State of Iowa Bid Law) are excluded from the calculation
- Costs associated with travel is excluded from the calculation and %
- Costs associated with payroll is excluded from the calculation and %
- In some cases there is only one vendor or an item is only available from vendors outside of the City limits and/or Buena Vista County – we have not identified these
- Some departments have fairly minor budgets and a major purchase can skew the % and or amount for a given review period (For Example: the Airport may have normally \$4,000 - \$6,000 in expenses until they purchase Jet Fuel or Av Gas which can be \$10,000 + and as a vendor who is not local this can skew the information for that review period)
- Local has been determined to be has an office front in the

area and based on where the office front is located for local vs. BV County (For Example: Wal-Mart is considered local since they have a store in Storm Lake even though their headquarters is not located here)

As with all analytical data it is possible to interpret the numbers in a variety of ways and as we move forward we would be happy to provide further detail and or revise the way in which we show the data. Likewise if you have any questions or concerns please don't hesitate to contact city staff.

FISCAL IMPACT:

Breakout	Calculated Expenses
Buena Vista County	\$ 8,999.26
Contract/Agreement	\$ 184,807.67
Local	\$ 104,653.06
Non- Local	\$ 88,382.39
Payroll/Refunds/Pyrl Tax & Ins	\$ 180,666.40
Total Expenses	\$ 567,508.78
Supporting Documents Attached	

RECOMMENDATION: Review Buy Local Information

ATTACHMENTS:

Description	Type
Project Activity Report	Backup Material

Summary

Project Summary							
Project Number	Project Name	Total Budget	Date Range Budget	Beginning Balance	Total Activity	Ending Balance	Budget Remaining
01112-0019	WasteWater Treatment Facility Wetlan...	1,195,689.00	34,139.88	1,018,961.86	0.00	1,018,961.86	176,727.14
01112-0020	10th & Ontario StormWater Improvem...	1,753,754.21	0.00	1,751,974.95	0.00	1,751,974.95	1,779.26
01112-0021	4th & Oats StormWater Improvements	837,480.15	0.00	806,582.57	0.00	806,582.57	30,897.58
16-19284	4th & Bartion Storm Water Improvemen...	751,002.10	15,243.95	658,674.60	5,475.12	664,149.72	86,852.38
18-CF-004	United Community Health Service Center	600,000.00	30,000.00	458,305.60	0.00	458,305.60	141,694.40
19-22797	Memorial Lift Station Improvements	404,755.00	20,237.75	251,255.00	13,500.00	264,755.00	140,000.00
35665	1st & Mae Street	796,373.28	-1,744.13	762,300.16	0.00	762,300.16	34,073.12
8406	7th & Geneseo St Sanitary Sewer Impro...	410,306.35	0.00	408,546.98	0.00	408,546.98	1,759.37
A21.117315	Casino Lift Station Ordor Control Impro...	255,104.58	-122.41	262,403.64	0.00	262,403.64	-7,299.06
P11.106893	Richland Street Rehabilitation	549,149.30	0.00	540,222.55	0.00	540,222.55	8,926.75
P11.112742	North Central SW Phase II	1,875,592.00	0.00	1,852,834.88	0.00	1,852,834.88	22,757.12
P11.115917	Memorial Park Water Quality	48,076.03	1,657.63	48,388.53	0.00	48,388.53	-312.50
P11.117908	Michigan Street Parking Lot Reconstruct...	409,297.00	25,580.95	439,080.90	0.00	439,080.90	-29,783.90
P11.118940	Oneida Street Reconstruction from RR t...	534,870.00	19,102.50	193,858.59	40,090.00	233,948.59	300,921.41
P11.119679	FEMA Lake Bank Restoration	117,831.01	7,855.41	123,185.51	0.00	123,185.51	-5,354.50
P11.120411	Highway 7/110 Traffic Lane/Signalization	1,423,630.00	48,362.18	158,923.51	16,765.49	175,689.00	1,247,941.00
P11.120478	Tulip Lane SW Improvements	513,049.50	9,680.19	342,412.33	47,557.00	389,969.33	123,080.17
P11.120650	2020 Expansion Blvd Improvements	861,088.10	34,443.52	459,461.35	11,989.50	471,450.85	389,637.25
P11.122266	2021 CIPP Sanitary Sewer Improvements	79,192.80	79,192.80	19,614.00	0.00	19,614.00	59,578.80
T51.119823	Runway 13/31 & Taxiway Lighting	453,189.00	32,370.61	63,577.00	0.00	63,577.00	389,612.00
Urban20WQI-004	SLHS Courtyard Conservation	100,000.00	100,000.00	13,688.96	211.25	13,900.21	86,099.79
Report Total:		13,969,429.41	456,000.83	10,634,253.47	135,588.36	10,769,841.83	3,199,587.58

Group Summary						
Group	Total Budget	Date Range Budget	Beginning Balance	Total Activity	Ending Balance	Budget Remaining
Airport Projects	453,189.00	32,370.61	63,577.00	0.00	63,577.00	389,612.00
Economic Development	817,831.01	137,855.41	595,180.07	211.25	595,391.32	222,439.69
National Resiliency Disaster Grant Proje...	8,260,515.42	138,170.32	7,670,290.86	53,032.12	7,723,322.98	537,192.44
Sanitary Sewer Projects	659,859.58	20,115.34	513,658.64	13,500.00	527,158.64	132,700.94
Street Construction	3,778,034.40	127,489.15	1,791,546.90	68,844.99	1,860,391.89	1,917,642.51
Report Total:	13,969,429.41	456,000.83	10,634,253.47	135,588.36	10,769,841.83	3,199,587.58

Type Summary						
Group	Total Budget	Date Range Budget	Beginning Balance	Total Activity	Ending Balance	Budget Remaining
Construction	4,970,275.78	259,167.90	2,388,396.54	82,344.99	2,470,741.53	2,499,534.25
Federal/State Grant	8,299,153.63	66,832.93	7,773,862.37	53,032.12	7,826,894.49	472,259.14
Grant	700,000.00	130,000.00	471,994.56	211.25	472,205.81	227,794.19
Report Total:	13,969,429.41	456,000.83	10,634,253.47	135,588.36	10,769,841.83	3,199,587.58

Staff Summary

12/21/2020

Agenda Item # C.



City of Storm Lake
PO Box 1086
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REPORT TO: Honorable Mayor and City Council

FROM: Scott Olesen, Building Official

SUBJECT: **Motion to Approve Applications For Tax Abatement
On Residential and Commercial Properties**

BACKGROUND: Owners of property within the corporate limits of Storm Lake which have built new buildings or have remodeled existing structures, **and are not located in an Urban Renewal Area,** may apply for a property tax abatement.

Owners of residential property may apply for an abatement of 100% of the first \$75,000 of actual value added for a period of five (5) years. Owners of commercial properties may apply for an abatement of 50% on the actual value added for a period of three years.

The amount of increase in value is determined by the Buena Vista County Assessors Office, which will ultimately decide if the property will be eligible for an abatement and how much abatement will be provided.

Applications for tax abatements must be received by the City no later than February 1st and the City must deliver the approved applications to the County Assessors Office no later than March 1st. Applications outside of these dates will still be accepted, but the timing of the abatement will be different than those applications received in the required submittal dates.

There is one commercial abatement request included in this Consent Agenda item requesting tax abatements. It is located at the following address: 1509 Richland Street

The attached applications for tax abatement are not located in an Urban Renewal Area, so they are eligible to apply for a residential or Commercial tax abatement. The applications, if approved by

Council, will be forwarded to the Buena Vista County Assessors Office. If approved by the Assessors Office, the properties will receive tax abatements.

FISCAL IMPACT: The amount of abatement available for the residential and commercial additions is subject to the actual value added to the properties, which will not be known until the properties have been reassessed by Buena Vista County.

RECOMMENDATION: Review and approve the application for tax abatement under the urban revitalization plan for the property located at 1509 Richland Street.

ATTACHMENTS:

Description	Type
▣ 94 N Emerald #5 Tax Abatement Application	Application
▣ 94 N Emerald #6 Tax Abatement Application	Application
▣ 94 N Emerald #7 Tax Abatement Application	Application
▣ 94 N Emerald #8 Tax Abatement Application	Application
▣ 700 Meadow Lane Tax Abatement Application	Application
▣ 1500 Shoreway Tax Abatement Application	Application



TAX ABATEMENT APPLICATION FORM

City of Storm Lake, Iowa Urban Revitalization Program is authorized under Iowa Code Chapter 404 and as adopted by the City's Urban Revitalization Program.

City of Storm Lake
Building Official's Department
P.O. Box 1086
Storm Lake, Iowa 50588
712-732-8000
buildingofficial@stormlake.org

For More information visit:
www.stormlake.org/taxabatement

Tax exemptions are allowed as follows:

Residential Housing - Maximum five (5) year exemption of 100% on the first \$75,000 of actual value added.

Commercial Property - Maximum three (3) year exemption of 50% on the actual value added.

Multi- Residential - No exemption

NOTE: Minimum 20% increase on actual value required

Need More
Information?
Scan This QR
Code!



☒ Prior Approval for Intended
Improvements

☐ Approval of Improvements Completed

Property Address: 94 N Emerald Drive #5, Storm Lake IA, 50588

Legal
Description: See attached

Property ID Number (PIN): 1405458005

Owner E-mail: sbrash20@gmail.com

Property Owner Name: Brash LLC

Phone Number: 712-299-4684

Owner Address (If different than above) 510 Lakeshore Dr, Lakeside IA 50588

☐ Check Box if there is a tenant on the property who has occupied the dwelling unit for at least 1 year prior to date of adoption of the plan (4-4-2005) AND will be displaced by the proposed improvements.

☐ Check Box if this property is or will be a rental unit

What is the existing use of the property? (Choose one)

☐ Residential ☐ Commercial ☐ Multi-Residential ☐ Industrial ☒ Vacant

What is the PROPOSED use of the property? (Choose one)

☒ Residential ☐ Commercial ☐ Multi-Residential ☐ Industrial ☐ Vacant

What is the nature of the improvements being completed?

☒ New Construction ☐ Addition ☐ General Improvements

Describe
Improvements:

Construction of new single family townhome

Estimated or Actual Date of Completion: 9/15/2020

Estimated or Actual costs of Improvements: \$150,000

NOTE: For complete details regarding eligibility & requirements see the Urban Revitalization Plan (4-4-2005) and amendment #1 (2014) and Ordinance.

Tax Abatement is **NOT** allowed in any current or future Urban Renewal Area within the City limits of the City of Storm Lake. Your application for Tax Abatement must be filed with the City of Storm Lake by February 1st of the assessment year for which the exemption is first claimed but in no case not later than two (2) years after the February 1st following the year that the improvements are first assessed for taxation. Your project must be completed so that the first full assessment is not later than January 1, 2024.

Your signature below indicates your understanding of the City of Storm Lake Urban Revitalization Program and authorizes your desire to apply for tax abatement on this property provided that it qualifies under the terms of the program.

Please attach the approved building permit to your application.

Signature:



Print Name: Steve Brashears

Date: 7/29/2020

Title: Owner/Manager

Company: Brash LLC

City of Storm Lake ONLY

Date Received:

1st Year Fully Assessed:

☐ Check Box if property is **NOT** in an existing Urban Renewal Area

Building Permit #:

BLPR 2020-0085

☐

For Rental Properties - Verified that property is on rental inspection registration list

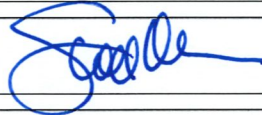
☒ Check Box if application is approved

☐

Check Box if application is **NOT** approved

Disapproval Reason:

Authorized by Building Official:



Date:

8-31-2020

Authorized by Mayor:

Date:

Attested by City Clerk:

Date:

☐ Application Scanned to Laserfiche

Delivered to BV County Assessor on :

By:

City needs to submit application to Buena Vista County Assessor by March 1st annually.

Buena Vista County Assessor ONLY

Present Value of Structure:

Assessed Value with Improvements:

☐ Check Box if property **IS** eligible for Tax Abatement

☐ Check Box if property is **NOT** eligible for Tax Abatement

Assessor Signature:

Date:

☐ Check Box once final copy returned to City of Storm Lake



City of Storm Lake Building (Residential) Permit

Permit #: BLDR2020-0085
Issued Date:
Project Address: 94 N Emerald DR 05 & 06
Storm Lake, IA 50588

Parcel #:

Project:

Owner:
Address:

Contractor: BRASH LLC
Address: 510 Lakeshore DR
Lakeside, IA 50588
Phone: 7122994684

Phone:

		Project Details		
SQ Ft:	0	Valuation:	\$0.00	
Description:	Duplex 94 N Emerald Drive			
		Permit Fees		
Totals:		\$1.00	\$0.00	\$1.00

____ Tax Abatement Form

THIS PERMIT AUTHORIZES CONSTRUCTION OF IMPROVEMENTS SPECIFIED.

By signing above, the applicant hereby agrees, in consideration of the issuance of this permit, to assume responsibility for and to hold the City harmless in regard to any and all claims of injury or damage arising from the acts or omissions of the applicant or his/her agents while acting under the authority of this permit. The applicant further agrees to comply with the provisions of the Code of the City of Storm Lake, Iowa and 29 CFR Part 1926.650, 651 and 652 as adopted by the Iowa Division of Labor.

The owner agrees to inspections of all installations subject to all pertinent code requirements. Permit not valid unless signed by the Building Official. Permits must be kept on the job site.
INSPECTIONS REQUIRE 24 HOUR ADVANCED NOTICE.

Additional Information

Project Cost: 300000.00

Scott Olesen

by cl

7/21/2020

Building Official

Date

Property Owner or Contractor

Date

A PART OF GOVERNMENT LOT 3 IN THE SW ¼ OF THE SE ¼ OF SECTION 5, AND A PART OF THE VACATED PORTION OF WHITNEY-PIERCE BEACH SUBDIVISION OF PART OF GOVERNMENT LOT 3 IN SECTION 5, T-90-N, R-37-W OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS: Commencing at the Southwest corner of the Southeast Quarter (SE ¼) of said Section 5, thence on an assumed bearing of North, along the West line of said Southeast Quarter (SE ¼) 33.00 feet; thence South 89°40'34" East, 98.02 feet to the point of beginning, said point being on the easterly right of way line of Iowa Highway No. 110; thence Northeasterly along the arc of a 3077.8 feet radius curve, concave easterly with a central angle of 25°30' and whose short chords bear North 12°46'20" East, 201.62 feet; thence North 15°44'37" East, 143.23 feet; thence North 18°34'44" East, 138.9 feet; thence North 21°58'18" East, 178.13 feet; thence North 25°52'50" East, 156.6 feet and here ending the circular curve; thence North 24°45'47" East, 53.20 feet to the Highwater Line of Storm Lake; thence along the Highwater Line of Storm Lake, North 62°21'15" East, 21.22 feet; thence North 69°12'38" East, 11.61 feet; thence South 82°19'23" East, 24.06 feet; thence North 68°16'26" East, 35.35 feet to the West Line of Lake Shore Drive as platted with Whitney Pierce Beach Addition in February, 1928; thence South 05°12'25" East, along the West line of said Lake Shore Drive, 217.89 feet; thence North 89°46'40" West, 44.0 feet; thence South 12°26'03" West, 51.20 feet to the Northwest Corner of Block 1 of Buck's Addition; thence South 12°53'35" West, along the West line of Block 1 of Buck's Addition, 593.67 feet to the North line of North Emerald Drive; thence North 89°40'34" West along a North line of North Emerald Drive 203.58 feet to the point of beginning, containing 3.42 acres more or less



TAX ABATEMENT APPLICATION FORM

City of Storm Lake, Iowa Urban Revitalization Program is authorized under Iowa Code Chapter 404 and as adopted by the City's Urban Revitalization Program.

City of Storm Lake
Building Official's Department
P.O. Box 1086
Storm Lake, Iowa 50588
712-732-8000
buildingofficial@stormlake.org

For More information visit:
www.stormlake.org/taxabatement

Tax exemptions are allowed as follows:

Residential Housing - Maximum five (5) year exemption of 100% on the first \$75,000 of actual value added.

Commercial Property - Maximum three (3) year exemption of 50% on the actual value added.

Multi- Residential - No exemption

NOTE: Minimum 20% increase on actual value required

Need More
Information?
Scan This QR
Code!



☒ Prior Approval for Intended Improvements

☐ Approval of Improvements Completed

Property Address: 94 N Emerald Drive #6, Storm Lake IA, 50588

Legal Description: See attached

Property ID Number (PIN): 1405458006

Owner E-mail: sbrash20@gmail.com

Property Owner Name: Brash LLC

Phone Number: 712-299-4684

Owner Address (If different than above) 510 Lakeshore Dr, Lakeside IA 50588

☐ Check Box if there is a tenant on the property who has occupied the dwelling unit for at least 1 year prior to date of adoption of the plan (4-4-2005) AND will be displaced by the proposed improvements.

☐ Check Box if this property is or will be a rental unit

What is the existing use of the property? (Choose one)

☐ Residential ☐ Commercial ☐ Multi-Residential ☐ Industrial ☒ Vacant

What is the PROPOSED use of the property? (Choose one)

☒ Residential ☐ Commercial ☐ Multi-Residential ☐ Industrial ☐ Vacant

What is the nature of the improvements being completed?

☒ New Construction ☐ Addition ☐ General Improvements

Describe Improvements: Construction of new single family townhome

Estimated or Actual Date of Completion: 9/15/2020

Estimated or Actual costs of Improvements: \$150,000

NOTE: For complete details regarding eligibility & requirements see the Urban Revitalization Plan (4-4-2005) and amendment #1 (2014) and Ordinance.

Tax Abatement is **NOT** allowed in any current or future Urban Renewal Area within the City limits of the City of Storm Lake. Your application for Tax Abatement must be filed with the City of Storm Lake by February 1st of the assessment year for which the exemption is first claimed but in no case not later than two (2) years after the February 1st following the year that the improvements are first assessed for taxation. Your project must be completed so that the first full assessment is not later than January 1, 2024.

Your signature below indicates your understanding of the City of Storm Lake Urban Revitalization Program and authorizes your desire to apply for tax abatement on this property provided that it qualifies under the terms of the program.

Please attach the approved building permit to your application.

Signature:

Print Name: Date:

Title: Company:

City of Storm Lake ONLY

Date Received: 1st Year Fully Assessed:

☐ Check Box if property is **NOT** in an existing Urban Renewal Area

Building Permit #: ☐ For Rental Properties - Verified that property is on rental inspection registration list

☒ Check Box if application is approved ☐ Check Box if application is **NOT** approved

Disapproval Reason:

Authorized by Building Official: Date:

Authorized by Mayor: Date:

Attested by City Clerk: Date:

☐ Application Scanned to Laserfiche

Delivered to BV County Assessor on : By:

City needs to submit application to Buena Vista County Assessor by March 1st annually.

Buena Vista County Assessor ONLY

Present Value of Structure:

Assessed Value with Improvements: ☐ Check Box if property **IS** eligible for Tax Abatement

☐ Check Box if property is **NOT** eligible for Tax Abatement

Assessor Signature: Date:

☐ Check Box once final copy returned to City of Storm Lake



City of Storm Lake Building (Residential) Permit

Permit #: BLDR2020-0085
Issued Date:
Project Address: 94 N Emerald DR 05 & 06
Storm Lake, IA 50588

Parcel #:

Project:

Owner:
Address:

Contractor: BRASH LLC
Address: 510 Lakeshore DR
Lakeside, IA 50588
Phone: 7122994684

Phone:

		Project Details	
SQ Ft:	0	Valuation:	\$0.00
Description:	Duplex 94 N Emerald Drive		

		Permit Fees		
Totals:		\$1.00	\$0.00	\$1.00

____ Tax Abatement Form

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INSPECTIONS REQUIRE 24 HOUR ADVANCED NOTICE.

Additional Information

Project Cost: 300000.00

Scott Olesen

by cl

7/21/2020

Building Official

Date

Property Owner or Contractor

Date

7-29-20

A PART OF GOVERNMENT LOT 3 IN THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 5, AND A PART OF THE VACATED PORTION OF WHITNEY-PIERCE BEACH SUBDIVISION OF PART OF GOVERNMENT LOT 3 IN SECTION 5, T-90-N, R-37-W OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS: Commencing at the Southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 5, thence on an assumed bearing of North, along the West line of said Southeast Quarter (SE $\frac{1}{4}$) 33.00 feet; thence South 89°40'34" East, 98.02 feet to the point of beginning, said point being on the easterly right of way line of Iowa Highway No. 110; thence Northeasterly along the arc of a 3077.8 feet radius curve, concave easterly with a central angle of 25°30' and whose short chords bear North 12°46'20" East, 201.62 feet; thence North 15°44'37" East, 143.23 feet; thence North 18°34'44" East, 138.9 feet; thence North 21°58'18" East, 178.13 feet; thence North 25°52'50" East, 156.6 feet and here ending the circular curve; thence North 24°45'47" East, 53.20 feet to the Highwater Line of Storm Lake; thence along the Highwater Line of Storm Lake, North 62°21'15" East, 21.22 feet; thence North 69°12'38" East, 11.61 feet; thence South 82°19'23" East, 24.06 feet; thence North 68°16'26" East, 35.35 feet to the West Line of Lake Shore Drive as platted with Whitney Pierce Beach Addition in February, 1928; thence South 05°12'25" East, along the West line of said Lake Shore Drive, 217.89 feet; thence North 89°46'40" West, 44.0 feet; thence South 12°26'03" West, 51.20 feet to the Northwest Corner of Block 1 of Buck's Addition; thence South 12°53'35" West, along the West line of Block 1 of Buck's Addition, 593.67 feet to the North line of North Emerald Drive; thence North 89°40'34" West along a North line of North Emerald Drive 203.58 feet to the point of beginning, containing 3.42 acres more or less



TAX ABATEMENT APPLICATION FORM

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City of Storm Lake
Building Official's Department
P.O. Box 1086
Storm Lake, Iowa 50588
712-732-8000
buildingofficial@stormlake.org

For More information visit:
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Commercial Property - Maximum three (3) year exemption of 50% on the actual value added.

Multi- Residential - No exemption

NOTE: Minimum 20% increase on actual value required

Need More
Information?
Scan This QR
Code!



☒ Prior Approval for Intended Improvements

☐ Approval of Improvements Completed

Property Address: 94 N Emerald Drive #7, Storm Lake IA, 50588

Legal Description: See attached

Property ID Number (PIN): 1405458007

Owner E-mail: sbrash20@gmail.com

Property Owner Name: Brash LLC

Phone Number: 712-299-4684

Owner Address (If different than above) 510 Lakeshore Dr, Lakeside IA 50588

☐ Check Box if there is a tenant on the property who has occupied the dwelling unit for at least 1 year prior to date of adoption of the plan (4-4-2005) AND will be displaced by the proposed improvements.

☐ Check Box if this property is or will be a rental unit

What is the existing use of the property? (Choose one)

☐ Residential ☐ Commercial ☐ Multi-Residential ☐ Industrial ☒ Vacant

What is the PROPOSED use of the property? (Choose one)

☒ Residential ☐ Commercial ☐ Multi-Residential ☐ Industrial ☐ Vacant

What is the nature of the improvements being completed?

☒ New Construction ☐ Addition ☐ General Improvemts

Describe Improvements: Construction of new single family townhome

Estimated or Actual Date of Completion: 12/31/2020

Estimated or Actual costs of Improvements: \$150,000

NOTE: For complete details regarding eligibility & requirements see the Urban Revitalization Plan (4-4-2005) and amendment #1 (2014) and Ordinance.

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Your signature below indicates your understanding of the City of Storm Lake Urban Revitalization Program and authorizes your desire to apply for tax abatement on this property provided that it qualifies under the terms of the program.

Please attach the approved building permit to your application.

Signature:



Print Name: Steve Brashears

Date: 7/29/2020

Title: Owner/Manager

Company: Brash LLC

City of Storm Lake ONLY

Date Received:

1st Year Fully Assessed:

☐ Check Box if property is **NOT** in an existing Urban Renewal Area

Building Permit #:

BLDR 2020-0099

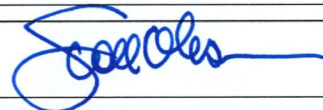
☐ For Rental Properties - Verified that property is on rental inspection registration list

☒ Check Box if application is approved

☐ Check Box if application is **NOT** approved

Disapproval Reason:

Authorized by Building Official:



Date:

8-31-2020

Authorized by Mayor:

Date:

Attested by City Clerk:

Date:

☐ Application Scanned to Laserfiche

Delivered to BV County Assessor on :

By:

City needs to submit application to Buena Vista County Assessor by March 1st annually.

Buena Vista County Assessor ONLY

Present Value of Structure:

Assessed Value with Improvements:

☐ Check Box if property **IS** eligible for Tax Abatement

☐ Check Box if property is **NOT** eligible for Tax Abatement

Assessor Signature:

Date:

☐ Check Box once final copy returned to City of Storm Lake



City of Storm Lake Building (Residential) Permit

Permit #: BLDR2020-0099
Issued Date: July 28, 2020
Project Address: 94 N Emerald DR 7 & 8
Storm Lake, IA 50588

Parcel #:
Expiration Date: January 25, 2021
Project:

Owner: BRASH LLC
Address: 510 Lakeshore DR
Lakeside, IA 50588
Phone: 7122994684

Contractor:
Address:
Phone:

Project Details			
SQ Ft:	0	Valuation:	\$0.00
Description:	New Duplex		
Permit Fees			
Totals:		\$1.00	\$0.00
			\$1.00

_____ Tax Abatement Form

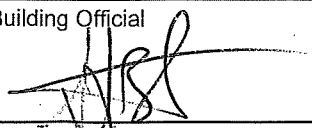
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INSPECTIONS REQUIRE 24 HOUR ADVANCED NOTICE.

Additional Information

Project Cost: 300000.00

Scott Olesen by ck
Building Official

Property Owner or Contractor

7/28/2020
Date
7-29-20
Date

A PART OF GOVERNMENT LOT 3 IN THE SW ¼ OF THE SE ¼ OF SECTION 5, AND A PART OF THE VACATED PORTION OF WHITNEY-PIERCE BEACH SUBDIVISION OF PART OF GOVERNMENT LOT 3 IN SECTION 5, T-90-N, R-37-W OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS: Commencing at the Southwest corner of the Southeast Quarter (SE ¼) of said Section 5, thence on an assumed bearing of North, along the West line of said Southeast Quarter (SE ¼) 33.00 feet; thence South 89°40'34" East, 98.02 feet to the point of beginning, said point being on the easterly right of way line of Iowa Highway No. 110; thence Northeasterly along the arc of a 3077.8 feet radius curve, concave easterly with a central angle of 25°30' and whose short chords bear North 12°46'20" East, 201.62 feet; thence North 15°44'37" East, 143.23 feet; thence North 18°34'44" East, 138.9 feet; thence North 21°58'18" East, 178.13 feet; thence North 25°52'50" East, 156.6 feet and here ending the circular curve; thence North 24°45'47" East, 53.20 feet to the Highwater Line of Storm Lake; thence along the Highwater Line of Storm Lake, North 62°21'15" East, 21.22 feet; thence North 69°12'38" East, 11.61 feet; thence South 82°19'23" East, 24.06 feet; thence North 68°16'26" East, 35.35 feet to the West Line of Lake Shore Drive as platted with Whitney Pierce Beach Addition in February, 1928; thence South 05°12'25" East, along the West line of said Lake Shore Drive, 217.89 feet; thence North 89°46'40" West, 44.0 feet; thence South 12°26'03" West, 51.20 feet to the Northwest Corner of Block 1 of Buck's Addition; thence South 12°53'35" West, along the West line of Block 1 of Buck's Addition, 593.67 feet to the North line of North Emerald Drive; thence North 89°40'34" West along a North line of North Emerald Drive 203.58 feet to the point of beginning, containing 3.42 acres more or less



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Need More
Information?
Scan This QR
Code!



☒ Prior Approval for Intended Improvements

☐ Approval of Improvements Completed

Property Address: 94 N Emerald Drive #8, Storm Lake IA, 50588

Legal Description: See attached

Property ID Number (PIN): 1405458008

Owner E-mail: sbrash20@gmail.com

Property Owner Name: Brash LLC

Phone Number: 712-299-4684

Owner Address (If different than above) 510 Lakeshore Dr, Lakeside IA 50588

☐ Check Box if there is a tenant on the property who has occupied the dwelling unit for at least 1 year prior to date of adoption of the plan (4-4-2005) AND will be displaced by the proposed improvements.

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Construction of new single family townhome

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Please attach the approved building permit to your application.

Signature:



Print Name: Steve Brashears

Date: 7/29/2020

Title: Owner/Manager

Company: Brash LLC

City of Storm Lake ONLY

Date Received:

1st Year Fully Assessed:

☐ Check Box if property is **NOT** in an existing Urban Renewal Area

Building Permit #:

BLAR 2020-0099

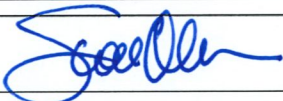
☐ For Rental Properties - Verified that property is on rental inspection registration list

☒ Check Box if application is approved

☐ Check Box if application is **NOT** approved

Disapproval Reason:

Authorized by Building Official:



Date:

8-31-2020

Authorized by Mayor:

Date:

Attested by City Clerk:

Date:

☐ Application Scanned to Laserfiche

Delivered to BV County Assessor on:

By:

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Buena Vista County Assessor ONLY

Present Value of Structure:

Assessed Value with Improvements:

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☐ Check Box if property is **NOT** eligible for Tax Abatement

Assessor Signature:

Date:

☐ Check Box once final copy returned to City of Storm Lake



City of Storm Lake Building (Residential) Permit

Permit #: BLDR2020-0099
Issued Date: July 28, 2020
Project Address: 94 N Emerald DR 7 & 8
Storm Lake, IA 50588

Parcel #:
Expiration Date: January 25, 2021
Project:

Owner: BRASH LLC
Address: 510 Lakeshore DR
Lakeside, IA 50588
Phone: 7122994684

Contractor:
Address:
Phone:

Project Details			
SQ Ft:	0	Valuation:	\$0.00
Description:	New Duplex		
Permit Fees			
Totals:		\$1.00	\$0.00
			\$1.00

____ Tax Abatement Form

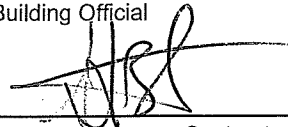
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Additional Information

Project Cost: 300000.00

Scott Olesen by cb
Building Official

Property Owner or Contractor

7/28/2020
Date
7-29-20
Date

A PART OF GOVERNMENT LOT 3 IN THE SW ¼ OF THE SE ¼ OF SECTION 5, AND A PART OF THE VACATED PORTION OF WHITNEY-PIERCE BEACH SUBDIVISION OF PART OF GOVERNMENT LOT 3 IN SECTION 5, T-90-N, R-37-W OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS: Commencing at the Southwest corner of the Southeast Quarter (SE ¼) of said Section 5, thence on an assumed bearing of North, along the West line of said Southeast Quarter (SE ¼) 33.00 feet; thence South 89°40'34" East, 98.02 feet to the point of beginning, said point being on the easterly right of way line of Iowa Highway No. 110; thence Northeasterly along the arc of a 3077.8 feet radius curve, concave easterly with a central angle of 25°30' and whose short chords bear North 12°46'20" East, 201.62 feet; thence North 15°44'37" East, 143.23 feet; thence North 18°34'44" East, 138.9 feet; thence North 21°58'18" East, 178.13 feet; thence North 25°52'50" East, 156.6 feet and here ending the circular curve; thence North 24°45'47" East, 53.20 feet to the Highwater Line of Storm Lake; thence along the Highwater Line of Storm Lake, North 62°21'15" East, 21.22 feet; thence North 69°12'38" East, 11.61 feet; thence South 82°19'23" East, 24.06 feet; thence North 68°16'26" East, 35.35 feet to the West Line of Lake Shore Drive as platted with Whitney Pierce Beach Addition in February, 1928; thence South 05°12'25" East, along the West line of said Lake Shore Drive, 217.89 feet; thence North 89°46'40" West, 44.0 feet; thence South 12°26'03" West, 51.20 feet to the Northwest Corner of Block 1 of Buck's Addition; thence South 12°53'35" West, along the West line of Block 1 of Buck's Addition, 593.67 feet to the North line of North Emerald Drive; thence North 89°40'34" West along a North line of North Emerald Drive 203.58 feet to the point of beginning, containing 3.42 acres more or less



TAX ABATEMENT APPLICATION FORM

City of Storm Lake, Iowa Urban Revitalization Program is authorized under Iowa Code Chapter 404 and as adopted by the City's Urban Revitalization Program.

City of Storm Lake
Building Official's Department
P.O. Box 1086
Storm Lake, Iowa 50588
712-732-8000
buildingofficial@stormlake.org

For More information visit:
www.stormlake.org/taxabatement

Tax exemptions are allowed as follows:

Residential Housing - Maximum five (5) year exemption of 100% on the first \$75,000 of actual value added.

Commercial Property - Maximum three (3) year exemption of 50% on the actual value added.

Multi- Residential - No exemption

NOTE: Minimum 20% increase on actual value required

Need More
Information?
Scan This QR
Code!



☐ Prior Approval for Intended Improvements

☒ Approval of Improvements Completed

Property Address:

700 Meadow Lane, Storm Lake, IA 50588

Legal
Description:

D1-03 Storm Lake Corp Hayes West Lake
Estates Second add.

Property ID Number (PIN):

1408126005

Owner E-mail:

janfarn@gmail.com

Property Owner Name:

Jeff & Lynette Goodman

Phone Number:

712-299-3200

Owner Address (If different than above)

☐ Check Box if there is a tenant on the property who has occupied the dwelling unit for at least 1 year prior to date of adoption of the plan (4-4-2005) AND will be displaced by the proposed improvements.

☐ Check Box if this property is or will be a rental unit

What is the existing use of the property? (Choose one)

☒ Residential

☐ Commercial

☐ Multi-Residential

☐ Industrial

☐ Vacant

What is the PROPOSED use of the property? (Choose one)

☒ Residential

☐ Commercial

☐ Multi-Residential

☐ Industrial

☐ Vacant

What is the nature of the improvements being completed?

☒ New Construction

☐ Addition

☐ General Improvements

Describe
Improvements:

Built a new home

Estimated or Actual Date of Completion:

10/2018

Estimated or Actual costs of Improvements:

\$350,000.00

NOTE: For complete details regarding eligibility & requirements see the Urban Revitalization Plan (4-4-2005) and amendment #1 (2014) and Ordinance.

Tax Abatement is **NOT** allowed in any current or future Urban Renewal Area within the City limits of the City of Storm Lake. Your application for Tax Abatement must be filed with the City of Storm Lake by February 1st of the assessment year for which the exemption is first claimed but in no case not later than two (2) years after the February 1st following the year that the improvements are first assessed for taxation. Your project must be completed so that the first full assessment is not later than January 1, 2024.

Your signature below indicates your understanding of the City of Storm Lake Urban Revitalization Program and authorizes your desire to apply for tax abatement on this property provided that it qualifies under the terms of the program.

Please attach the approved building permit to your application.

Signature:

Jeffrey C Goodman

Print Name:

Jeffrey C Goodman

Date:

8-18-20

Title:

Owner

Company:

City of Storm Lake ONLY

Date Received:

1st Year Fully Assessed:

☐ Check Box if property is **NOT** in an existing Urban Renewal Area

Building Permit #:

BP18-0032

☐ For Rental Properties - Verified that property is on rental inspection registration list

☒ Check Box if application is approved

☐ Check Box if application is **NOT** approved

Disapproval Reason:

Authorized by Building Official:

[Signature]

Date:

8-31-2020

Authorized by Mayor:

Date:

Attested by City Clerk:

Date:

☐ Application Scanned to Laserfiche

Delivered to BV County Assessor on:

By:

City needs to submit application to Buena Vista County Assessor by March 1st annually.

Buena Vista County Assessor ONLY

Present Value of Structure:

Assessed Value with Improvements:

☐ Check Box if property **IS** eligible for Tax Abatement

☐ Check Box if property is **NOT** eligible for Tax Abatement

Assessor Signature:

Date:

☐ Check Box once final copy returned to City of Storm Lake



Building Improvements Permit

Permit #: BP18-0032

Date: 4/11/2018

700 MEADOW LANE

Address of Property

JEFFREY GOODMAN

709 HICKORY LANE

STORM LAKE, IA 50588-2149

Name & Address of Property Owner

Zoning District

FAMDWELLING

Contractor Name

Permit Type

Permission To:

New 55' x 75' single family dwelling. Neville Construction is the General Contractor, Keller is the Plumbing Contractor, and Power Solutions is the Electrical Contractor.

Total Cost of Project: \$137900

Cost of Permit: \$0

☐ I have received the Tax Abatement Form.

The owner agrees to inspections of all installations subject to all pertinent code requirements. Permit not valid unless signed by the Building Official. Permit must be kept on the job site.

Building Official/Code Enforcement Officer

Property Owner or Contractor

THIS PERMIT AUTHORIZES CONSTRUCTION OF IMPROVEMENTS SPECIFIED.

By signing above, the applicant hereby agrees, in consideration of the issuance of this permit, to assume responsibility for and to hold the City harmless in regard to any and all claims of injury or damage arising from the acts or omissions of the applicant or his/her agents while acting under the authority of this permit. The applicant further agrees to comply with the provisions of the Code of the City of Storm Lake, Iowa and 29 CFR Part 1926.650, 651 and 652 as adopted by the Iowa Division of Labor.



TAX ABATEMENT APPLICATION FORM

City of Storm Lake, Iowa Urban Revitalization Program is authorized under Iowa Code Chapter 404 and as adopted by the City's Urban Revitalization Program.

City of Storm Lake
Building Official's Department
P.O. Box 1086
Storm Lake, Iowa 50588
712-732-8000
buildingofficial@stormlake.org

For More information visit:
www.stormlake.org/taxabatement

Tax exemptions are allowed as follows:

Residential Housing - Maximum five (5) year exemption of 100% on the first \$75,000 of actual value added.

Commercial Property - Maximum three (3) year exemption of 50% on the actual value added.

Multi- Residential - No exemption

NOTE: Minimum 20% increase on actual value required

Need More
Information?
Scan This QR
Code!



☒ Prior Approval for Intended Improvements

☐ Approval of Improvements Completed

Property Address: 1500 Shoreway Rd.

Legal Description: 04-90-37 STORM LAKE DCORP HAYES GOV LOT 3 AUD S/D SE NW LOT 2

Property ID Number (PIN): 1404178013

Owner E-mail: super.raya10@gmail.com

Property Owner Name: Edgar Raya & Jaleesa Bucheli

Phone Number: 712-291-0213

Owner Address (If different than above) 428 Otsego Street

☐ Check Box if there is a tenant on the property who has occupied the dwelling unit for at least 1 year prior to date of adoption of the plan (4-4-2005) AND will be displaced by the proposed improvements.

☐ Check Box if this property is or will be a rental unit

What is the existing use of the property? (Choose one)

☐ Residential ☐ Commercial ☐ Multi-Residential ☐ Industrial ☒ Vacant

What is the PROPOSED use of the property? (Choose one)

☒ Residential ☐ Commercial ☐ Multi-Residential ☐ Industrial ☐ Vacant

What is the nature of the improvements being completed?

☒ New Construction ☐ Addition ☐ General Improvements

Describe Improvements:

New Residential dwelling on vacant lot

Estimated or Actual Date of Completion: 2-15-2021

Estimated or Actual costs of Improvements: N/A

NOTE: For complete details regarding eligibility & requirements see the Urban Revitalization Plan (4-4-2005) and amendment #1 (2014) and Ordinance.

Tax Abatement is **NOT** allowed in any current or future Urban Renewal Area within the City limits of the City of Storm Lake. Your application for Tax Abatement must be filed with the City of Storm Lake by February 1st of the assessment year for which the exemption is first claimed but in no case not later than two (2) years after the February 1st following the year that the improvements are first assessed for taxation. Your project must be completed so that the first full assessment is not later than January 1, 2024.

Your signature below indicates your understanding of the City of Storm Lake Urban Revitalization Program and authorizes your desire to apply for tax abatement on this property provided that it qualifies under the terms of the program.

Please attach the approved building permit to your application.

Signature:

Edgar Raya

Print Name: Edgar Raya

Date: 8-14-2020

Title: Owner

Company: N/A

City of Storm Lake ONLY

Date Received:

1st Year Fully Assessed:

☐ Check Box if property is **NOT** in an existing Urban Renewal Area

Building Permit #:

BLDR2020-0107

☐ For Rental Properties - Verified that property is on rental inspection registration list

☒ Check Box if application is approved

☐ Check Box if application is **NOT** approved

Disapproval Reason:

Authorized by Building Official:

[Signature]

Date:

8-31-2020

Authorized by Mayor:

Date:

Attested by City Clerk:

Date:

☐ Application Scanned to Laserfiche

Delivered to BV County Assessor on :

By:

City needs to submit application to Buena Vista County Assessor by March 1st annually.

Buena Vista County Assessor ONLY

Present Value of Structure:

Assessed Value with Improvements:

☐ Check Box if property **IS** eligible for Tax Abatement

☐ Check Box if property is **NOT** eligible for Tax Abatement

Assessor Signature:

Date:

☐ Check Box once final copy returned to City of Storm Lake



City of Storm Lake

Building (Residential) Permit

Permit #: BLDR2020-0107
Issued Date: August 06, 2020
Project Address: 1500 SHOREWAY
Storm Lake, IA 50588

Parcel #: 1404178013
Expiration Date: February 02, 2021
Project:

Owner: Edgar & Jaleesa Raya
Address: 1500 Shoreway RD
Storm Lake, IA 50588
Phone:

Contractor: L & L Home Builders Co.
Address: 5035 C AVE
Marcus, IA 51035
Phone: 7125405198

Project Details

SQ Ft: 0
Description: 49 ft x 55 ft 4 Single Family Dwelling 2 story
Valuation: \$0.00

Permit Fees

Totals:	\$1.00	\$1.00	\$0.00
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_____ Tax Abatement Form

THIS PERMIT AUTHORIZES CONSTRUCTION OF IMPROVEMENTS SPECIFIED.

By signing above, the applicant hereby agrees, in consideration of the issuance of this permit, to assume responsibility for and to hold the City harmless in regard to any and all claims of injury or damage arising from the acts or omissions of the applicant or his/her agents while acting under the authority of this permit. The applicant further agrees to comply with the provisions of the Code of the City of Storm Lake, Iowa and 29 CFR Part 1926.650, 651 and 652 as adopted by the Iowa Division of Labor.

The owner agrees to inspections of all installations subject to all pertinent code requirements. Permit not valid unless signed by the Building Official. Permits must be kept on the job site.
INSPECTIONS REQUIRE 24 HOUR ADVANCED NOTICE.

Additional Information

Project Cost: 400000.00

Building Official

Date

Property Owner or Contractor

Date

Staff Summary

12/21/2020

Agenda Item # D.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Chris Cole, Police Chief

SUBJECT: **Methodist Church Road Closure Request**

BACKGROUND: Attached is a request for road closure on East 3rd Street for a church service at the United Methodist Church. The request is to close East 3rd between Cayuga and Irving. The services will be held on 12-24-20 at the following times:
12:00 PM to 1:15 PM
3:00 PM to 4:15 PM
5:00 PM to 6:30 PM

FISCAL IMPACT: None

RECOMMENDATION: Approve request.

ATTACHMENTS:

Description

Type

Staff Summary

12/21/2020

Agenda Item # E.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Chris Cole, Police Chief

SUBJECT: **SLPD City Code Enforcement Summary**

BACKGROUND: 12/2/2020 to 12/15/2020

29 total

Accumulate Junk – 18
Accumulate Trash – 5
Junk Vehicle – 3
Accumulate Brush – 1
Accumulate Bags of leaves – 1
Broken Concrete – 1

0 Citations

FISCAL IMPACT: None

RECOMMENDATION: None

Staff Summary

12/21/2020

Agenda Item # 3.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Keri Navratil, City Manager

SUBJECT: **Storm Lake United Update**

BACKGROUND: Interim Executive Director, Lee Dutfield, will provide an update regarding Storm Lake United.

[Click here to view the Presentation](#)

FISCAL IMPACT: N/A

RECOMMENDATION: N/A

ATTACHMENTS:

Description	Type
📎 Storm Lake United 2020 Slide Presentation - Text	Backup Material



1. On behalf of our board of directors and Storm Lake United's team, I want to thank you for your continued support, especially as we navigated through an incredibly challenging year. I am proud of how we have responded, as an organization by continuing to support our members and developing inventive adaptations to strongly move forward through the pandemic.
2. We continue to lead as the voice of our members and a champion for our community. We have new and innovative plans for 2021 that focus on tourism, shopping, and economic development. New housing developments are in-construction or in the planning stage. In short, our community remains strong, dynamic, and focused on the future.
3. A new year and a fresh start - Storm Lake United partnered with BVU and together we brought back WINTERFEST. Activities included Ice Hockey, Ice Skating, Ice Bowling, Ice Fishing, Broom Ball and Cross-Country Skiing. All events were free to the community. SLU and BVU both gave away SL Bucks and Beaver Bucks respectively.
4. Our Valentine's Day promotion included a drawing for fantastic prizes and a Chocolate Walk at participating businesses. Shoppers could sample different chocolate at each retailer while enjoying some sweet savings by shopping Storm Lake.
5. We started a YouTube channel to enable us to share videos with subscribers. We made videos of in-store visits, special promotions and as the year progressed, we utilized YouTube as a way of sharing important events and information. These videos were also mirrored on Facebook and Instagram.
6. In March when the WHO declared COVID-19 a Pandemic we immediately created a landing page on our website to provide the latest Covid-19 guidance and information.
7. As new information became available to us, we promptly passed this information on to our community & business members. This is a screen shot showing links to websites, documents, means of assistance and general information all related to Covid-19. This information, as much as possible, was presented in English and in Spanish.
8. Below are some examples of the links - Pictured Left: Iowa Small Business Development Center's chart explaining the PPP program and Economic Injury Disaster Loan information – Pictured Right: Reopening & Recovery Tool Kit for Business for the City of Storm Lake.
9. This slide features two examples of Storm Lake United partnering with businesses in our community at the start of the Covid-19 pandemic. Pictured Left: SLU partnered with

BVRMC to help give away floor decals to help promote social distancing. You may have seen these in stores, restaurants, and businesses in town. Pictured Right: SLU partnered with Storm Lake Radio to create "Onward Storm Lake" SLR provided a website page for businesses to upload current information pertaining to their business. For example, if they were open or closed, available for takeout or offer curbside pick-up or delivery, their hours of operation and social distancing guidelines...etc.

10. Our message to our business members. "Let us Help Guide You Through These Difficult Times..." We advertised in English and Spanish in newspapers and on-line. Storm Lake United is a valuable resource, trusted voice, and advocate for our member businesses. We understand the impact of COVID-19 on our local business community and the challenges that we are facing. We will continue focusing on our mission of providing unparalleled support for our businesses and community members to strengthen Storm Lake and Buena Vista County— now and in the future.
11. This was our first promotion in March. We needed a way to keep people engaged and support local business while businesses were closed, and we were told to flatten the curve. We created COVID-19 Bingo.
12. Besides maintaining active and engaging social media pages, in 2020 Storm Lake United ran television commercials on NBC/KTIV and ABC/ KCAU. We also ran a holiday spot on 20 cable networks through Mediacom's ON-Media service. SLU ran digital display ads on KCAU's website SiouxlandProud.com in addition to mobile splash ads on KTIV's website KTIV.Com. SLU advertised in the following newspapers: The Storm Lake Times, The Alta Auriela Star, The Pilot Tribune, Buena Vista County Journal and La Presna. SLU advertised in Siouxland Women magazine and on the radio at KCHE and Storm Lake Radio. SLU also has a billboard on Highway 71.
13. Our new billboard located on Hwy 71.
14. Pictured Left: Our Travel Iowa ad for 2020. The ad is a partnership between SLU, King's Pointe and the City of Storm Lake. Pictured Right: Our new ad for Spring/Summer 2021.
15. SLU created a coupon book which includes great saving discounts from many of Storm Lake's favorite businesses. These are provided to BVU students, visitors, walk-ins and to our hotel/motels.
16. VIDEO: Storm Lake United sponsored vignette for Hispanic Heritage Month. This spot shows our support for Hispanic owned small businesses in the Storm Lake area.
17. VIDEO: Question: How do you make a new commercial during a pandemic to show the culinary diversity of Storm Lake? Answer: You get creative! "Tour the world in Storm Lake...one plate at a time. Whatever you're craving...or just want to try. Mexican, Chinese, Cuban, or Thai... Storm Lake elevates-and celebrates-the diversity in our food. For families, adventures or just the two of you. Explore a dining experience in Storm Lake ...one plate at a time."
18. During this pandemic we have seen several start-up new businesses. We are so very grateful that these businesses have decided to become members of Storm Lake United. This slide shows some of our new business members for 2020. We are also incredible grateful to the continued commitment from our business members which enables us to: •

Advocate for our members and promote Storm Lake and the surrounding area as a tourist and shopping destination, as well as an ideal place to relocate a family or a business • Stimulate and support Storm Lake's and the surrounding communities' economies through grants, loans, programs, events, and services • Provide valuable resources such as job postings, weekly email updates, an expanded web presence for members through our membership directory and member features, referrals, and social media channels.

19. Unfortunately, many scheduled Storm Lake United Coffees, Business After Hours and Ribbon Cuttings had to be postponed or cancelled. Here are few that we managed to schedule. Even during these difficult times, we still have community support!
20. We were presented with a situation where members were looking to hire for open positions and were not always successful in finding the right candidate. In response, we created Storm Lake Job Outreach. There are multiple avenues for job seekers to look for employment, including local classified ads, social media, and online platforms like Indeed, however, many successful new hires are a result of networking or referrals. The workstormlake job posting campaign creates a tighter, more familiar audience from which to pull employees that does not compete with - but adds to - how members recruit and hire.
21. Press Release from Ridiculous Days. "Get ready to be "HOOKED ON SAVINGS" during the annual Ridiculous Days sales event! You Betta believe prices are being slashed. Stop by some of your favorite stores for "Fish-Tastic" in-store deals, bargain blow-outs and sidewalk sales, beginning Thursday, July 16th and going through Saturday, July 18th. Make sure to shop early and don't let Salmon else reel in that special item you've had your Walleyes on. Shop your favorite Storm Lake retailers and then relax and enjoy a delicious meal at one of our participating restaurants. This is your oppor-tuna-ty to save a boat load! Okay, maybe we are gill-ty of too many fish puns - but they are so catchy and we like being ridiculous. Throughout Ridiculous Days, Storm Lake businesses will be decorated with colorful fish windsocks to mark the occasion. For more information please visit Storm Lake United's Facebook page. Below is a list of participating stores, and restaurants offering specials during Ridiculous Days!".
22. Storm Lake United joined up with several of our retailers to offer fantastic prizes to celebrate the start of the 2020-2021 school year. Prizes included waterpark passes, courtesy of King's Pointe Waterpark & Resort, a one-day pass to LaunchPAD Children's museum, 23 pairs of Adventure Land Passes (one pair per winner), courtesy of Storm Lake Radio, \$100 Storm Lake Bucks, and \$50 Storm Lake Bucks, provided by Storm Lake United. We also invite the shoppers to donate any school supplies they could spare at any of the participating retailers.
23. Storm Lake United, Buena Vista Regional Medical Center and local retailers coordinated another Sassy Saturday event through October. Shoppers who purchased a pink bracelet had access to deals and discounts with local retailers. Proceeds benefit BVRMC P.i.n.k. which helps women with financial barriers get free mammograms. The event raised \$663.00. An additional \$1,000.00 was raised during Paxtons Jewelry balloon pop and cake dig promotion. This was the first event we extended the dates of the event to help promote a safe shopping experience.

24. With Chills and Thrills cancelled we had to come up with something exciting to take its place. Storm Lake United partnered with Citizen's 1st National Bank and The UPS Store and we created a Halloween Mask Decoration Contest. First 50 entrants all received a backpack courtesy of Citizens 1st. This flyer was distributed in our local schools. We had over 70 kids enter the contest!
25. This slide shows just a few of our winners. Storm Lake United gave away 17 prizes including two children's bicycles!
26. We felt like our business members needed a little fun at Halloween also, so we created the first ever SLU Store Front Decoration Contest. Members dressed up the front of their store or business in hopes of taking home the "Spirit Award" SLU presented the "Spirit Award" to Justin Yarosevich of Simmery-Cory. His winning building decoration is pictured to the left.
27. Due to Covid-19 concerns we extended the Holiday Open House from 1 day to 4 days. SLU held a drawing for \$350 in Storm Lake Bucks. Our goal was to restore consumer confidence and show people from other communities that they could safely shop in Storm Lake. We reviewed the addresses provided on the entry slips and we found that many people were from out of town. This was exciting to see and validated our marketing campaign for this event.
28. What better way to kick off Small Business Saturday and the holiday shopping season than with a one-day sale on Storm Lake Bucks! Bucks sold 145 (\$25) Amount collected \$2,900.00 (at 20% off) 20% difference \$725.00 incurred at SLU's expense. Total not counting discount \$3,625.00.
29. Every year SLU applies to Amex for approval to be a Small Business Saturday "Neighborhood Champion". Once the application is approved and accepted, we receive a wide assortment of promotional materials we can share with our business members. Photo on right shows the materials we received this year. The total amount of SLU Bucks sold to date this year is \$17,685.00. By focusing on keeping dollars local, we position Storm Lake as a vibrant shopping destination and generate funds for Storm Lake and Buena Vista County through the local option sales tax.
30. Examples of our Shop Local Campaign advertisements in Spanish and English. Pictured Left: La Prensa de Iowa advertisement. Pictured Right: Pilot Tribune advertisement.
31. VIDEO: On Media Commercial - 150 Commercials on 20 Cable Networks with 3,100 OTT Impressions. "The business community of Storm Lake Iowa wishes to thank you for the loyal support you've shown this past year and encourages everyone to visit the variety of local stores and multicultural restaurants that make us a truly great place to shop for the holiday season"
32. Since we were unable to host Miracle on Lake Avenue this year and SMALL business is kind of a BIG deal, we created the 12 Days of Christmas promotion. Storm Lake Bucks keep money local which helps support the small businesses we love. So, this year we gave people the chance to win \$25 in Storm Lake Bucks every day during the 12 DAYS OF CHRISTMAS by answering a holiday related question on our Facebook page. We select one lucky winner each of the 12 days. People also had the opportunity to register

to win gift cards to their favorite restaurants and businesses in Storm Lake. Again, our goal with this retail promotion - keep the money local and support our small businesses.

33. During Storm Lake United's 12 Days of Christmas, we hosted two Holiday Food Drives to benefit Upper Des Moines Opportunity. A few generous local businesses matched a dollar for each non-perishable food item collected up to \$250.00. Pictured bottom left and right are examples of our Facebook contest.

34. Our Retail in Action Committee Members. At the beginning of the year, we created the SL Retail in Action Group on Facebook. This is a closed group for local businesses owners and managers. The group serves as a place for local retailers to brainstorm, share, and develop new ideas to attract and encourage local shopping.

35. SLU's Marketing and Tourism Committee

36. SLU's Board Members

37. Thank you again for your commitment and partnership. Our organization is strong because of you. Together, we will tackle this challenge - and whatever the future may bring - and ensure that Storm Lake will not only get through this but will thrive.

*****END*****

Staff Summary

12/21/2020

Agenda Item # 4.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Mayra Martinez, City Clerk

SUBJECT: **Motion to Approve City Manager's Contract**

BACKGROUND: It is traditional that following the evaluation of the City Manager the Mayor and City Council consider any compensation changes or other changes to the contract desired for the upcoming year.

Keri Navratil was hired by the City Council as City Manager on May 20, 2017. Previously she had worked for Storm Lake as Assistant City Manager.

Decisions regarding the wages and other compensation for the City Manager must be made in open session. This agenda item will provide for Council to make any amendments to the contract and compensation desired at this time. Amendments will be incorporated into the contract as drafted by the City Attorney following approval by Council.

Three items are being considered for amendments at this time. One amendment would allow membership in any service organization, rather than only Rotary. The second amendment would allow participation in either the ICMA 457 plan or the Iowa Public Employees Retirement System (IPERS). The third amendment to the contract will include the new compensation approved by Council.

FISCAL IMPACT: Fiscal Impact as determined by Council action

RECOMMENDATION: Review and Present Motion

Staff Summary

12/21/2020

Agenda Item # 5.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Keri Navratil, City Manager

SUBJECT: **Public Hearing On The Proposed Sale Of Real Estate To Tyson Fresh Meats (Wastewater Treatment Plant)**

BACKGROUND: Since the early 1980's Tyson Fresh Meats currently leases the City's old wastewater treatment plant. The plant is in need of significant upgrades in order to meet their new treatment permit levels. Due to the investment, Tyson Fresh Meats would prefer to own the treatment plant

Rally Appraisal LLC conducted an appraisal on the property to determine a sale price. Due to the specific use of the property, the required investment to continue operation due to current regulations, and costs associated with the remediating the site for an alternative use, and residual value upon conversion of alternative use, there would be minimal interest in the property outside the current tenant.

FISCAL IMPACT: \$1.00

RECOMMENDATION: Open Hearing
Hear Comments
Close Hearing

ATTACHMENTS:

Description	Type
Public Hearing Notice	Backup Material
Appraisal	Backup Material

NOTICE TO THE PUBLIC

Notice is hereby given to all residents of the City of Storm Lake, Iowa and members of the public that the City Council will hold a public hearing at its regular meeting beginning at 5:00 p.m. on December 21, 2020 for the purpose of considering a proposal previously adopted by Resolution to sell and convey real estate described in the previously adopted Resolution. The Resolution is as follows:

RESOLUTION PROPOSING SALE AND DISPOSITION OF REAL ESTATE AND PROVIDING NOTICE TO THE PUBLIC

WHEREAS, the City of Storm Lake, Iowa (the “City”) is the owner of real estate described as:

A TRACT OF LAND LOCATED IN PART OF THE EAST HALF (E ½) OF SECTION 24, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) corner of the Northeast Quarter (NE ¼) of said Section 24: Thence South 88° 09' 32" East, along the North line of said Northeast Quarter (NE ¼), 261.00 feet to the Point of Beginning. Thence continuing South 88° 09' 32" East, along said North line, 1337.28 feet; Thence South 00° 21' 39" West, 3203.11 feet; Thence North 89° 41' 42" West, 1389.00 feet; Thence North 00° 56' 28" West, 304.04 feet; Thence North 44° 09' 45" East, 241.54 feet; Thence North 30° 06' 30" East, 70.02 feet; Thence North 00° 04' 12" East, 624.38 feet; Thence North 13° 28' 06" West, 60.70 feet; Thence North 34° 56' 11" West, 471.33 feet; Thence North 00° 19' 00" East, 853.75 feet; Thence North 89° 55' 38" East, 128.30 feet; Thence North 01° 47' 22" East, 777.46 feet to the Point of Beginning.

Hereafter known as Lot H in Section 24, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 99.92 acres and is subject to all easements of record.

(the “Real Estate”);

WHEREAS, the City has received a proposal from Tyson Fresh Meats, Inc.

(“Tyson”), in the form of a proposed Real Estate Contract (the “Contract”) by and between the City and Tyson, pursuant to which the City would sell and convey the Real Estate to Tyson at a purchase price of \$1.00;

WHEREAS, the Real Estate, which the City has leased to Tyson and its predecessor meat packing operations for many years at a rental of \$1.00 and serves as a wastewater treatment facility for Tyson, is not needed by the City;

WHEREAS, Tyson needs to make significant costly improvements to the wastewater treatment facility and desires to own the facility before making that investment;

WHEREAS, a copy of the Contract is on file for public inspection during regular business hours in the office of the City Clerk, City Hall, 620 Erie Street, City of Storm Lake, Iowa.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Storm Lake, Iowa does hereby propose to sell, dispose of, and convey, the Real Estate to Tyson on the terms described above.

IT IS FURTHER RESOLVED that this proposal shall be scheduled for a public hearing at the Council Chambers at City Hall at a regular council meeting scheduled for December 21, 2020, at 5:00 p.m. The City Clerk is further directed to have a copy of this Resolution published in the Storm Lake Times on a date not less than four (4) days nor more than twenty (20) days prior to said meeting.

Passed and approved this 7th day of December, 2020.

/s/ Michael Porsch
Michael Porsch, Mayor

ATTEST:

/s/ Mayra A. Martinez

Mayra A. Martinez, City Clerk

You are hereby advised of your right to participate in the hearing at the Council meeting at 5:00 p.m., December 21, 2020. DUE TO COVID-19, THIS MEETING WILL BE A TELEPHONIC MEETING ONLY. DIAL IN TO PARTICIPATE: 1-408-418-9388, ACCESS CODE: 146 170 5214, to speak in favor of or in opposition to such proposal to sell real estate.

Mayra A. Martinez, City Clerk for the City of Storm Lake

APPRAISAL REPORT

OF

**1234 630th STREET
STORM LAKE, IA 50588**

FILE # C20C2AD02

PREPARED FOR:

**CITY OF STORM LAKE
620 ERIE STREET
STORM LAKE, IA 50588**

ATTN: MS. KERI NAVRATIL

AS OF:

FEBRUARY 19, 2020 "AS IS"

**PREPARED BY:
RALLY APPRAISAL, LLC**

**CLINTON D. MILLER, MAI
CERTIFIED GENERAL REAL PROPERTY APPRAISER**

**1454 30TH STREET, SUITE 107
WEST DES MOINES, IOWA 50266
PHONE: (515) 226-8733 FAX: (515) 226-0148**



Rally Appraisal, L.L.C.

Des Moines Commercial • 1454 30th St., Suite 107 • West Des Moines, IA 50266

Clinton D. Miller, MAI
Patrick D. Bodenhamer
Samuel D. Schumacher
Kyle R. Pedersen

Phone: (515) 226-8733
Fax: (515) 226-0148
www.rallyappraisal.com

March 5, 2020

City of Storm Lake
630 Erie Street
Storm Lake, IA 50588

RE: 1234 630th Street, Storm Lake, Iowa

Dear Ms. Keri Navratil:

As requested, I have made an inspection and completed an appraisal of the above referenced property.

This appraisal is being presented in a narrative Appraisal Report Format which is intended to comply with the reporting requirements set forth under Standards Rule 2-2 (a) of the Uniform Standards of Professional Appraisal Practice (USPAP) for an Appraisal Report. As such, it presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning data, reasoning, and analyses is retained in the appraiser's files. The depth of discussion contained in this report is specific to the needs of the client and for the intended use as stated on the following page. The appraiser is not responsible for unauthorized use of this report.

This report is prepared for the client, the City of Storm Lake, for asset management decisions. This report represents my analysis and conclusion of the estimated "as is" market value of the fee simple estate in the subject property as of the inspection date of February 19, 2020. The following report complies with the standards and regulations outlined in Title XI of the Federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA).

The indicated Market Value is based upon the enclosed data, and contingent upon the limiting conditions set forth in the Scope of Work section of this appraisal.

This transmittal letter is considered a part of the appraisal report. Please contact me if you have any questions.

Sincerely,

Clinton D. Miller, MAI
Certified General Appraiser, CG02604 (Iowa)

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SUBJECT PROPERTY PHOTOGRAPHS



North Lagoons – Covered Anaerobic Lagoons



North Lagoons – Covered Anaerobic Lagoons



Influent Control Structure



Concrete Pits – 18' Deep (2 Pits)



Pump Area For Concrete Pits



Pump & Lab Area For Concrete Pits



Circular Pits 12' Deep



Office / Electrical / Chemical Storage (1966)



Electrical For Concrete Pits



Mechanicals



Shop



Chemical Room



Exterior – Chlorine Injection Area



Sludge Pit



Effluent Lagoon – 6' Deep



Effluent Final Lagoon - 6' Deep



Shed on South Side of Property (Flow Meter, Sampler & Heater)



Clean Water Discharge



Discharge Tube



2000 Built Burner Building



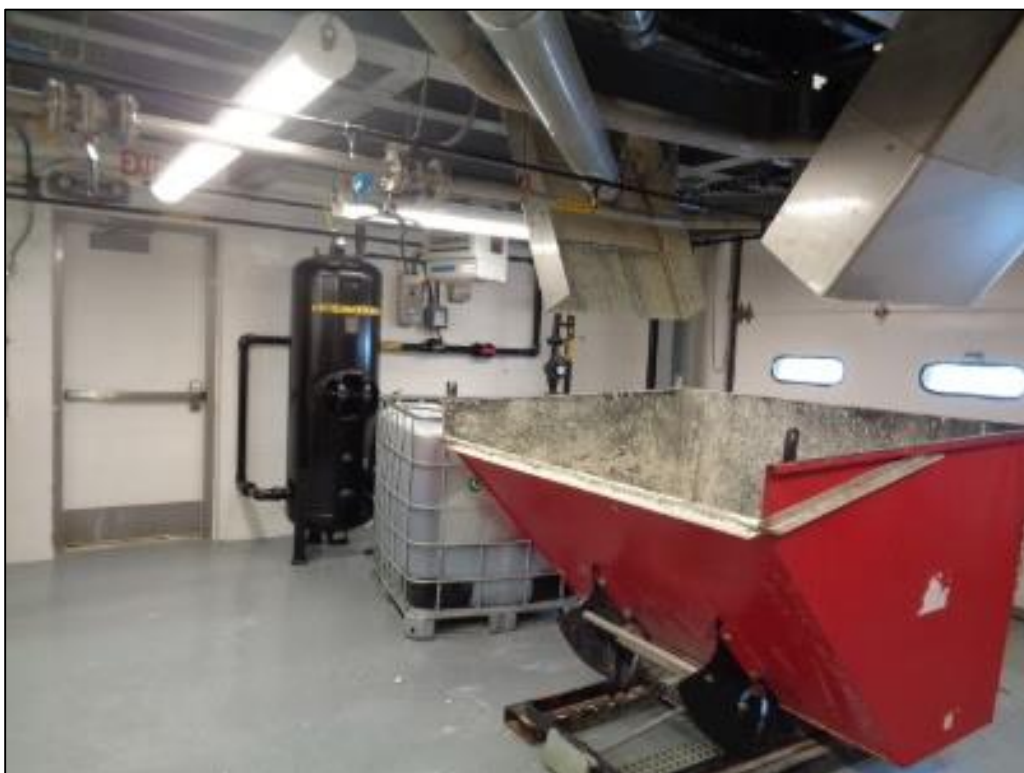
Mechanicals



Electrical Room



Chemical Room



Storage Area



Street View

SUMMARY OF SALIENT DATA

Date of Inspection:	February 17, 2020
Site Size:	104.61 Acres
Type of Property:	Waste Water Treatment Facility
Improvements:	Various - See Improvement Section
Legal Description:	See Addenda
Flood Map Information:	Area Not Mapped
Zoning:	A-1, Agricultural District Special Use Permit for Lagoons
Highest and Best Use:	(As Vacant): Ag Land (As Improved): Continued Use
Exposure Period:	12-18 months
Effective Date of Market Value:	February 17, 2020 "As Is"
Property Rights Appraised:	Fee Simple Estate
Cost Approach Indication:	Not Completed
Sales Comparison Approach:	\$1.00
Income Capitalization Approach:	Not Completed
Final Indicated Market Value:	\$1.00

SCOPE OF REPORT

The scope of the appraisal encompasses the necessary research and analysis to prepare a report in accordance with the intended use, the Standards of Professional Practice of the Appraisal Institute, and the Uniform Standards of Professional Appraisal Practice Foundation. In regard to the subject property, this involved the following steps:

1. This appraisal is prepared for the client, City of Storm Lake, for asset management decisions. The purpose of this appraisal is to estimate the "as is" market value of the fee simple estate of the subject property as of the date of inspection on February 19, 2020.

The appraiser is estimating the market value of the real estate only. No inside or outside equipment was valued.

2. The property was inspected on February 19, 2020. Clinton D. Miller inspected the interior and exterior of the subject property. This was essentially a walk through inspection. The property measurements were compared with information from the assessor's records.

The appraiser is not a building or environmental inspector. An inspection was made of the visible areas at the time of the inspection. The site is assumed to be stable and free of any environmental contamination, the building improvements are assumed to be sound, and there are no encroachments by the subject property or on the subject property unless otherwise stated in this report.

The appraiser is not qualified to:

- Make a determination whether or not the subject property meets current ADA guidelines
- Make a determination whether or not the subject property has any environmental contamination
- Survey the subject property to verify actual size or to make a determination as to whether or not the subject property encroaches on another property or another property is encroaching on the subject property
- Determine the condition of the mechanical or other structural systems of the subject property

If there is any question regarding any of these issues it is the responsibility of the client to obtain verification from qualified sources.

3. Regional, city, county and neighborhood data were based upon information available from the city, county and Iowa Economic Development.
4. Information about the subject property was obtained by inspecting the interior and exterior of the property, interviews, and public records.

-
5. In estimating the highest and best use of the property, an analysis was made of data compiled in the three steps noted above. In addition, a study of the market in the subject area has been made to determine the economic feasibility of the subject property.
 6. In developing approaches to value, the market data were collected from the assessor's office files, other appraisers, realtors, or persons knowledgeable to the subject property and marketplace. Attempts were made to confirm sales data with at least one of the parties involved in the transaction.
 7. After assembling and analyzing the data defined in the scope of the appraisal, a final estimate of market value is estimated.

The sales comparison is most applicable and completed within the appraisal herein.

8. The appraisal assignment is based on the assumptions/conditions outlined below. Pursuant to the requirement within Uniform Standards of Professional Appraisal Practice (USPAP, 2020-2021 Edition) Standards Rule 2-2 (a) (xi), it is stated here that the use of these extraordinary assumptions and/or hypothetical conditions may affect the assignment results.

Extraordinary Assumption: an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions and conclusions.

Comment: Uncertain information might include physical, legal, or economic characteristics of the subject property; or conditions external to the property, such as market conditions or trends; or the integrity of data used in an analysis.

The appraiser is making the following extraordinary assumptions:

- The subject property meets or exceeds all state and local code requirements.
- The subject property has a valid occupancy or use permit for the intended use of the subject property.
- All information supplied to the appraiser is accurate, complete, and not misleading.

COMPETENCY PROVISION

Mr. Miller is a Certified General Real Property Appraiser currently certified by the State of Iowa.

Mr. Miller has a B.A. in both real estate and finance from the University of Northern Iowa and has also taken appraisal courses in theory and application through the Appraisal Institute and Van Education. The appraiser is also a Designated Member of the Appraisal Institute.

The appraiser has performed appraisals on this type of property and a variety of other property types similar to the subject property. A list of qualifications and a list of various property types appraised are in the addendum section of this report.

CERTIFICATIONS

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and no personal interest or bias with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal practice.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of the Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- Mr. Clinton D. Miller has made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the person(s) signing this certification.
- As of this date, I, Clinton D. Miller, have completed the continuing education requirements of the Appraisal Institute for Designated Members.
- I have performed no services, as an appraiser or in any other related capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I, Clinton D. Miller, am licensed as a Certified General Real Property Appraiser under License number CG02604, granted by the State of Iowa, expires June 30, 2021.
- Valuation Date: February 19, 2020 "As-Is"
- Fee Simple Valuation Estimate: \$1.00



Appraiser's Name: Clinton D. Miller, MAI
Certified General Real Property Appraiser

Estimated Marketing Time: 12-18 months

Market data indicates the anticipated marketing time for the subject is 12-18 months. This is based on historical marketing periods of other similar properties that have sold in this market and other similar market areas. However, the list price and the marketing effort are paramount to getting a sale within the indicated marketing time. Properties which are over-priced often experience extended marketing times.

Exposure Time: is defined as “the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. Exposure time is a retrospective opinion based on an analysis of past events assuming a competitive and open market.¹

In the case of the subject, exposure time is determined to be **12-18 months**.

¹ *Uniform Standards of Professional Appraisal Practices & Advisory Opinions, 2020-2021 Edition*, Appraisal Standards Board, The Appraisal Foundation, page 4.

DEFINITIONS OF VALUE, PROPERTY RIGHTS APPRAISED AND FACTUAL DESCRIPTIONS

APPRAISAL²:

(noun) the act or process of developing an opinion of value; an opinion of value.
(adjective) of or pertaining to appraising and related functions such as appraisal practice or appraisal services.

Comment: An appraisal is numerically expresses as a specific amount, as a range of numbers, or as a relationship (e.g., not more than, not less than) to a previous value opinion or numerical benchmark (e.g., assessed value, collateral value).

TYPE OF REPORT:

According to the Uniform Standards of Professional Appraisal Practice, Standards Rule 2-2, an appraisal report must be prepared under one of the following two options: Appraisal Report or Restricted Appraisal Report. These two report types are described as follows:

Appraisal Report:

Should contain a summary of all information significant to the solution of the appraisal problem. “Summarize” is the distinguishing term related to the Appraisal Report.

Restricted Appraisal Report:

Should contain a brief statement of information significant to the solution of the appraisal problem. “State” is the distinguishing term related to the Restricted Appraisal Report.

This is an **Appraisal Report**, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2 (a) of the Uniform Standards of Professional Appraisal Practice (USPAP) for an Appraisal Report. As such, it presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser’s opinion of value. Supporting documentation concerning data, reasoning, and analyses is retained in the appraiser’s files. The depth of discussion contained in this report is specific to the needs of the client and for the intended use as stated on the following page.

² *Uniform Standards of Professional Appraisal Practice and Advisory Opinions, 2020-2021 Edition*, Appraisal Standards Board, The Appraisal Foundation, page 3.

DEFINITIONS OF VALUE, PROPERTY RIGHTS APPRAISED AND FACTUAL DESCRIPTIONS

PURPOSE OF APPRAISAL:

The purpose of this appraisal is to estimate the market value of the fee simple interest in the subject property, "as is", as of the date of inspection, February 19, 2020. The appraiser is valuing the real estate only.

INTENDED USER and INTENDED USE:

This appraisal is prepared for the client, City of Storm Lake, for asset management decisions.

PROPERTY RIGHTS APPRAISED:

There are three primary types of property rights, which may be appraised. They are Fee Simple Estate, Leased Fee Estate, and the Leasehold Estate. They are defined as follows:

Fee Simple Estate: Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

Leased Fee Estate: The ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires.

Leasehold Estate: The right held by the lessee to use and occupy real estate for a stated term and under the conditions specified in the lease.

The subject property is currently encumbered by a lease for \$1.00/year for two more years. That said, the client has indicated that the lessee is interested in purchasing the property and would like the **fee simple estate** be valued herein. The original lease was included within addendum.

Date of Value:

February 19, 2020 "As Is"

DEFINITIONS OF VALUE, PROPERTY RIGHTS APPRAISED AND FACTUAL DESCRIPTIONS

DEFINITION OF MARKET VALUE:

Market value, as herein used, is defined as follows:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- 1) Buyer and seller are typically motivated;
- 2) Both parties are well informed or well advised, and acting in what they consider their own best interests;
- 3) A reasonable time is allowed for exposure in the open market;
- 4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- 5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.³

³ [Code Federal Regulations, Title XII, Part 34.42 (FIRREA)]

IDENTIFICATION OF THE PROPERTY

Property Type:

Waste Water Treatment Facility

Property Location:

1234 630th Street, Storm Lake, IA

Legal Description:

See Addenda

Owner of Record:

City of Storm Lake (Disposal Plant)

History of Property:

The subject property has not transferred ownership within the previous three years. The property is not listed for sale nor are there any pending purchase agreements on the subject.

Encroachment/Encumbrance:

There are no adverse encroachments or encumbrances that negatively effect on the subject property.

Lease Agreement:

IBP originally had a 20-year lease with (1) 20-year option for \$1.00/year that commenced on 4/20/1982. IBP, now Tyson Foods, exercised the 20-year option which will expire 4/20/2022. Over the course of lessee's tenure at the property, there have been a number of leasehold improvements to the equipment, buildings, and site in order to practice modern waste water techniques and conform to current State and DNR regulations. Per a Tyson Foods' official, the property will require a substantial upgrade that will cost \$10,000,000 +/- to conform to current government regulation. As such, Tyson Foods would rather own the property rather than try to negotiate another lease.

ASSESSED VALUE & TAXES

Assessment & Tax Information		
Parcel ID: A Portion of 1424400003 & 1424200001		
Address: 1234 630th Street, Storm Lake		
Yr Blt: 1966-200 104.16 Ac Land		
Assessment Information	Current Year	Current Tax Year
Valuation Date	January 1, 2019	January 1, 2018
Assessed Value		
Land	\$ -	\$ -
Improvements	\$ -	\$ -
Total Assessed Value	<u>\$ -</u>	<u>\$ -</u>
*Assessed Value is determined by the county assessor		
Tax Information		
Taxable Value	The subject property is exempt	
Land		\$ -
Improvements		\$ -
Total Taxable Value		<u>\$ -</u>
Levy		
Gross Tax		\$ -
Business Tax Credit		\$ -
Net Tax		<u>\$ -</u>

The subject property is tax exempt and not assessed.

THE APPRAISAL PROCESS

The appraisal process is the orderly gathering, organizing and analyzing of factual data, in order to estimate a logical conclusion of a defined value as of a given date. The valuation process begins when an appraiser fully identifies the appraisal problem and ends when he/she reports the solution to the client. The valuation process is accomplished by following specific steps; the number of steps used depends on the nature of the appraisal assignment and the data available.

The first step is defining the appraisal problem, which involves determining the following considerations:

1. Identification of real estate;
2. Identification of the property rights to be appraised
3. Date of value estimate;
4. Use of appraisal
5. Definition of value
6. Other limiting conditions

Once the appraisal problem is defined, the appraiser collects and analyzes data that affects the market value of the subject property. The necessary data to be gathered included general data for the region, community and neighborhood in which the subject property is located. This general data includes; social economic, governmental, and environmental information. Also, specific data is gathered for the subject property and possible comparable properties. This specific data includes; site and improvements, sales and listings, costs and depreciation, income/expense and capitalization rate information. It is most desirable to use specific data within close proximity of the property to be appraised, but is sometimes necessary to search beyond neighborhood or community boundaries in order to find sufficient and/or reliable data. The examination of the data should lead to an understanding of the interrelationships specific area. It also provides raw data from which to extract numerical measurements and other evidence of market trends.

The next step in this process is to analyze and estimate the highest and best use for the subject site, as vacant, and as improved (in the case of improved properties).

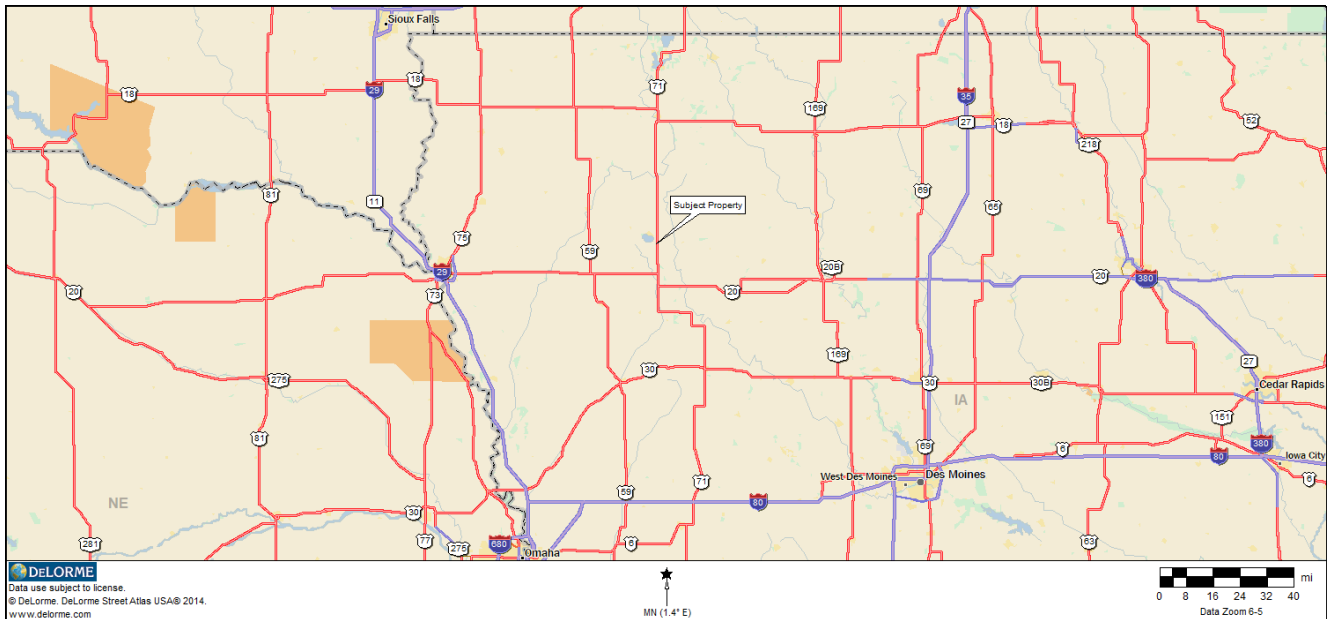
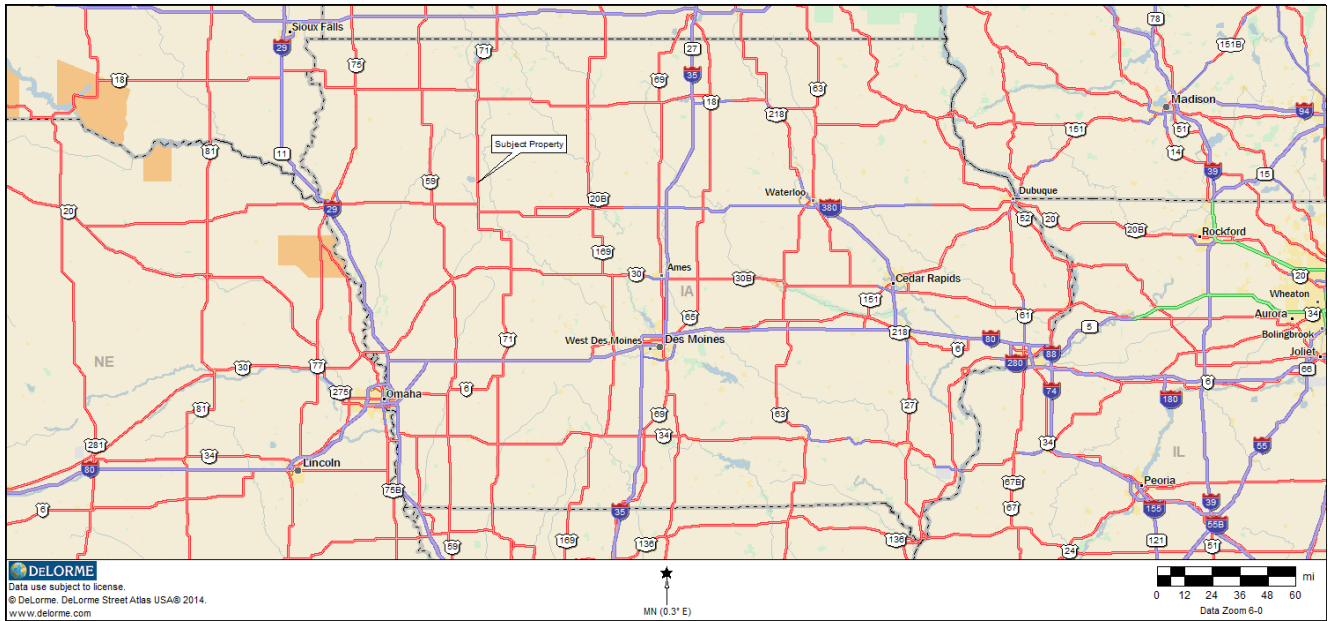
Then the specific data is analyzed, and used in one or more of the three standard approaches to value that are generally recognized by the appraisal community. The most common titles for these approaches are; The Cost Approach, The Direct Sales Comparison Approach, and The Income Approach.

The final step in the appraisal process is the reconciliation of the value indications given by each of the applied approaches into a single dollar figure. When all three approaches are used, the appraiser examines the spread among the three, separate indications. A wide spread may indicate that one or more of the approaches is not truly applicable to the appraisal problem. The appraiser must always consider the relative dependability and applicability of each approach in reconciling the value indications into a final estimate of defined value. In the reconciliation the appraiser considers the following critical factors; which of the approaches is based upon the greatest amount of reliable data, which approach most closely reflects the actual attitudes of typical buyers and sellers, and which approach (s) is most pertinent given the objective of the appraisal. The reconciliation also provides an opportunity to resolve variations and inconsistencies among the value indications and the methods with which they were derived.

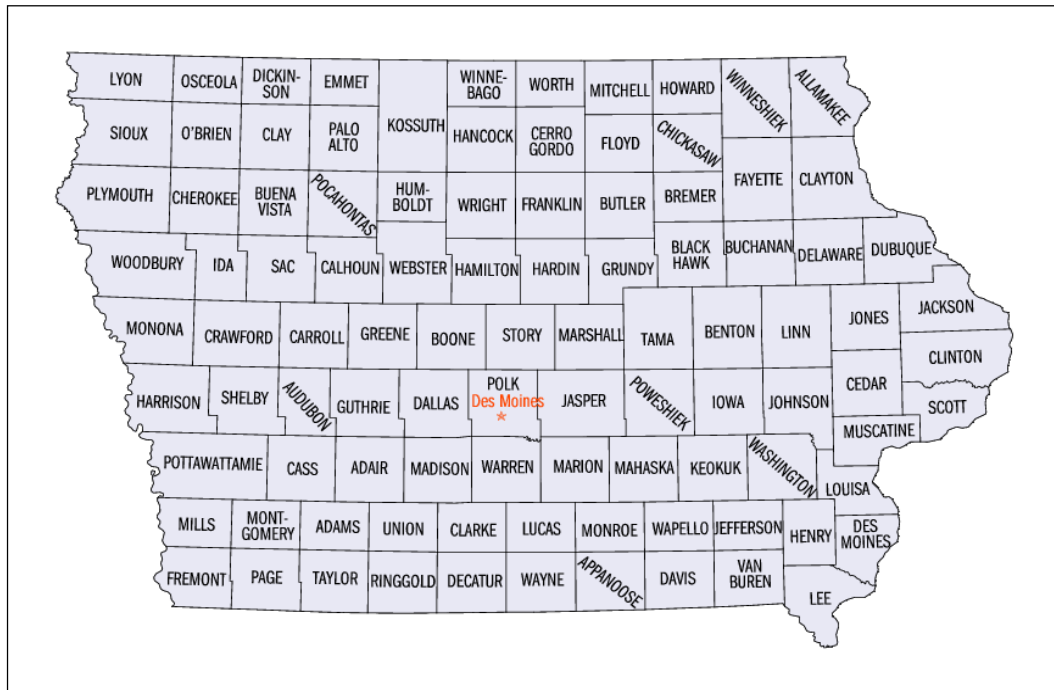
The report of defined value provides the client with a summary of the data analyzed, the methods used, and the reasoning that led to the value estimate.

DESCRIPTIONS

REGIONAL MAP



STATE DATA



LOCATION:

The State of Iowa is located in the central part of the United States, or that part commonly known as the Midwest. It is bordered on the east by the Mississippi River, the Missouri River on the west, the State of Missouri on the south, and the State of Minnesota on the north. Des Moines is the State Capital, and it is located in central Iowa.

GOVERNMENT:

Iowa has a 2-house legislative body, both of which are elected on the basis of population. Iowa is represented in the U.S. Congress by two senators and four representatives. The state has six electoral votes.

TAX STRUCTURE:

The state levies a 6% sales tax on retail goods and services (food/drugs exempt), a motor fuel tax, and a tax on income, both private and corporate.

OVERALL POPULATION TRENDS:

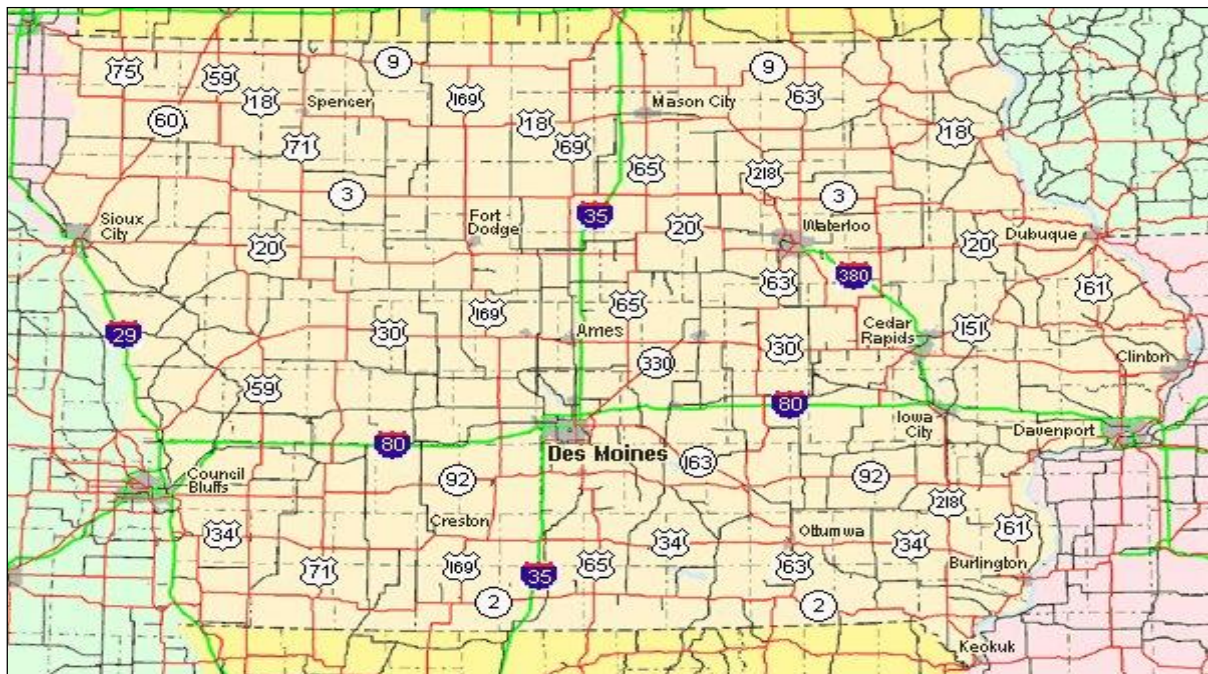
The urban population (incorporated cities with 2,500 or more residents) of Iowa has generally increased most decades from 1940 through 2010. Iowa's rural population, on the other hand, decreased each decade since 1940. That general rural decline hides three distinct trends, however. The farm population decreased substantially. The total number living in small towns remained remarkably stable. And those living in the country (but not on farms nor in small towns) gained throughout the last half-century.

Trends in segments of the urban population are not as distinct. Growth has not varied greatly by size of urban place, although Iowa's central cities have not changed much in recent decades while smaller urban cities have been more likely to gain.

Iowa's population experienced growth of 4.1% since 2000, bringing the total state population up to 3,046,355. This growth kept Iowa ranked at 30th overall in population. Projections show that Iowa's population is expected to grow at similar rate experienced in last decade for the next 30 years.

TRANSPORTATION:

Iowa is well serviced by highways, railroads, barges (on the Mississippi and Missouri Rivers) and by airlines to all major cities.



CLIMATIC CONDITIONS:

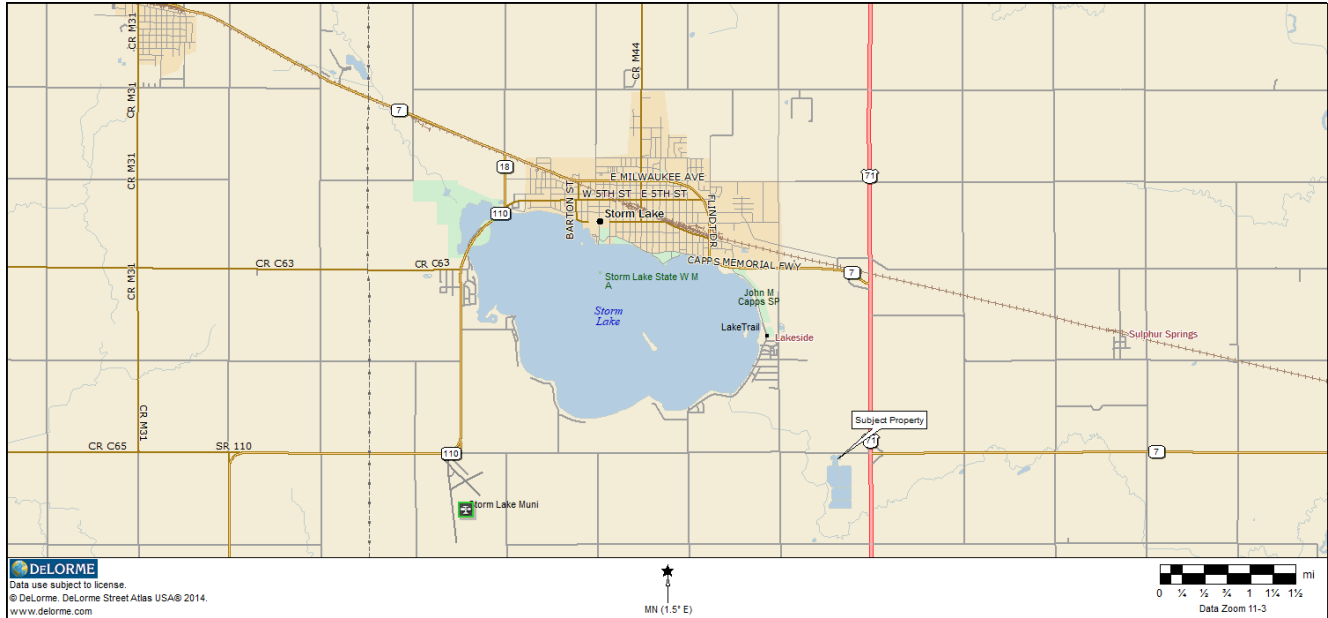
Iowa's four distinct seasons provide a climate that is classified as humid continental. Temperatures vary through a wide range, arriving at an annual average of 49 degrees. A typical year brings 166 days of sunshine, 100 days of partly cloudy, and 99 days of cloudy. Since much of the average 32 inches of rainfall comes during the growing season, Iowa climate is ideal for agricultural production and related services/industries. Winter snowfall averages 30 inches, and relative humidity averages 72%.

Iowa is located in what is commonly referred to as the Temperate Zone. The average growing season ranges from 135 days in the extreme north, to 175 days in the extreme southeast portion. Average temperatures during the growing season are well suited to production of feed-cereal grains, as well as forage crops. Annual rainfall is almost always adequate for high crop yields. Long-term averages are within a range of 26 inches in the northwest to 34 inches in the extreme east and southeast.

TOPOGRAPHY:

Located between the Upper Mississippi and Missouri Rivers, Iowa comprises 56,000 square miles, primarily of rolling prairie. Elevation changes are small across the state, varying from 1,670 feet in Osceola County in the northwest, to 480 feet at the mouth of the Des Moines River in the southeast. Some rugged terrain, mainly of forest soils, may be found in the northeast and near major river systems. Most of Iowa's natural lakes are located in the northwest. The topography of Iowa varies from level and undulating in many areas, to slightly rolling and steep or gullied on small portions. Such topography provides large areas suitable for agricultural enterprises.

COMMUNITY MAP



The subject is situated within the corporate limits of Storm Lake, the county seat of Buena Vista County.

The following is a brochure from the Iowa Economic Development website regarding the community of Storm Lake.

COMMUNITY DATA (Continued)

Storm Lake

County: Buena Vista

Iowa Lakes Corridor Development Corp.

7122643474 | kmiller@lakescorridor.com



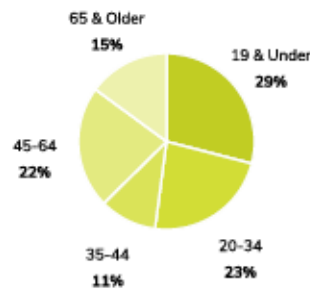
Source: ESRI®, 2019

Population Overview

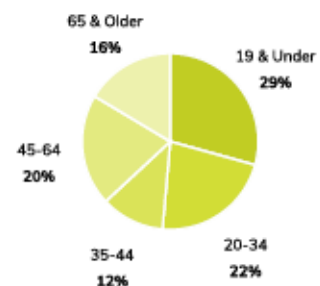
Population 2019:	10,761
Population 2023:	10,808
Female Population 2019:	5,392
Male Population 2019:	5,371
Diversity Index:	80.3

Population

Population By Age 2019



Population By Age 2023



Age & Gender 2019



Median Age 2019



Households



Total Families



Workforce

Total Workforce:	6,348
Employed:	96%
Unemployed:	4%

Average Daily Commute



Net Migration



COMMUNITY DATA (Continued)

Housing Overview

2019 Median Home Value:	\$137,121
2023 Median Home Value:	\$157,299
2019 Total Housing Units:	3,866
2019 Owner Occupied Units:	2,154
2019 Renter Occupied Units:	1,429
2019 Vacant Units:	283
2023 Total Housing Units:	3,879
2023 Owner Occupied Units:	2,174
2023 Renter Occupied Units:	1,429
2023 Vacant Units:	297

Employment by Industry

Manufacturing:	2,289
Educational Services:	760
Retail Trade:	633
Accommodation/Food Services:	589
Health Care/Social Assistance:	518
Construction:	241
Professional/Scientific/Tech Services:	180
Other Services:	151
Admin/Support/Waste Management Services:	123
Finance/Insurance:	110
Wholesale Trade:	105
Agriculture/Forestry/Fishing/Hunting:	102
Transportation/Warehousing:	94
Public Administration:	48
Utilities:	47
Arts/Entertainment/Recreation:	42
Information:	21
Mining/Quarrying/Oil & Gas Extraction:	7
Real Estate/Rental/Leasing:	6
Management of Companies/Enterprises:	0

Income

Median Household Income

2019	2023
\$50,928	\$53,535

Average Household Income

2019	2023
\$65,415	\$72,121

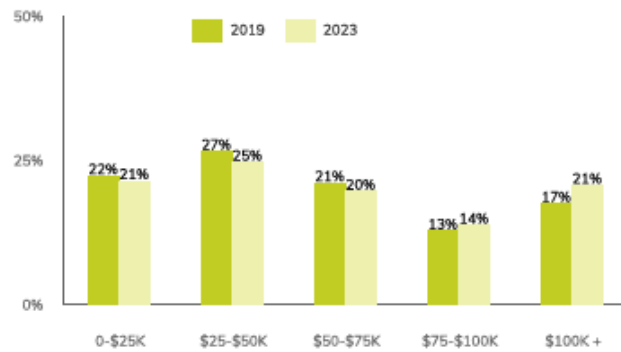
Per Capita Income

2019	2023
\$22,278	\$24,454

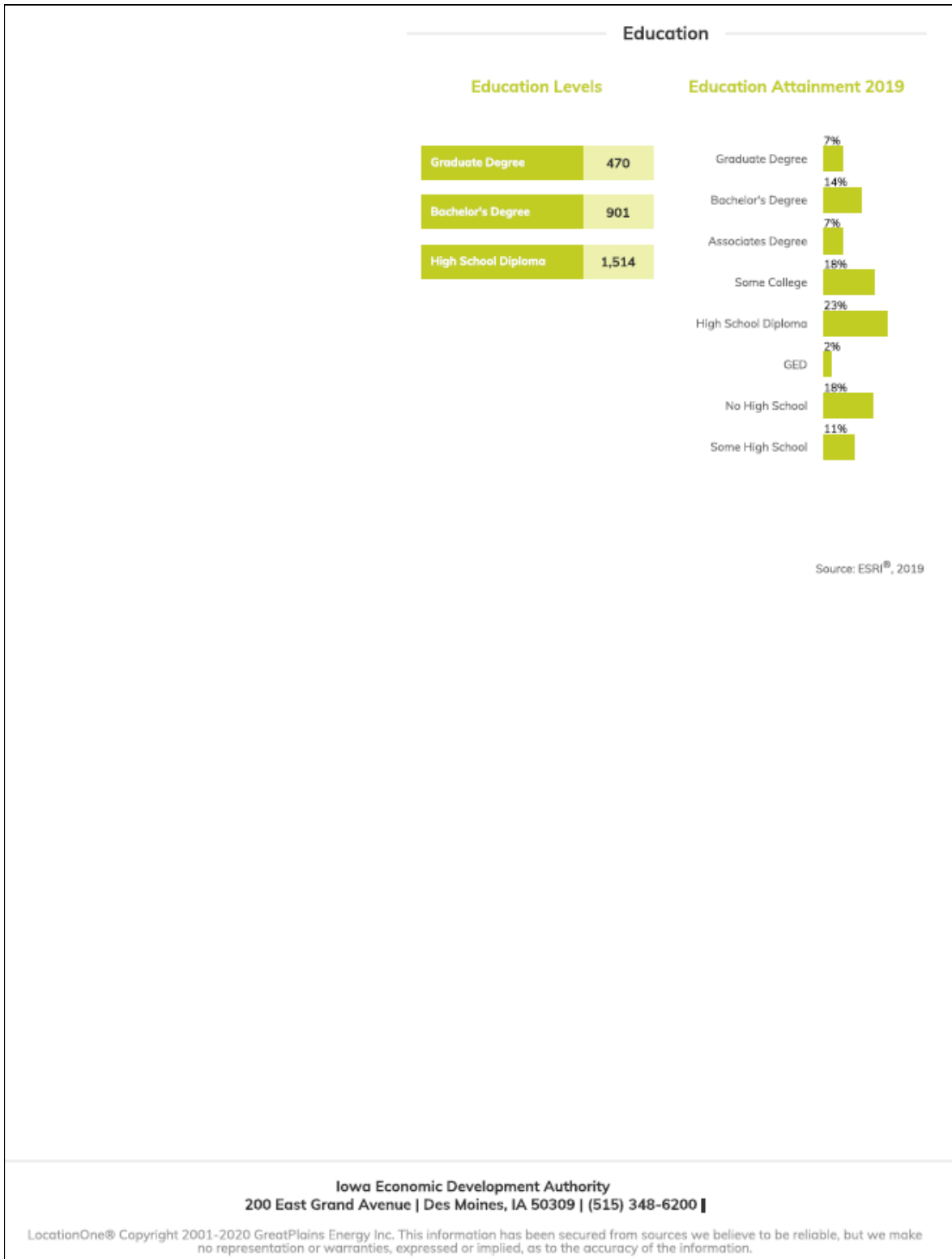
Income Growth

Per Capita Income Annual Growth Rate	1.88%
Median Household Income Annual Growth Rate	1%

Household Income Distribution



COMMUNITY DATA (Continued)



COMMUNITY DATA (Continued)

Population and Household Income

Storm Lake is the county seat of Buena Vista County. The population and household statistics for the Storm Lake are as follows:

		Demographic and Income Profile		
		Storm Lake city, IA (1975630) Place		
Summary	Census 2010	2016	2021	
Population	10,640	11,014	11,321	
Households	3,553	3,667	3,765	
Families	2,289	2,362	2,416	
Average Household Size	2.75	2.78	2.79	
Owner Occupied Housing Units	2,190	2,286	2,348	
Renter Occupied Housing Units	1,363	1,380	1,417	
Median Age	30.8	32.8	33.2	
Trends: 2016 - 2021 Annual Rate	Area	State	National	
Population	0.55%	0.66%	0.84%	
Households	0.53%	0.65%	0.79%	
Families	0.45%	0.57%	0.72%	
Owner HHs	0.54%	0.62%	0.73%	
Median Household Income	2.93%	2.33%	1.89%	
Households by Income	2016		2021	
	Number	Percent	Number	Percent
<\$15,000	569	15.5%	572	15.2%
\$15,000 - \$24,999	381	10.4%	438	11.6%
\$25,000 - \$34,999	412	11.2%	323	8.6%
\$35,000 - \$49,999	626	17.1%	423	11.2%
\$50,000 - \$74,999	736	20.1%	894	23.7%
\$75,000 - \$99,999	468	12.8%	532	14.1%
\$100,000 - \$149,999	356	9.7%	446	11.8%
\$150,000 - \$199,999	48	1.3%	66	1.8%
\$200,000+	70	1.9%	73	1.9%
Median Household Income	\$45,269		\$52,310	
Average Household Income	\$57,267		\$62,516	
Per Capita Income	\$20,454		\$22,199	

COMMUNITY DATA

(Continued)

The population statistics for Storm Lake indicate that this is a stable community with a slight growth trend. This is typical for most communities of this size in Iowa. The growth trend is attributed to the presence of Buena Vista University and the surrounding lake.

The household income statistics for Storm Lake are as follows:

 esri	
Executive Summary	
Storm Lake city, IA (1975630) Place	
	Storm Lake ci...
Population	
2000 Population	10,209
2010 Population	10,640
2016 Population	11,014
2021 Population	11,321
2000-2010 Annual Rate	0.41%
2010-2016 Annual Rate	0.55%
2016-2021 Annual Rate	0.55%
2016 Male Population	50.0%
2016 Female Population	50.0%
2016 Median Age	32.8
In the identified area, the current year population is 11,014. In 2010, the Census count in the area was 10,640. The rate of change since 2010 was 0.55% annually. The five-year projection for the population in the area is 11,321 representing a change of 0.55% annually from 2016 to 2021. Currently, the population is 50.0% male and 50.0% female.	

Retail Trade

The total retail sales potential for the Storm Lake are on the following pages. The analysis indicates leakages in several retail sectors. This is because a lot of retail dollars are migrating to Sioux City to the west and Spencer/Spirit Lake/Okoboji to the north.

COMMUNITY DATA (Continued)



Retail MarketPlace Profile

Storm Lake city, IA (1975630)
Place

Summary Demographics

2016 Population	11,014
2016 Households	3,667
2016 Median Disposable Income	\$36,807
2016 Per Capita Income	\$20,454

Industry Summary	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/Surplus Factor	Number of Businesses
Total Retail Trade and Food & Drink	44-45,722	\$114,892,421	\$209,538,848	-\$94,646,427	-29.2	133
Total Retail Trade	44-45	\$105,006,896	\$194,327,540	-\$89,320,644	-29.8	96
Total Food & Drink	722	\$9,885,525	\$15,211,308	-\$5,325,783	-21.2	37

Industry Group	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/Surplus Factor	Number of Businesses
Motor Vehicle & Parts Dealers	441	\$24,253,077	\$55,697,071	-\$31,443,994	-39.3	19
Automobile Dealers	4411	\$19,578,045	\$46,796,522	-\$27,218,477	-41.0	8
Other Motor Vehicle Dealers	4412	\$2,782,404	\$4,756,285	-\$1,973,881	-26.2	3
Auto Parts, Accessories & Tire Stores	4413	\$1,892,628	\$4,144,264	-\$2,251,636	-37.3	8
Furniture & Home Furnishings Stores	442	\$2,645,198	\$3,195,815	-\$550,617	-9.4	5
Furniture Stores	4421	\$1,767,348	\$1,388,833	\$378,515	12.0	2
Home Furnishings Stores	4422	\$877,850	\$1,806,982	-\$929,132	-34.6	3
Electronics & Appliance Stores	443	\$5,467,647	\$4,056,912	\$1,410,735	14.8	5
Bldg Materials, Garden Equip. & Supply Stores	444	\$5,434,014	\$3,337,424	\$2,096,590	23.9	6
Bldg Material & Supplies Dealers	4441	\$4,847,180	\$3,337,424	\$1,509,756	18.4	6
Lawn & Garden Equip & Supply Stores	4442	\$586,834	\$0	\$586,834	100.0	0
Food & Beverage Stores	445	\$21,376,960	\$28,092,814	-\$6,715,854	-13.6	10
Grocery Stores	4451	\$19,609,482	\$24,061,824	-\$4,452,342	-10.2	7
Specialty Food Stores	4452	\$1,233,587	\$277,183	\$956,404	63.3	1
Beer, Wine & Liquor Stores	4453	\$533,891	\$3,753,807	-\$3,219,916	-75.1	2
Health & Personal Care Stores	446,4461	\$5,733,448	\$13,316,228	-\$7,582,780	-39.8	10
Gasoline Stations	447,4471	\$6,898,053	\$10,698,756	-\$3,800,703	-21.6	5
Clothing & Clothing Accessories Stores	448	\$3,302,669	\$9,640,842	-\$6,338,173	-49.0	13
Clothing Stores	4481	\$2,150,882	\$7,315,333	-\$5,164,451	-54.6	9
Shoe Stores	4482	\$413,299	\$905,485	-\$492,186	-37.3	2
Jewelry, Luggage & Leather Goods Stores	4483	\$738,488	\$1,420,024	-\$681,536	-31.6	2
Sporting Goods, Hobby, Book & Music Stores	451	\$2,397,527	\$4,112,737	-\$1,715,210	-26.3	8
Sporting Goods/Hobby/Musical Instr Stores	4511	\$1,956,439	\$3,906,942	-\$1,950,503	-33.3	7
Book, Periodical & Music Stores	4512	\$441,088	\$205,795	\$235,293	36.4	1
General Merchandise Stores	452	\$19,790,906	\$57,350,949	-\$37,560,043	-48.7	2
Department Stores Excluding Leased Depts.	4521	\$16,689,663	\$56,620,711	-\$39,931,048	-54.5	1
Other General Merchandise Stores	4529	\$3,101,243	\$730,238	\$2,371,005	61.9	1
Miscellaneous Store Retailers	453	\$5,256,126	\$4,679,282	\$576,844	5.8	12
Florists	4531	\$247,543	\$909,701	-\$662,158	-57.2	3
Office Supplies, Stationery & Gift Stores	4532	\$1,171,392	\$1,783,620	-\$612,228	-20.7	3
Used Merchandise Stores	4533	\$656,726	\$1,833,232	-\$1,176,506	-47.3	5
Other Miscellaneous Store Retailers	4539	\$3,180,465	\$152,729	\$3,027,736	90.8	1
Nonstore Retailers	454	\$2,451,271	\$148,710	\$2,302,561	88.6	1
Electronic Shopping & Mail-Order Houses	4541	\$1,479,892	\$148,710	\$1,331,182	81.7	1
Vending Machine Operators	4542	\$378,164	\$0	\$378,164	100.0	0
Direct Selling Establishments	4543	\$593,215	\$0	\$593,215	100.0	0
Food Services & Drinking Places	722	\$9,885,525	\$15,211,308	-\$5,325,783	-21.2	37
Special Food Services	7223	\$193,651	\$0	\$193,651	100.0	0
Drinking Places - Alcoholic Beverages	7224	\$694,767	\$997,620	-\$302,853	-17.9	3
Restaurants/Other Eating Places	7225	\$8,997,107	\$14,213,688	-\$5,216,581	-22	34

Data Note: Supply (retail sales) estimates sales to consumers by establishments. Sales to businesses are excluded. Demand (retail potential) estimates the expected amount spent by consumers at retail establishments. Supply and demand estimates are in current dollars. The Leakage/Surplus Factor presents a snapshot of retail opportunity. This is a measure of the relationship between supply and demand that ranges from +100 (total leakage) to -100 (total surplus). A positive value represents 'leakage' of retail opportunity outside the trade area. A negative value represents a surplus of retail sales, a market where customers are drawn in from outside the trade area. The Retail Gap represents the difference between Retail Potential and Retail Sales. Esri uses the North American Industry Classification System (NAICS) to classify businesses by their primary type of economic activity. Retail establishments are classified into 27 industry groups in the Retail Trade sector, as well as four industry groups within the Food Services & Drinking Establishments subsector. For more information on the Retail MarketPlace data, please click the link below to view the Methodology Statement.
<http://www.esri.com/library/whitepapers/pdfs/esri-data-retail-marketplace.pdf>

Source: Esri and Infogroup. Retail MarketPlace 2016 Release 2. Copyright 2016 Infogroup, Inc. All rights reserved.

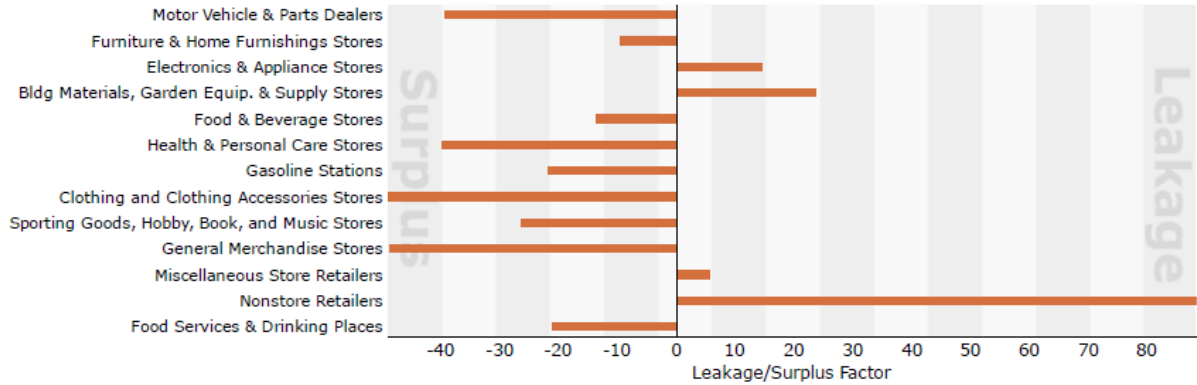
COMMUNITY DATA (Continued)



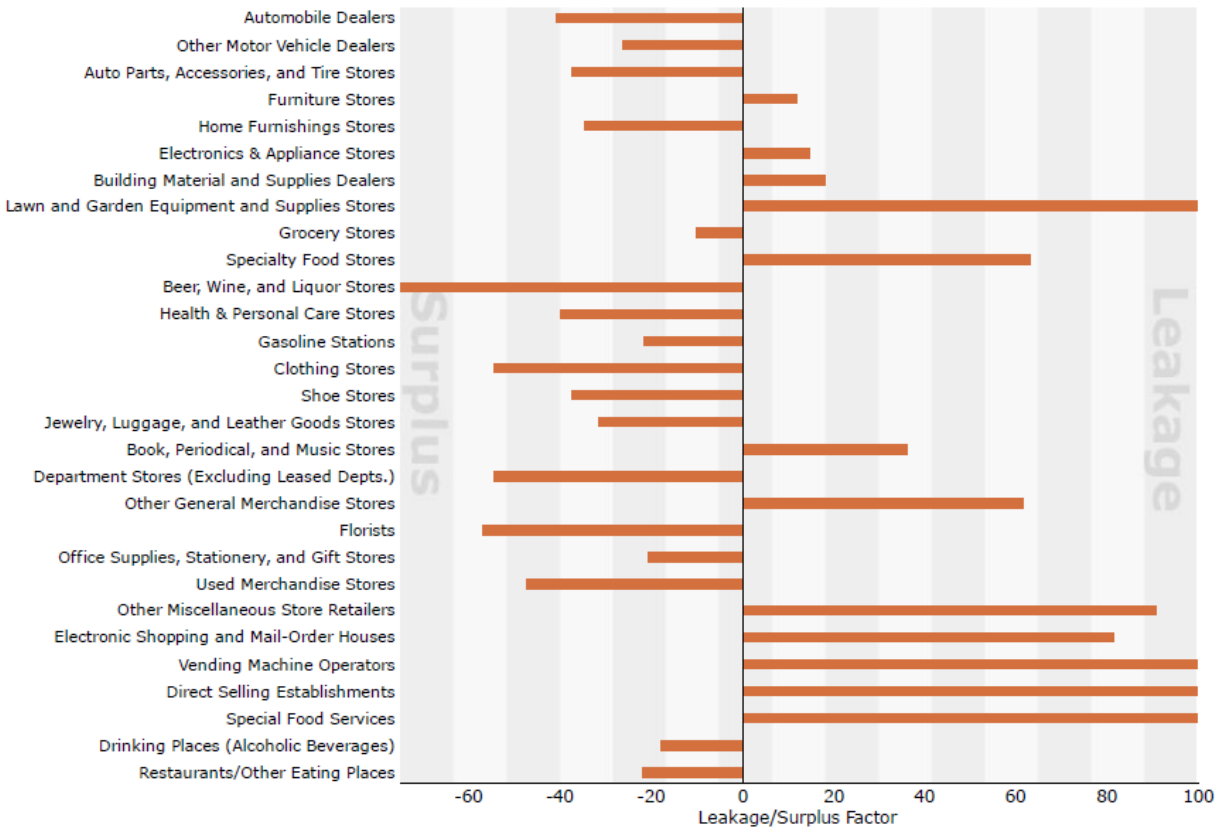
Retail MarketPlace Profile

Storm Lake city, IA (1975630)
Place

Leakage/Surplus Factor by Industry Subsector



Leakage/Surplus Factor by Industry Group



Source: Esri and Infogroup. Retail MarketPlace 2016 Release 2. Copyright 2016 Infogroup, Inc. All rights reserved.

COMMUNITY DATA

(Continued)

Employment

The leading employers for Storm Lake are indicated below.

Leading Employers	Employees
Tyson Fresh Meats	1800
Sara Lee Foods	670
Buena Vista Regional Medical Center	426
Storm Lake Public Schools	365
Buena Vista University	325
WalMart	300
Faith Hope and Charity	150
HyVee	130
Buena Vista County	130
City of Storm Lake	120

The United States Bureau of Labor Statistics indicates an unemployment rate of 2.6% for the State of Iowa as of November of 2019. Buena Vista County's unemployment rate has been estimated at 1.8% as of November of 2019.

Education

Storm Lake has a public school system K-12 with approximately 2,773 students. Secondary educational opportunities are available at Buena Vista University with an enrollment of approximately 1,847 students.

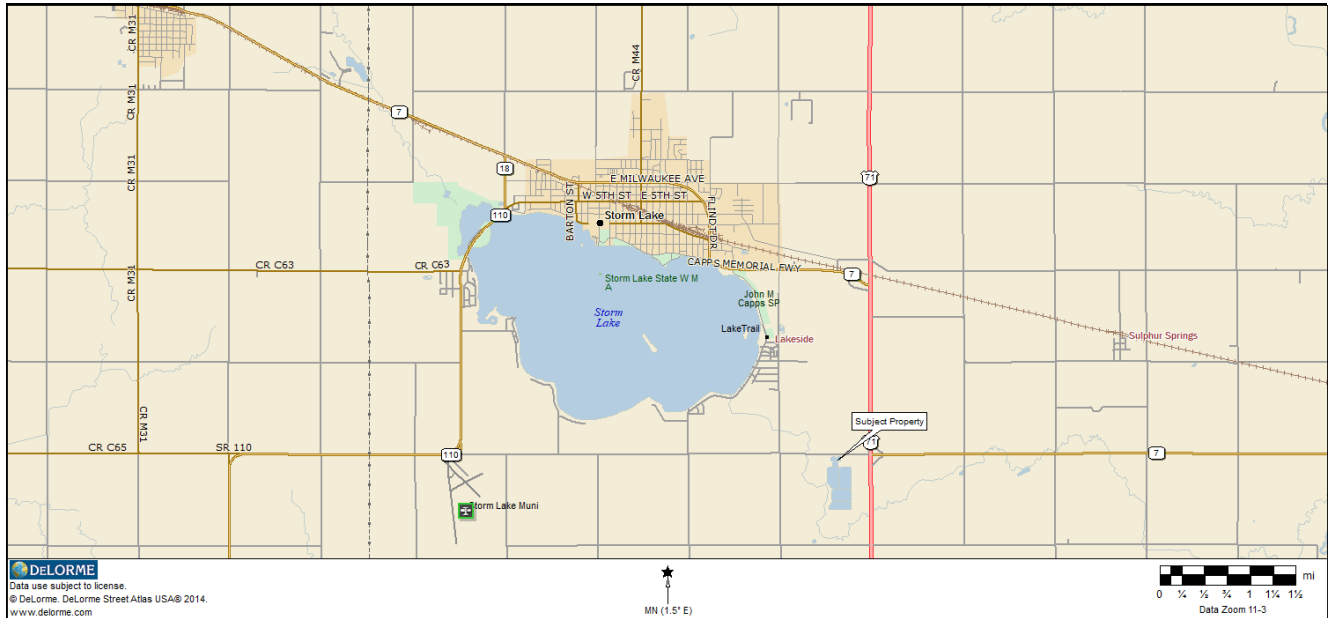
Transportation

U.S. Highway 71 is a two-lane arterial street around the east side of Storm Lake. U.S. Highway 20 is located about 15 miles south of Storm Lake on U.S. Highway 71.

The distance to major metro areas is illustrated below.

Metro Area Distances				
City	Driving Distance (miles)	Flight Time	Days by Truck	Days by Rail
Atlanta	1190		3	3
Chicago	425		1	1
Denver	670		2	3
Des Moines	152		1	1
Kansas City	315		1	2
Los Angeles	1810		4	3
Milwaukee	421		1	2
Minneapolis	300		1	2
New Orleans	1257		3	3
New York	1250		3	4

NEIGHBORHOOD DATA



Adjoining Property Uses

North	Recycling Center / Ag Land
South	Vacant Land
East	Vacant Land / Acreage
West	Storm Lake Wastewater Plant

Neighborhood Boundaries

The neighborhood boundaries are considered to be a five-mile radius of the the incorporated city limits of Storm Lake. The subject is located SE of the Storm Lake city limits along a paved county road. Within the immediate area includes a recycling center as well as the Storm Lake wastewater treatment facility.

Transportation Linkages and Major Arterials

Storm Lake is situated along US Highway 71 and Highway 7 within Northwest, Iowa. US Hwy 71 is the main north-south thoroughfare in the area that runs through Spencer / Okoboji Area to the north and connects to the four-lane Highway 20 to the south.

NEIGHBORHOOD DATA

(Continued)

Neighborhood Trends

The immediate area is established. The community features commercial developments along the main thoroughfares. The remaining area consists of vacant land and single family development. It is estimated that the community will remain stable in the near future with little known development.

The majority of new development is occurring on the north side of Storm Lake as well as towards the central part of town. A new strip center is being developed at 1515 Lake Avenue which will be anchored by a Dollar Tree and Shoe Sensation. In addition, (2) multi-family developments were developed in 2013 at a reported total cost of \$13.1 million. Both projects are subsidized housing projects. The first is a row-style townhome development located along 10th Street, locally known as the "Tenth Street Townhomes". This complex is a (42) two and three-bedroom townhome units that cost roughly \$7.7 million. The 2nd is located at 1500 Seneca Street, locally known as The Reserves. This project includes (2) 16-unit buildings that feature (32) two and three bedroom units with a clubhouse. This complex was projected to cost \$5.4 million to develop.

Development towards the center of the community is from razing of older properties. A McDonalds and Pizza Ranch are some recent developments. Casey's General Store purchased the former Honda dealership along E Milwaukee Avenue to raze the site to develop a new store.

Vacancy

Observed vacancies of the subject's community is typically between 5%-20% for commercial properties.

Employment

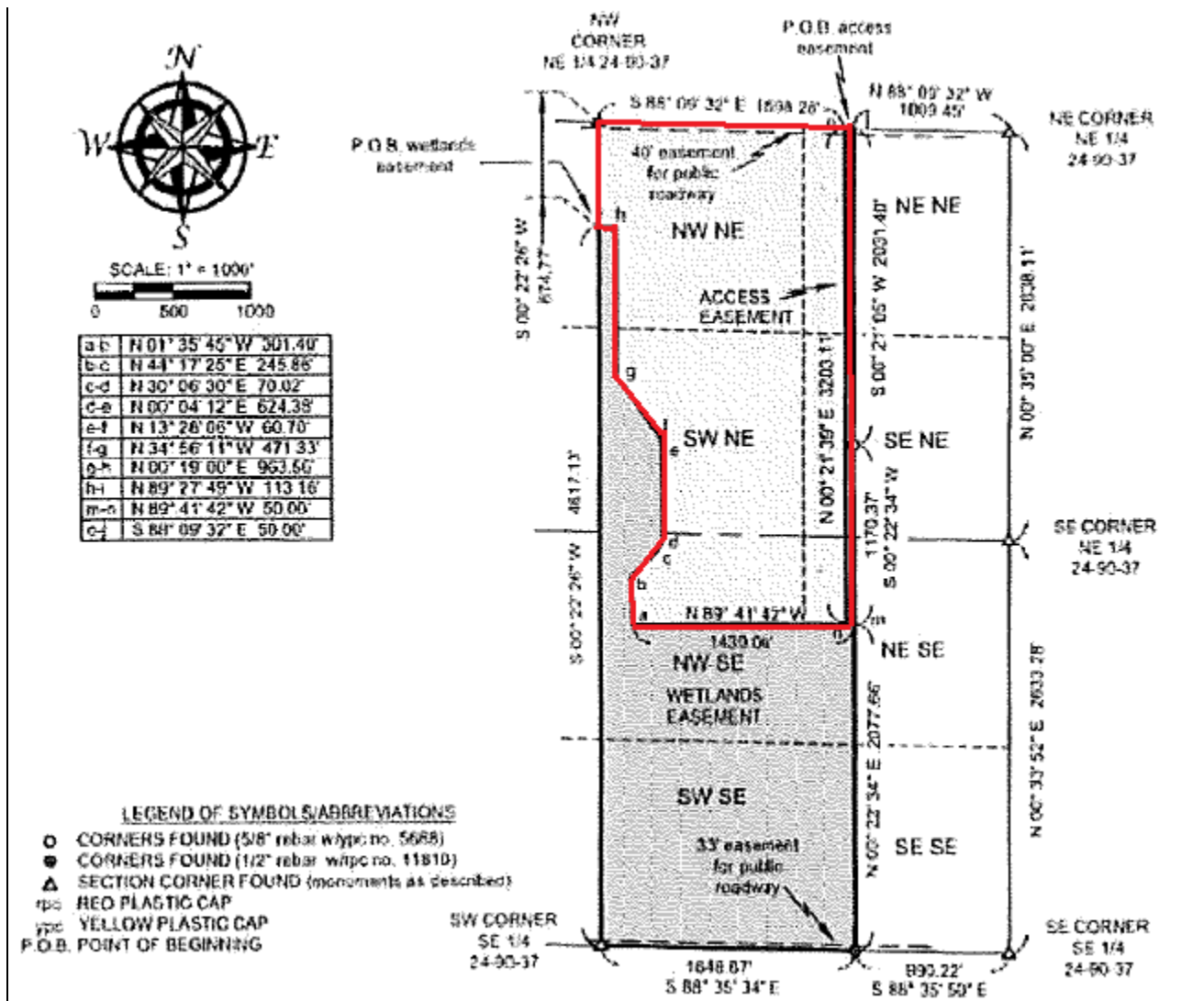
Employment was discussed in the community data section of this report.

Neighborhood Comments

The subject is located within a rural area just outside the corporate limits of Storm lake. This community provides the area with commercial service and socio-economic needs. It is expected that the community will remain stable in the foreseeable future.

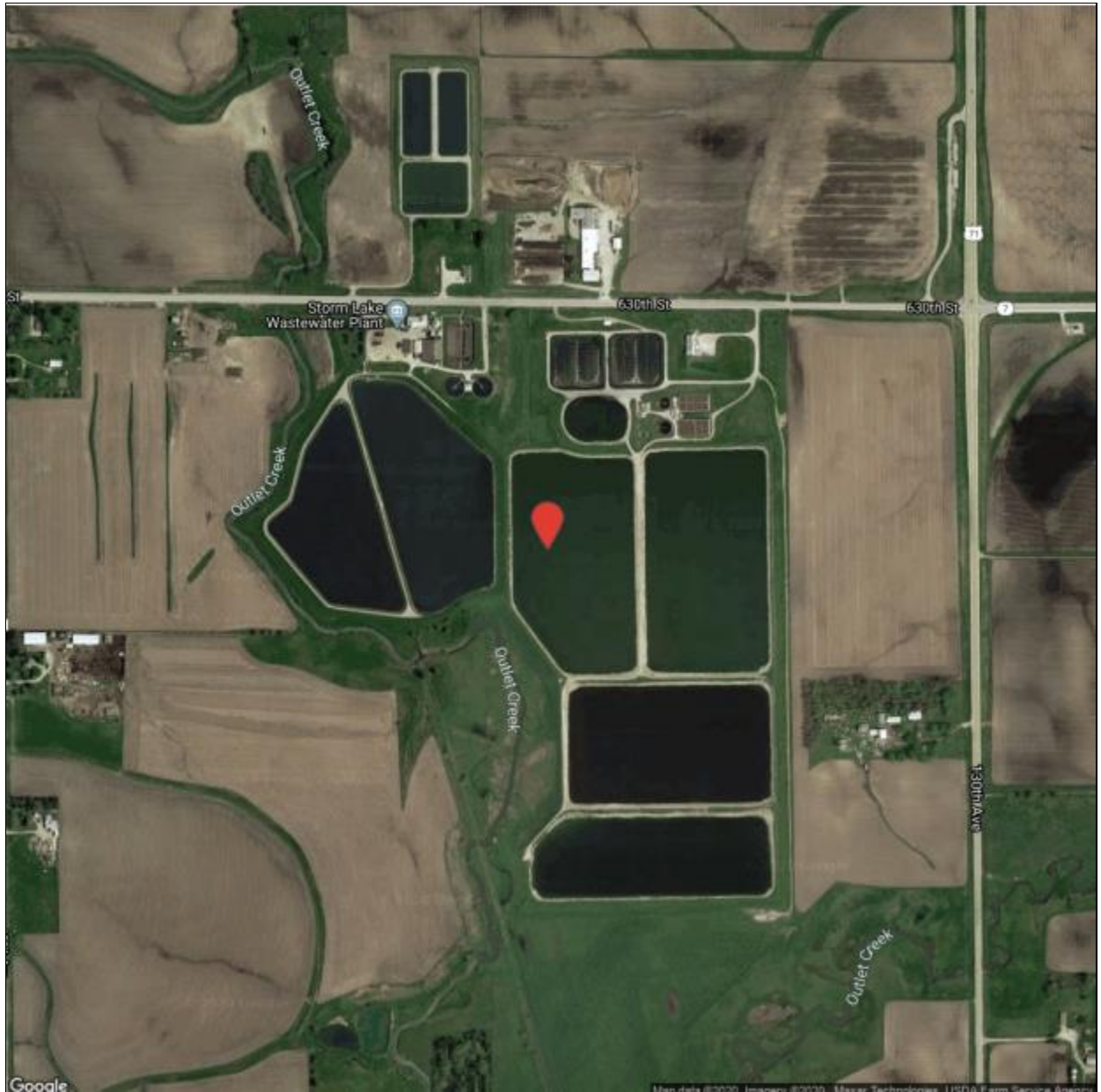
A local broker who works closely with Tyson's within Storm Lake indicated a current shortage of housing and market rental units within the community. The supply of housing has been at a historic low for well over a year now. He further indicated that Tyson's has been offering lump sum referral fees for existing employees to recruit and bring in new employees.

SITE DESCRIPTION



The subject's site is outlined in red above.

AERIAL PHOTOGRAPH



SITE DESCRIPTION

Shape/Size

The subject site is irregular in shape and contains approximately 104.16 acres based on the records the survey provided above.

Topography/Soil Conditions:

The subject's site has a rolling topography and is above street level. A soil survey was not furnished to the appraiser but the soil conditions are assumed adequate to support those uses deemed to be the highest and best use of the site.

Visibility/Access

The subject site is accessed from 630th Street to the north.

Utilities:

Electricity	Yes
Cable	None
Natural Gas	None
City Water	Yes
Sanitary Sewer	None

Zoning:

The subject property is zoned A-1, Agricultural District with a special use permit for lagoons. This zoning district allows for a variety of agricultural uses as well as the current use due to a special use permit.

Flood Zone:

The subject property is not mapped but appears to be upland with a small area long the west side of the property that may flood.

Encroachments/Easements:

The subject will have an access easement along the east side of the property. This is not considered detrimental and does not have a significant impact on value.

General Comments:

The site is considered adequate for the development of the improvements.

IMPROVEMENT DESCRIPTION

Building Summary "As Is"

Lagoons:

The subject property includes seven (7) lagoons that vary in depth, size and use.

North Two Lagoons:

The north two lagoons are influent covered lagoons that are approximately 17' deep. These lagoons have covers that were replaced in 2000 and cost approximately \$400,000/cover. Although well cared for, a typical life of the cover is 20. The purpose of these lagoons is to remove large sentiments. Water comes out of these lagoons and goes to a bar screen located by the office that was constructed in 1987.

Lagoon South of Two North Lagoons:

This lagoon contains the living organisms within sludge that break down and helps clean water. These organisms are circulated through the water within two 160' x 80' (18' deep) and two 64' diameter (12' deep) structures located to the east of an office building. The office building (2,640 SF+/-) was constructed in 1966 and includes a small office, electrical room, small shop area, and chemical room. The lab area located between the concrete structures includes additional pumps, electrical, and mechanical equipment.

Lagoon South of Two North Lagoons:

South of the office area are two effluent off spec lagoons that are 6' deep and hold 48,000,000 gallons.

Lagoon South of Effluent Lagoon:

This lagoon is also 6' deep and holds 22,000,000 gallons. This lagoon will house water that will travel to the last lagoon before being discharged into the stream to the west. The final OO² lagoon is 6' deep and holds 18,000,000 gallons.

There are pump houses located at the NW and SW corners of the property that house lift stations, pumps, heaters, and samplers.

There is also a 2000 built concrete block structure that that is approximately 4,650 SF that lies along 630th Street. This property includes the burner, mechanical room, chemical storage area, and chemical byproduct area.

The garage area/maintenance area is 816 SF block building. This property was the former office area when the City of Storm Lake owned the property but is currently unheated storage area.

Year Built	1966 with numerous additions, improvements and modifications
Actual Age	Actual Age is the years that have elapsed since the completion of the improvements. The subject property is an existing construction. The actual weighted age is unknown.
Effective Age	Effective age is the age indicated by the condition and utility of a structure. The subject property is an existing construction. The effective age as of the effective date of this appraisal is estimated to be 25 years.
Economic Life	Economic life is the period of time over which the improvements to real estate contribute to property value. Economic life and physical life can differ widely. The estimated economic life of this type of property is 25 years.
Remaining Economic Life	Remaining economic life is the estimated time during which improvements continue to contribute to property value. The estimated remaining economic life of the subject property is 0 years.

MARKET ANALYSIS

Subject Overview:

The subject property is a wastewater treatment facility owned by the City of Storm Lake and operated by Tyson Foods. The property was originally constructed to service the community of Storm Lake in what appears to be 1966. Since this date, the City of Storm Lake constructed a new facility on the land area adjacent to the west of the subject and leased the subject property to IBP for 20 years with (1) 20-year option for \$1.00/year beginning in 1982. IBP, now Tyson Foods, exercised the 20-year option which is set to expire 4/20/2022. Over the course of lessee's tenure at the property, there have been a number of leasehold improvements to the equipment, buildings, site and processes.

Recently, the DNR inspected the subject property and is requiring additional procedures to remove phosphorus from the water as part of the State of Iowa water quality standards. The new regulations will include installation of two sludge dryers, two holding tanks, piping, pumps, a bunker, a dissolved air floatation unit, and two presses to reduce water moisture in sludge. Final costs have not been accumulated but a representative for Tyson Foods estimates the cost to be \$10,000,000.

An interview with a Tyson Foods employee indicated that there have been two properties that have been remediated and converted back to an alternative use. The conversion process includes removing all sludge, removing rip rap along lagoons, demolishing building and underground piping, excavating lagoons, and adding fill dirt. Costs associated with these projects have ranged from \$6,000,000-\$8,000,000+. The subject is estimated to be at the upper end of this range due to the fact the property is larger than both comparables but the subject has been well managed with lower sludge contents. If the property were to have sludge removed and be utilized for recreational purposes, the estimate value for the land area would, at the most, \$2,500/acre or \$260,000. This assumes no external obsolescence from the recycling center or neighboring wastewater treatment facility. As a recreational use, the property would be classified as agricultural or likely purchased by a non-profit and hence, would generate minimal tax revenue.

The subject property has limited marketability for an alternative use. The utility of the subject property is limited to anyone other than the current tenant as the piping to the subject leads to only one location and the subject process is specific to a meatpacking facility. That said, there is a need for Tyson Foods to have such facility. Currently, the subject property is tax exempt as it is owned by the City of Storm Lake. If the property were to transfer to a private entity, the property would be restored back to the tax roll. A Tyson Foods representative indicated that the average taxes paid for their lagoon systems is approximately \$40,000/year (varies based on assessment, rollback, and levy rates).

A full copy of the current lease agreement can be found within the addendum.

HIGHEST AND BEST USE ANALYSIS

Highest and Best Use is defined as:

“The reasonably probable use of the property that results in the highest value.”⁴

The highest and best use of the land as though vacant and/or property as improved must meet the following four criteria:

1. Physically Possible:

What uses of the site and/or building in question are physically possible? The size, layout, and other physical factors can affect the possible uses of the land/or improvements.

2. Legally Permissible:

What uses are permitted of the site and/or improvements in question? Private restrictions, zoning, building codes, historic district controls, and environmental regulations must be investigated because they may preclude many potential highest and best uses.

3. Financially Feasible:

Which possible and permissible uses produce a return to the owner of the site? Uses that meet the first two criteria are analyzed further to determine which are likely to produce an income, or return, equal to or greater than the amount needed to satisfy operating expenses, financial obligations, and capital amortization. All uses that are expected to produce a positive return are regarded as financially feasible.

4. Maximally Productive:

Of the financially feasible uses, the use that produces the highest price, or value, consistent with the rate of return warranted by the market for that use is the highest and best use.

⁴ The Appraisal of Real Estate, 14th Edition, pg 332.

HIGHEST AND BEST USE ANALYSIS

AS VACANT:

Legally Permissible:

The subject property is zoned A-1, Agricultural District with a lagoon special use permit. The district allows for numerous agricultural purposes as well as a lagoon.

Physical Possibility:

The topography is rolling but generally slopes from north to south. The property has access to city water and public electric to the site. There are no physical limitations to prevent development of the subject's site with any of the uses permitted by its own physical size.

Financial Feasibility Test:

The subject has frontage on a road along 630th Street from the north. The immediate area generally caters to agricultural purposes with a recycling center and Storm Lake wastewater treatment plant adjoining to the north and west, respectively. Given the neighboring properties, development is unlikely. As such, an agricultural or recreational purpose would be the only financially feasible use.

Maximum Productivity Test:

The highest and best use for the subject, as vacant, would be for some type of agricultural. The likely user would be a developer and the timing is immediate.

AS IMPROVED:

The subject property is improved with a wastewater treatment plant for a local meatpacking plant. The property was originally constructed in 1966 with numerous additions and modifications throughout the life of use. The tenant, Tyson Foods, has made and paid for all of these improvements since originally leasing the property in 1982.

Legal Permissibility:

The subject property is zoned A-1, Agricultural District with a lagoon special use permit. The current use is an allowed use in this zoning district due to the special permit.

Physical Possibility Test:

The size, shape, area, terrain, accessibility, and risk of natural disasters such as floods affect the uses to which the subject can be developed. The subject property is designed for use as a wastewater treatment facility. The site is considered adequate for the improvements.

Financial Feasibility Test:

The subject property is located along a county road in Buena Vista County. Neighboring properties include agricultural uses, an acreage, a wastewater treatment facility and a recycling center. As discussed within the market analysis prior, the subject is required to incur significant improvements to remove additional phosphorus from the water prior water discharge into the neighboring stream. These cost are estimated to be \$10,000,000 and would not be financially feasible for any entity other than the current user. Furthermore, if the property were to become vacant, the estimated remediation cost to make the site usable for an alternative use would be approximately \$8,000,000 per market participants. This includes approximately 60%-75% of the costs to remove sludge from the lagoons with the remainder for the demolition of buildings, dikes, removal of rip rap along lagoons, excavation, and fill. The City of Storm Lake has historically leased the site to lessee for \$1/year, which is believed to be market based on the limited marketability of the property.

Maximum Productivity Test:

Of the financially feasible uses, the use that produces the highest price, or value, consistent with the rate of return warranted by the market for that use is the highest and best use. Thus, the current use with required improvements by the tenant is the highest and best use for the subject property. Given the costs to conform to current regulation and cost to remediate the property and convert the area back to an alternative productive use, there would be limited marketability outside the current tenant. Therefore, the fair market value for the subject property would be \$1.00.

RECONCILIATION & FINAL VALUE CONCLUSION

Summary & Conclusion:

Due to the specific use nature of the subject property, the required investment to continue operation due to current regulations, and costs associated with the remediating the subject use to allow for an alternative use, and residual value upon conversion of alternative use, there would be minimal interest in the subject property outside of the current tenant.

As a result of my investigation, and based upon the foregoing data and analysis, it is my finding that the market value of the Fee Simple Estate of the subject property, with the value date of February 19, 2020, "As Is", and subject to the Underlying Assumptions and Limiting Conditions and Certifications in the sum of:

\$1.00

ONE DOLLAR

ASSUMPTIONS AND LIMITING CONDITIONS

1. This is an Appraisal Report, which is intended to comply with the reporting requirements set forth under Standard Rule 2-2(a) of the Uniform Standards of Professional Appraisal practice for an Appraisal Report. As such, it includes only brief discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraiser is not responsible for unauthorized use of this report.
2. No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated in this report.
3. The property is appraised free and clear of any or all liens and encumbrances unless otherwise stated in this report.
4. Responsible ownership and competent property management are assumed unless otherwise stated in this report.
5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
6. All engineering is assumed to be correct. Any plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
8. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless otherwise stated in this report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined, and considered in this appraisal report.
10. It is assumed that all required licenses, certificates of occupancy, or other legislative or administrative authority from any local, state, or national governmental, or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report are based.
11. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed

or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.

12. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless otherwise stated in this report.
13. The appraiser is not qualified to detect hazardous wastes and/or toxic materials. Any comment by the appraiser that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental assessment. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The appraiser's value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process.
14. Unless otherwise stated in this report, the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the Americans with Disabilities Act. The presence of architectural and communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability, or utility.
15. Any proposed improvements are assumed to be completed in a good workmanlike manner in accordance with the submitted plans and specifications.
16. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
17. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the prior written consent of the appraiser, and in any event, only with proper written qualification and only in its entirety.
18. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, other media without prior written consent and approval of the appraiser.

ADDENDA

Legal Description

DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE EAST HALF (E ½) OF SECTION 24, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) corner of the Northeast Quarter (NE ¼) of said Section 24: Thence South 88° 09' 32" East, along the North line of said Northeast Quarter (NE ¼), 1598.28 feet; Thence South 00° 21' 39" West, 3203.11 feet; Thence North 89° 41' 42" West, 1439.00 feet; Thence North 01° 35' 45" West, 301.40 feet; Thence North 44° 17' 25" East, 245.86 feet; Thence North 30° 06' 30" East, 70.02 feet; Thence North 00° 04' 12" East, 624.38 feet; Thence North 13° 28' 06" West, 60.70 feet; Thence North 34° 56' 11" West, 471.33 feet; Thence North 00° 19' 00" East, 963.56 feet; Thence North 89° 27' 49" West, 113.16 feet to the West line of said Northeast Quarter (NE ¼); Thence North 00° 22' 26" East, along said West line, 674.77 feet to the Point of Beginning.

Tract contains 104.16 acres and is subject to all easements of record.

Subject Lease



Part of the Tyson Foods Family

James C. Meehan, Litigation Attorney

COPY

End of 204K
Lease

December 10, 2002

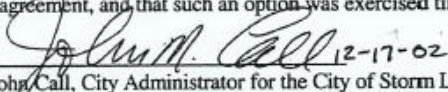
Mr. John Call
City Administrator
P.O. Box 1086
620 Erie
Storm Lake, IA 50588

RE: Wastewater Lagoon Facility Agreement

Dear Mr. Call:

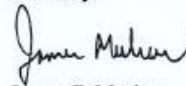
Your November 25, 2002 letter to Mr. Schmitz has been forwarded to my attention. After discussing this matter internally, it is IBP's desire to exercise the option in Section 1 of the Wastewater Lagoon Facility Lease Agreement dated April 15, 1982 to extend IBP's lease over the waste water treatment system for an additional twenty year period to expire on April 20, 2022.

To acknowledge that the City of Storm Lake accepts and acquiesces to IBP's right to extend the lease period over the waste water treatment system to April 15, 2022, as specifically mentioned in Exhibit "A" of the April 15, 1982 agreement, and that such an option was exercised timely, please sign below:


John Call, City Administrator for the City of Storm Lake

Once you have signed the acknowledgment please send me a copy for our files here. If you have any questions in regards to this issue please do not hesitate to contact me.

Sincerely,


James C. Meehan

JCM/pd
CC: Jim Schmitz, Vice President Operations

Tyson Foods/IBP, Legal Department, 800 Stevens Port Drive Suite DD 836, Dakota Dunes, SD 57049
Telephone: (605) 235-3130 Fax No. (605) 235-2427 E-mail: james.meehan@tyson.com



P.O. Box 1086 • 620 Erie • Storm Lake, Iowa 50588 (712) 732-8000 • Fax (712) 732-4114

November 25, 2002

Mr. Jim Schmitz, Vice President
Fresh Meat Operations
Tyson Foods, Inc.
800 Stevens Port Drive, Suite 726
Dakota Dunes, SD 57049-8726

RE: Lagoon Wastewater Treatment Facility Agreement - Storm Lake

Dear Jim:

During our recent contract negotiations with respect to the Water Agreement, I believe that we were in full agreement that the lease by the City to Tyson of the lagoon facilities was not affected by the Water Agreement, and the Water Agreement so recited that fact, but apparently neither Tyson nor the City actually reviewed the Wastewater Lagoon Facility Lease Agreement to see if it needed updating.

In any case, I have reviewed the Agreement and note that by its terms, it expired April 20, 2002 although Tyson had the option in the Agreement to renew the Lease Agreement for an additional 20 year period.

The City is not interested in trying to negotiate to increase the rental amount due from Tyson for the lagoon facilities, but for the record, we do require something in writing from Tyson before any additional time passes to indicate that Tyson is exercising the option contained in the earlier Agreement to continue the lease for the additional 20 year period until April 20, 2022. I would therefore request that Tyson exercise that option in writing in a letter directed to me so that we will have it on file, and if you wish, you can put in a provision where I will countersign your letter to indicate that the City accepts the exercise of the option as timely filed.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Call".

John Call, City Administrator

JC:nw

IBP Agreements List

- 4-15-82 Wastewater Treatment
 - Leases Plant to IBP
- 6-7-82 Sewer Line Usage – charge '82
 - Transporting Waste
- 7-1-82 Water Agreement – *expired*
 - Usage & Cost Allocation
- 1-10-85 Sewer Line – Change '85
 - Swapping Lines
- 10-8-91 Sewer Line Change '91
 - 30" Abandoned
- 6-8-92 Reservoir & Tank Agreement (Financing) – *expired*
 - IBP's Obligation specific to the Project
- 7-6-98 Letter of Understanding – *expired*
 - Re: Privatization of OMM @ Water Plant

11/13/02 30 yr Water Agreement

4-15-82 Wastewater Treatment Plant Lease

Sec 1 – Lease of Treatment Plant

- 20 Year Lease + 20 year option
- \$1.00

Sec 2 – Only IBP Company uses

Sec 3 – Agreements until new City WWTP is constructed

Sec 4 – Old agreement w/Hygrade not obligation of IBP (cost sharing of construction)

Sec 5 – Improvements – made by IBP & paid by IBP

Sec 6 – Company to comply with DNR re: construction – Plans to City also

Sec 9 – City can inspect anytime

Sec 10 – Maintenance company shall maintain in accordance with state regulations

Sec 11 – If company no longer uses – subsequent users must pay IBP

Sec 12 – If company sells, lease is assignable with City approval which shall not be unreasonable withheld

If production ceases for 2 years, no renewal is automatic

6-7-82 Sewer Line Usage Change 82

Change in outfall lines and usage

IBP uses 18" line

Costs, etc.

7-1-82 Water Agreement

- 7 years +13 years renewable
- 2,250,000 g/d weekly average not more than 2.5 mgd
- 50-60 psi
- How rates are determined
- Treatment
 - 10 grains hardness – below IBP doesn't pay
- Sect 5 10 inch line used only by plant – costs paid by IBP
- Sect 6 Capital after yr 7
 - % cost of plant expansion, new wells
 - if rev bonds – only % share due each year.
- No resale of water

1-10-85 Sewer Line Change '85

Agreement deals with an 18" and 30" sewer line swapping one for the other

10-8-91 Sewer Line Change '91

- 30" to City – abandoned cleaning, plugging, etc.

6-8-92 Reservoir & Tank Agreement (Financing)

- construction of 1.32 million in 90-91
 - Financed w/GO Bonds
- Question Does Company owe? Owe share up front? Owe share of pmt?

1. Agreement applies only these improvements
2. Company shall reimburse principal & interest of GO Bonds
3. Company doesn't have to pay for 500,000 elevated tank only reservoir based on benefit to company. Company to pay 56% of payment owed.
4. 5-year average to determine share
5. waiting for average until after current year

7-6-98 Letter of Understanding – Privatization & Costs

- City will privatize OM & M
- 2 – IBP will pay based on
- 2 & b) Roughly same formula
- c) Capital Costs per Sec. 6 of April 15, 1982 supplemental Agreement
- d) 100% of Sec 5 from 1982 agreement
- 6 IBP can audit for savings comparison
- 7 No material change

WASTEWATER
Treatment
April 82

INDEX

INSTRUMENT # 971481

fee 41.00

97 JUN 10 AM 11:48

Shari L. O'Bannon
By Maureen A. O'Bannon
SHARI L. O'BANNON
RECORDED

AGREEMENT

THIS AGREEMENT is made and entered into between the CITY OF STORM LAKE, IOWA, a municipal corporation, herein referred to as CITY, and IOWA BEEF PROCESSORS, INC., a corporation doing business in the State of Iowa, herein referred to as COMPANY.

RECITALS

A. Company is engaged in the meat processing business and is considering the possible purchase of the Hygrade Food Products Corporation meat packing facilities in Storm Lake, Iowa.

B. City is willing to agree to certain conditions as an inducement to Company to purchase and operate the now idle Hygrade Food Products facilities, including but not limited to leasing of waste treatment facilities, land acquisition and parking, water rates and street lights.

C. City owns and operates and maintains an industrial waste treatment facility in Section Twenty-Four (24), Township Ninety (90) North, Range Thirty-Seven (37) West of the 5th P.M.

D. The Iowa Department of Environmental Quality has found that the present facilities are not adequate under certain circumstances and conditions and that the said industrial waste water treatment facility must be upgraded to meet final effluent limitations.

E. City desires to contract a lease agreement with Company to have Company take over the operation and improvement of the said facility, and Company is willing to contract with City for the Company to assume the construction, operation and maintenance of the said industrial waste water treatment facility as provided herein.

F. City intends to construct improvements to its municipal waste treatment facility to treat sewage waste in the City of Storm Lake, Iowa and the City of Lakeside, Iowa, excluding waste of Company.

IN CONSIDERATION OF THE MUTUAL COVENANTS SET FORTH HEREIN, it is agreed by the parties as follows:

Section 1. Lease of Industrial Waste Water Treatment System. City shall lease to Company and Company shall lease from City the Industrial Waste

971481

971481

Water Treatment System for a period of twenty (20) years beginning April 20, 1982, and ending April 20, 2002, with an option to Company to renew for an additional twenty (20) year period, unless sooner terminated by mutual agreement of the parties. The INDUSTRIAL WASTE WATER TREATMENT SYSTEM (hereinafter called INDUSTRIAL SYSTEM), including the land upon which it is situated, is described as set forth on Exhibit A, attached hereto and made a part hereof. Company shall pay to City for said lease the sum of One Dollar (\$1.00) and other valuable consideration.

Section 2. Exclusive Use. Company shall be the exclusive user of the said leased Industrial System after completion of the municipal waste water treatment facility by City.

Section 3. Conditions of Use. For that period of time until a proposed new City municipal waste water treatment facility is constructed and placed in operation, Company agrees to:

A. Continue to treat waste water from the City of Lakeside in the Industrial System for a period not to exceed five (5) years from the date of this Agreement.

B. Continue to accept City sludge for a period not to exceed five (5) years from the date of this Agreement.

For and during the period of time until a proposed new City municipal waste water facility is constructed and placed in operation, the City agrees to:

C. Pay to the Company for the treatment of waste from the City of Lakeside, Iowa, during the interim period before said Lakeside waste is diverted to the municipal waste water treatment system to be constructed by the City, an amount equal to 79 cents per 1,000 gallons of City water delivered to the City to Lakeside from the City of Storm Lake, Iowa, excluding water resold to Bel Air Beach.

D. Complete the cleaning of all lagoons in the Industrial System by removing accumulated sludge prior to the takeover of operation by Company or as soon thereafter as is feasible. As of the signing of this Agreement, the City has completed the cleaning of the anerobic and aerobic ponds and this Agreement is therefore limited to the cleaning of the large storage ponds.

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F. Inspect by I.V. and clean the 15 inch sewer line from the said Hygrade Plant to the manhole east of Flindt Drive and the 18 inch sewer line carrying sewage waste from the Hygrade facility for the 2,275 feet length of 18 inch pipe at the expense of City and certify that the 18 inch pipe and the 30 inch pipe carrying sewage waste from the Hygrade facility to the Industrial System are open and in satisfactory working condition prior to the takeover of operation by Company.

F. If sludge is discharged into the industrial lagoon, pursuant to subparagraph B of this section, the City agrees to pay a prorata share of the expenses of dredging the sludge out of the Industrial System whenever Company elects to dredge this sludge pursuant to its responsibilities as hereafter set out. For purposes of determining City's prorata share, City and Company shall each appoint one engineer to estimate the respective contributions of sludge of City and Company who shall then determine the actual prorata share to be assumed by City.

G. Provide for the treatment and handling of all sludge and skimmed material, storm water and untreated municipal waste water in the municipal waste water treatment facility to be constructed. City, after completion of the improvements to the municipal waste water treatment facility, shall at no expense to Company:

H. Disconnect from the Industrial System line(s) the waste water from the City of Lakeside, Iowa.

I. Separate and isolate the City municipal waste system from the industrial interceptor and Industrial System to prevent any cross-connections, by-passes and discharges from the municipal system to the Industrial System.

Section 4. Industrial Waste Agreement. City agrees that Company will not be charged for obligations to City of Hygrade Food Products Corporation for cost sharing of the construction of industrial waste water treatment facility pursuant to the Industrial Waste Agreement between the City and Hygrade dated the 7th day of February, 1966.

Section 5. Cost of Improvements; Permit. The cost of improving the leased portion of the Industrial System will be paid by Company and the construction of the same will be under the control of Company. The engineering services will be provided by Company, including design analysis, preliminary and final plans and specifications. Company will pay all operation and maintenance expenses of the Industrial System leased to Company during the period of the lease and Company agrees to clean and remove all sludge accumulated in the Industrial System at the termination of the lease unless said sludge has been removed within the preceding five (5) years. During the period of the lease, Company will hold the National Pollution Discharge Elimination System (NPDES) permit.

Section 6. Compliance with Specifications. The construction of the industrial waste water treatment system improvements shall be carried forward by Company pursuant to the final plans and specifications for the proposed improvements as submitted to and approved by the Iowa Department of Environmental Quality. After approval, Company will provide a complete set of the plans and specifications to City to become a part of City's permanent records.

Section 7. Time for Performance. Company shall proceed with construction of the industrial waste water improvements as soon as (a) final plans and specifications are approved by the Department of Environmental Quality, and (b) Company acquires title to the Storm Lake plant of Hygrade Food Products Corporation. If for any reason Company's proposed acquisition of said plant fails to close, Company shall be excused from its obligations under this instrument, which shall be deemed void and of no further force and effect.

Section 8. Industrial Interceptor and Industrial Lift Station. Company shall operate and maintain the industrial interceptor up to the inlet to the anaerobic cells and the industrial lift station, subject to City having said interceptor line and lift station in satisfactory working condition on the effective date of this Agreement.

Section 9. Inspection. City shall have the right to inspect the Industrial System at any time.

Section 10. Maintenance. Company shall maintain and operate the said Industrial System being leased by it in accordance with the standards established by the Iowa Department of Environmental Quality and shall comply with

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all orders of said Department, except as the same may be contested by Company by proper administrative and judicial procedures.

Section 11. Cost Recovery. In the event that Company discontinues the use of the Industrial System, said facility shall not be used by City or by any other firm, company, person or association until such time as Company is paid for its equipment costs, carried at book value, less depreciation, to be fully depreciated in not more than fifteen (15) years. The cost balance payback may not be longer than over a ten (10) year period if used by the City and five (5) years if user is other than the City. The City agrees to act as the agent to receive and disburse payments between the user and Company.

Section 12. Right to Assign. City agrees that if Company sells its Storm Lake packing facility, it may assign this Agreement for the construction of improvements, operation and maintenance of the said waste water treatment system subject to assumption and compliance with all of the provisions hereof by the assignee and approval of the assignee by City which approval shall not be withheld except for reasonable cause. Any assignment shall not release Company from any of its responsibilities and obligations under this contract in the event it continues to operate its Storm Lake packing facility. In the event that Company should cease meat packing operations for a period of two (2) years the option granted herein to Company to renew this Agreement for an additional twenty (20) year period shall expire and terminate.

Section 13. Financing. City agrees to issue industrial revenue bonds to be financed by payments from Company for the cost of improvements to the said industrial waste water treatment system in the event that the City's bonding attorneys render an opinion that such financing is feasible and Company requests such financing. The cost of issuance of the industrial revenue bonds will be at the expense of Company.

Section 14. Compliance. City agrees to comply with the requirements of Chapter 364 of the Code of Iowa, 1981, and particularly with Section 364.7 thereof.

Section 15. Indemnification by City. City shall indemnify Company and its agents and employees from and against all claims, damages, penalties, fines, losses and expenses that are caused by City's negligent or intentional

acts or omissions or that of its agents or employees or anyone employed by them or for whose acts City may be held liable provided said negligent or intentional acts or omissions are within the scope of the City's responsibilities assumed by the contract, including any claims arising by reason of the operation and maintenance of said Industrial System prior to the date of this lease.

Section 16. Indemnification by Company. Company shall indemnify City, its elected officials and officers, agents and employees from and against all claims, damages, penalties, fines, losses and expenses that are caused by Company's negligent or intentional acts or omissions or that of its agents or employees or anyone employed by them or for whose acts Company may be liable provided said negligent or intentional acts or omissions are within the scope of Company's responsibilities assumed by this contract, including any claims arising by reason of the operation and maintenance of the said Industrial System subsequent to the date of this lease. In addition, Company agrees to hold City harmless from any liability for costs related to the construction and improvements to the Industrial System and it shall not permit any lien for such costs which may be enforceable to remain as a lien against the premises.

Section 17. Land Acquisition. City agrees to acquire any additional land required for expansion of the Industrial System and such other additional land as City determines may be required for public purposes which are reasonable and necessary to implement expansion of the production facilities of Company. All costs of acquisition will be at Company's expense.

Section 18. Water Supply. City will furnish and sell water to Company subject to conditions set forth in a supplemental agreement.

Section 19. Lighting and Parking. City agrees that it will cause to be installed and operated at its expense on City right-of-way for so long as Richland Street remains a City street sufficient street lights to adequately light the street. The City further agrees that curbs on the existing streets adjacent to the plant facilities may be modified or changed to accommodate parking and plant operations.

Section 20. Entire Agreement. This Agreement constitutes the entire contract between the parties hereto and no party shall be liable or bound to another in any manner except as specifically set forth herein.

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Section 21. Modification. This Agreement may not be changed or modified except by agreement in writing.

Section 22. Benefit. The terms and conditions of this Agreement shall inure to the benefit of and be binding upon the respective legal representatives, successors and assigns of the parties hereto.

Section 23. This Agreement is made pursuant to and shall be construed under the laws of the State of Iowa.

Section 24. To the extent that references are made in this contract to the assumption of an expense by City at no cost to Company, that provision shall not operate to relieve Company from any tax levy made by City including a tax levy to cover the cost of general obligation bonds and which tax levy shall be applicable to all property owners within the City of Storm Lake and provide further that this paragraph shall not be construed to reduce any property tax exemption provisions for which Company might otherwise qualify.

IN WITNESS WHEREOF, the parties have executed this Agreement on the

15th day of April, 1982.

CITY OF STORM LAKE, IOWA

IOWA BEEF PROCESSORS, INC.

By

[Signature]
Mayor

By

[Signature]

ATTEST:

STORM LAKE

ATTEST:

[Signature]
City Clerk

[Signature]
Secretary



EXHIBIT "A"

The West 1650.00 Feet of the East Half (E½) of Section Twenty-Four (24), Township Ninety (90) North, Range Thirty-Seven (37) West of the 5th P.M., Buena Vista County, Iowa, except right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railway; and except the following irregular parcel, described as:

A tract of land in the Northeast Quarter (NE¼) and the Southeast Quarter (SE¼) of Section Twenty-Four (24), Township Ninety North (90N), Range Thirty-Seven West (37W) of the 5th Principal Meridian now in and forming a part of Buena Vista County, Iowa. Said tract of land is more particularly described as follows: Commencing at the North Quarter (N¼) corner of said Section Twenty-Four (24); thence South along the north-south one quarter with all subsequent bearings referenced therefrom a distance of 790.10 feet to the point of beginning; thence continuing South a distance of 2132.80 feet to a point where the north-south one quarter line intersects the east right-of-way line of the railroad; thence South 80°30' East a distance of 190.85 feet; thence North 44°45' East a distance of 297.50 feet; thence North 00°01'39" West a distance of 725.39 feet; thence North 37°00' West a distance of 466.50 feet; thence North a distance of 857.10 feet; thence South 89°00' West a distance of 116.60 feet to the point of beginning.

The foregoing real estate is leased together with the following equipment:

- 1 - 8" pump, S. # K2 K1 031 887, R.P.M. 1150, 2660 g.p.m. F.B.
- 1 - motor 60 h.p., 480 V - 60 amps, 1200 R.P.M., S. #1400915, G.E.
- 1 - 6" pump, S. # K3 E1 05 08814, F.B., R.P.M. 1160, 1300 g.p.m.
- 1 - 30 h.p., 480 V - 35.8 amps, G.E., 1150 R.P.M., S. #4023438
- 1 - 6" pump S. # K3D1087690, F.B., R.P.M. 1150, 1300 g.p.m.
- 1 - motor, 30 h.p., 480 V - 24.8 amps, G.E., 1150 R.P.M., S. #4025624

At the Lagoon Building

- 2 - Reculating pumps with motors, F.B., 3 h.p., 6", S. #K2K1031886

Aerators

- 1 - Aqua Lator areator, model 1125-C, 25 h.p. motor
- 2 - Aqua Lator units, model F.L. T.m-50, 50 h.p., R.P.M. 885

Other

- 1 - flat bottom boat with oars
- 1 - outboard motor

Qualifications

CLINTON DENNIS MILLER, MAI

RALLY APPRAISAL, L.L.C.
1454 30th Street, Suite #107
West Des Moines, Iowa 50266
Phone (515) 226-8733
Fax (515) 226-0148
Email: cmiller@rallyappraisal.com

LICENSE:

#CG02604 / #CG2014013R
Certified General Real Property Appraiser
License: Iowa / Nebraska
Expiration: June 30, 2021 / December 31, 2021

EDUCATION AND RELATED COURSE WORK:

- University of Northern Iowa, B.A. Double Major: Real Estate and Finance
- High School Diploma, Starmont High School, Arlington, IA
- The Appraisal Institute, USPAP Update (2018)
- The Appraisal Institute, Fundamentals of Separating Real Property, Personal Property & Intangible Assets (2012)
- The Appraisal Institute, Successfully Completed Peer Review
- The Appraisal Institute, Successfully Completed Comprehensive Exam
- The Appraisal Institute, Report Writing and Valuation Analysis
- The Appraisal Institute, Advanced Applications, 550
- The Appraisal Institute, Business Practices and Ethics, 430
- The Appraisal Institute, Advanced Sales Comparison and Cost Approaches, 530
- The Appraisal Institute, Advanced Income Capitalization, 510
- The Appraisal Institute, National Standards of Professional Appraisal Practice, 410
- Van Education Center, Appraisal 101
- The Appraisal Institute, Income Valuation of Small, Mixed-Use Properties, 600
- The Appraisal Institute, Basic Income Capitalization, 310
- The Appraisal Institute, Highest & Best Use and Market Analysis, 510

RELATED WORK EXPERIENCE:

June 2004 – Present
Rally Appraisal, L.L.C.; Formerly Hayes Appraisal Associates, L.L.C.
West Des Moines, IA
Real Estate Appraiser

January 2003-May 2004
Valuation Services, Inc.
Cedar Falls, IA
Real Estate Appraiser Intern

TYPES OF PROPERTIES APPRAISED:

- | | |
|---|--|
| ➤ Ag Land | ➤ Vacant Land |
| ➤ Acreages | ➤ Single Family Residential |
| ➤ Small/Large Multiple Family Residential | ➤ Carwash |
| ➤ Retail/Apartment (mixed use) | ➤ Retail |
| ➤ Storage Units | ➤ Office/Warehouse (mixed use) |
| ➤ Restaurant | ➤ Convenience Store |
| ➤ Greenhouse | ➤ House of Worship |
| ➤ Warehouse | ➤ Commercial & Residential Subdivision |
| ➤ Manufactured Home Park | ➤ IDOT Work/Review |
| ➤ Boarding House | ➤ Dog Kennel |
| ➤ Service Station | ➤ Fraternal Buildings |
| ➤ Industrial/Manufacturing Building | ➤ Eminent Domain |



STATE OF IOWA
IOWA DEPARTMENT OF COMMERCE
PROFESSIONAL LICENSING AND REGULATION

This is to certify that the below named has been granted a certification
as: Certified General Appraiser.

Certification Number: CG02604 Expires: June 30, 2021

Status: Active

Clinton D Miller
Rally Appraisal
1454 30th Street, Ste 107
West Des Moines, Iowa 50266

Staff Summary

12/21/2020

Agenda Item # 6.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Keri Navratil, City Manager

SUBJECT: **Resolution No. 32-R-2020-2021 of Council Approving Sale of Real Estate to Tyson (Wastewater Treatment Plant)**

BACKGROUND: Since the early 1980's Tyson Fresh Meats currently leases the City's old wastewater treatment plant. The plant is in need of significant upgrades in order to meet their new treatment permit levels. Due to the investment, Tyson Fresh Meats would prefer to own the treatment plant

Rally Appraisal LLC conducted an appraisal on the property to determine a sale price. Due to the specific use of the property, the required investment to continue operation due to current regulations, and costs associated with the remediating the site for an alternative use, and residual value upon conversion of alternative use, there would be minimal interest in the property outside the current tenant.

FISCAL IMPACT: \$1.00

RECOMMENDATION: Approve Resolution No. 32-R-2020-2021 Approving the Sale of Real Estate to Tyson for the Wastewater Treatment Plant

ATTACHMENTS:

Description	Type
▣ Appraisal	Backup Material
▣ Resolution No. 32-R-2020-2021	Resolution

APPRAISAL REPORT

OF

**1234 630th STREET
STORM LAKE, IA 50588**

FILE # C20C2AD02

PREPARED FOR:

**CITY OF STORM LAKE
620 ERIE STREET
STORM LAKE, IA 50588**

ATTN: MS. KERI NAVRATIL

AS OF:

FEBRUARY 19, 2020 "AS IS"

**PREPARED BY:
RALLY APPRAISAL, LLC**

**CLINTON D. MILLER, MAI
CERTIFIED GENERAL REAL PROPERTY APPRAISER**

**1454 30TH STREET, SUITE 107
WEST DES MOINES, IOWA 50266
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Rally Appraisal, L.L.C.

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March 5, 2020

City of Storm Lake
630 Erie Street
Storm Lake, IA 50588

RE: 1234 630th Street, Storm Lake, Iowa

Dear Ms. Keri Navratil:

As requested, I have made an inspection and completed an appraisal of the above referenced property.

This appraisal is being presented in a narrative Appraisal Report Format which is intended to comply with the reporting requirements set forth under Standards Rule 2-2 (a) of the Uniform Standards of Professional Appraisal Practice (USPAP) for an Appraisal Report. As such, it presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning data, reasoning, and analyses is retained in the appraiser's files. The depth of discussion contained in this report is specific to the needs of the client and for the intended use as stated on the following page. The appraiser is not responsible for unauthorized use of this report.

This report is prepared for the client, the City of Storm Lake, for asset management decisions. This report represents my analysis and conclusion of the estimated "as is" market value of the fee simple estate in the subject property as of the inspection date of February 19, 2020. The following report complies with the standards and regulations outlined in Title XI of the Federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA).

The indicated Market Value is based upon the enclosed data, and contingent upon the limiting conditions set forth in the Scope of Work section of this appraisal.

This transmittal letter is considered a part of the appraisal report. Please contact me if you have any questions.

Sincerely,

Clinton D. Miller, MAI
Certified General Appraiser, CG02604 (Iowa)

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SUBJECT PROPERTY PHOTOGRAPHS



North Lagoons – Covered Anaerobic Lagoons



North Lagoons – Covered Anaerobic Lagoons



Influent Control Structure



Concrete Pits – 18' Deep (2 Pits)



Pump Area For Concrete Pits



Pump & Lab Area For Concrete Pits



Circular Pits 12' Deep



Office / Electrical / Chemical Storage (1966)



Electrical For Concrete Pits



Mechanicals



Shop



Chemical Room



Exterior – Chlorine Injection Area



Sludge Pit



Effluent Lagoon – 6' Deep



Effluent Final Lagoon - 6' Deep



Shed on South Side of Property (Flow Meter, Sampler & Heater)



Clean Water Discharge



Discharge Tube



2000 Built Burner Building



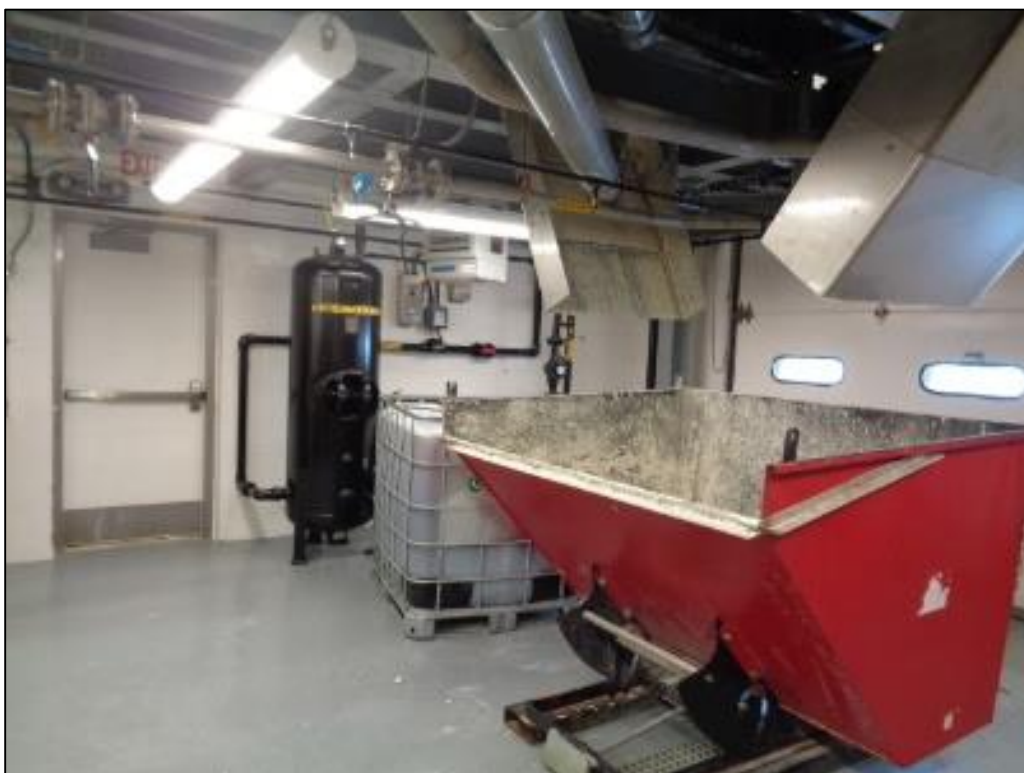
Mechanicals



Electrical Room



Chemical Room



Storage Area



Street View

SUMMARY OF SALIENT DATA

Date of Inspection:	February 17, 2020
Site Size:	104.61 Acres
Type of Property:	Waste Water Treatment Facility
Improvements:	Various - See Improvement Section
Legal Description:	See Addenda
Flood Map Information:	Area Not Mapped
Zoning:	A-1, Agricultural District Special Use Permit for Lagoons
Highest and Best Use:	(As Vacant): Ag Land (As Improved): Continued Use
Exposure Period:	12-18 months
Effective Date of Market Value:	February 17, 2020 "As Is"
Property Rights Appraised:	Fee Simple Estate
Cost Approach Indication:	Not Completed
Sales Comparison Approach:	\$1.00
Income Capitalization Approach:	Not Completed
Final Indicated Market Value:	\$1.00

SCOPE OF REPORT

The scope of the appraisal encompasses the necessary research and analysis to prepare a report in accordance with the intended use, the Standards of Professional Practice of the Appraisal Institute, and the Uniform Standards of Professional Appraisal Practice Foundation. In regard to the subject property, this involved the following steps:

1. This appraisal is prepared for the client, City of Storm Lake, for asset management decisions. The purpose of this appraisal is to estimate the "as is" market value of the fee simple estate of the subject property as of the date of inspection on February 19, 2020.

The appraiser is estimating the market value of the real estate only. No inside or outside equipment was valued.

2. The property was inspected on February 19, 2020. Clinton D. Miller inspected the interior and exterior of the subject property. This was essentially a walk through inspection. The property measurements were compared with information from the assessor's records.

The appraiser is not a building or environmental inspector. An inspection was made of the visible areas at the time of the inspection. The site is assumed to be stable and free of any environmental contamination, the building improvements are assumed to be sound, and there are no encroachments by the subject property or on the subject property unless otherwise stated in this report.

The appraiser is not qualified to:

- Make a determination whether or not the subject property meets current ADA guidelines
- Make a determination whether or not the subject property has any environmental contamination
- Survey the subject property to verify actual size or to make a determination as to whether or not the subject property encroaches on another property or another property is encroaching on the subject property
- Determine the condition of the mechanical or other structural systems of the subject property

If there is any question regarding any of these issues it is the responsibility of the client to obtain verification from qualified sources.

3. Regional, city, county and neighborhood data were based upon information available from the city, county and Iowa Economic Development.
4. Information about the subject property was obtained by inspecting the interior and exterior of the property, interviews, and public records.

-
5. In estimating the highest and best use of the property, an analysis was made of data compiled in the three steps noted above. In addition, a study of the market in the subject area has been made to determine the economic feasibility of the subject property.
 6. In developing approaches to value, the market data were collected from the assessor's office files, other appraisers, realtors, or persons knowledgeable to the subject property and marketplace. Attempts were made to confirm sales data with at least one of the parties involved in the transaction.
 7. After assembling and analyzing the data defined in the scope of the appraisal, a final estimate of market value is estimated.

The sales comparison is most applicable and completed within the appraisal herein.

8. The appraisal assignment is based on the assumptions/conditions outlined below. Pursuant to the requirement within Uniform Standards of Professional Appraisal Practice (USPAP, 2020-2021 Edition) Standards Rule 2-2 (a) (xi), it is stated here that the use of these extraordinary assumptions and/or hypothetical conditions may affect the assignment results.

Extraordinary Assumption: an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions and conclusions.

Comment: Uncertain information might include physical, legal, or economic characteristics of the subject property; or conditions external to the property, such as market conditions or trends; or the integrity of data used in an analysis.

The appraiser is making the following extraordinary assumptions:

- The subject property meets or exceeds all state and local code requirements.
- The subject property has a valid occupancy or use permit for the intended use of the subject property.
- All information supplied to the appraiser is accurate, complete, and not misleading.

COMPETENCY PROVISION

Mr. Miller is a Certified General Real Property Appraiser currently certified by the State of Iowa.

Mr. Miller has a B.A. in both real estate and finance from the University of Northern Iowa and has also taken appraisal courses in theory and application through the Appraisal Institute and Van Education. The appraiser is also a Designated Member of the Appraisal Institute.

The appraiser has performed appraisals on this type of property and a variety of other property types similar to the subject property. A list of qualifications and a list of various property types appraised are in the addendum section of this report.

CERTIFICATIONS

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and no personal interest or bias with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal practice.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of the Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- Mr. Clinton D. Miller has made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the person(s) signing this certification.
- As of this date, I, Clinton D. Miller, have completed the continuing education requirements of the Appraisal Institute for Designated Members.
- I have performed no services, as an appraiser or in any other related capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I, Clinton D. Miller, am licensed as a Certified General Real Property Appraiser under License number CG02604, granted by the State of Iowa, expires June 30, 2021.
- Valuation Date: February 19, 2020 "As-Is"
- Fee Simple Valuation Estimate: \$1.00



Appraiser's Name: Clinton D. Miller, MAI
Certified General Real Property Appraiser

Estimated Marketing Time: 12-18 months

Market data indicates the anticipated marketing time for the subject is 12-18 months. This is based on historical marketing periods of other similar properties that have sold in this market and other similar market areas. However, the list price and the marketing effort are paramount to getting a sale within the indicated marketing time. Properties which are over-priced often experience extended marketing times.

Exposure Time: is defined as “the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. Exposure time is a retrospective opinion based on an analysis of past events assuming a competitive and open market.¹

In the case of the subject, exposure time is determined to be **12-18 months**.

¹ *Uniform Standards of Professional Appraisal Practices & Advisory Opinions, 2020-2021 Edition*, Appraisal Standards Board, The Appraisal Foundation, page 4.

DEFINITIONS OF VALUE, PROPERTY RIGHTS APPRAISED AND FACTUAL DESCRIPTIONS

APPRAISAL²:

(noun) the act or process of developing an opinion of value; an opinion of value.
(adjective) of or pertaining to appraising and related functions such as appraisal practice or appraisal services.

Comment: An appraisal is numerically expresses as a specific amount, as a range of numbers, or as a relationship (e.g., not more than, not less than) to a previous value opinion or numerical benchmark (e.g., assessed value, collateral value).

TYPE OF REPORT:

According to the Uniform Standards of Professional Appraisal Practice, Standards Rule 2-2, an appraisal report must be prepared under one of the following two options: Appraisal Report or Restricted Appraisal Report. These two report types are described as follows:

Appraisal Report:

Should contain a summary of all information significant to the solution of the appraisal problem. “Summarize” is the distinguishing term related to the Appraisal Report.

Restricted Appraisal Report:

Should contain a brief statement of information significant to the solution of the appraisal problem. “State” is the distinguishing term related to the Restricted Appraisal Report.

This is an **Appraisal Report**, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2 (a) of the Uniform Standards of Professional Appraisal Practice (USPAP) for an Appraisal Report. As such, it presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser’s opinion of value. Supporting documentation concerning data, reasoning, and analyses is retained in the appraiser’s files. The depth of discussion contained in this report is specific to the needs of the client and for the intended use as stated on the following page.

² *Uniform Standards of Professional Appraisal Practice and Advisory Opinions, 2020-2021 Edition*, Appraisal Standards Board, The Appraisal Foundation, page 3.

DEFINITIONS OF VALUE, PROPERTY RIGHTS APPRAISED AND FACTUAL DESCRIPTIONS

PURPOSE OF APPRAISAL:

The purpose of this appraisal is to estimate the market value of the fee simple interest in the subject property, "as is", as of the date of inspection, February 19, 2020. The appraiser is valuing the real estate only.

INTENDED USER and INTENDED USE:

This appraisal is prepared for the client, City of Storm Lake, for asset management decisions.

PROPERTY RIGHTS APPRAISED:

There are three primary types of property rights, which may be appraised. They are Fee Simple Estate, Leased Fee Estate, and the Leasehold Estate. They are defined as follows:

Fee Simple Estate: Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

Leased Fee Estate: The ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires.

Leasehold Estate: The right held by the lessee to use and occupy real estate for a stated term and under the conditions specified in the lease.

The subject property is currently encumbered by a lease for \$1.00/year for two more years. That said, the client has indicated that the lessee is interested in purchasing the property and would like the **fee simple estate** be valued herein. The original lease was included within addendum.

Date of Value:

February 19, 2020 "As Is"

DEFINITIONS OF VALUE, PROPERTY RIGHTS APPRAISED AND FACTUAL DESCRIPTIONS

DEFINITION OF MARKET VALUE:

Market value, as herein used, is defined as follows:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- 1) Buyer and seller are typically motivated;
- 2) Both parties are well informed or well advised, and acting in what they consider their own best interests;
- 3) A reasonable time is allowed for exposure in the open market;
- 4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- 5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.³

³ [Code Federal Regulations, Title XII, Part 34.42 (FIRREA)]

IDENTIFICATION OF THE PROPERTY

Property Type:

Waste Water Treatment Facility

Property Location:

1234 630th Street, Storm Lake, IA

Legal Description:

See Addenda

Owner of Record:

City of Storm Lake (Disposal Plant)

History of Property:

The subject property has not transferred ownership within the previous three years. The property is not listed for sale nor are there any pending purchase agreements on the subject.

Encroachment/Encumbrance:

There are no adverse encroachments or encumbrances that negatively effect on the subject property.

Lease Agreement:

IBP originally had a 20-year lease with (1) 20-year option for \$1.00/year that commenced on 4/20/1982. IBP, now Tyson Foods, exercised the 20-year option which will expire 4/20/2022. Over the course of lessee's tenure at the property, there have been a number of leasehold improvements to the equipment, buildings, and site in order to practice modern waste water techniques and conform to current State and DNR regulations. Per a Tyson Foods' official, the property will require a substantial upgrade that will cost \$10,000,000 +/- to conform to current government regulation. As such, Tyson Foods would rather own the property rather than try to negotiate another lease.

ASSESSED VALUE & TAXES

Assessment & Tax Information		
Parcel ID: A Portion of 1424400003 & 1424200001		
Address: 1234 630th Street, Storm Lake		
Yr Blt: 1966-200 104.16 Ac Land		
Assessment Information	Current Year	Current Tax Year
Valuation Date	January 1, 2019	January 1, 2018
Assessed Value		
Land	\$ -	\$ -
Improvements	\$ -	\$ -
Total Assessed Value	\$ -	\$ -
*Assessed Value is determined by the county assessor		
Tax Information		
Taxable Value	The subject property is exempt	
Land		\$ -
Improvements		\$ -
Total Taxable Value		\$ -
Levy		
Gross Tax		\$ -
Business Tax Credit		\$ -
Net Tax		\$ -

The subject property is tax exempt and not assessed.

THE APPRAISAL PROCESS

The appraisal process is the orderly gathering, organizing and analyzing of factual data, in order to estimate a logical conclusion of a defined value as of a given date. The valuation process begins when an appraiser fully identifies the appraisal problem and ends when he/she reports the solution to the client. The valuation process is accomplished by following specific steps; the number of steps used depends on the nature of the appraisal assignment and the data available.

The first step is defining the appraisal problem, which involves determining the following considerations:

1. Identification of real estate;
2. Identification of the property rights to be appraised
3. Date of value estimate;
4. Use of appraisal
5. Definition of value
6. Other limiting conditions

Once the appraisal problem is defined, the appraiser collects and analyzes data that affects the market value of the subject property. The necessary data to be gathered included general data for the region, community and neighborhood in which the subject property is located. This general data includes; social economic, governmental, and environmental information. Also, specific data is gathered for the subject property and possible comparable properties. This specific data includes; site and improvements, sales and listings, costs and depreciation, income/expense and capitalization rate information. It is most desirable to use specific data within close proximity of the property to be appraised, but is sometimes necessary to search beyond neighborhood or community boundaries in order to find sufficient and/or reliable data. The examination of the data should lead to an understanding of the interrelationships specific area. It also provides raw data from which to extract numerical measurements and other evidence of market trends.

The next step in this process is to analyze and estimate the highest and best use for the subject site, as vacant, and as improved (in the case of improved properties).

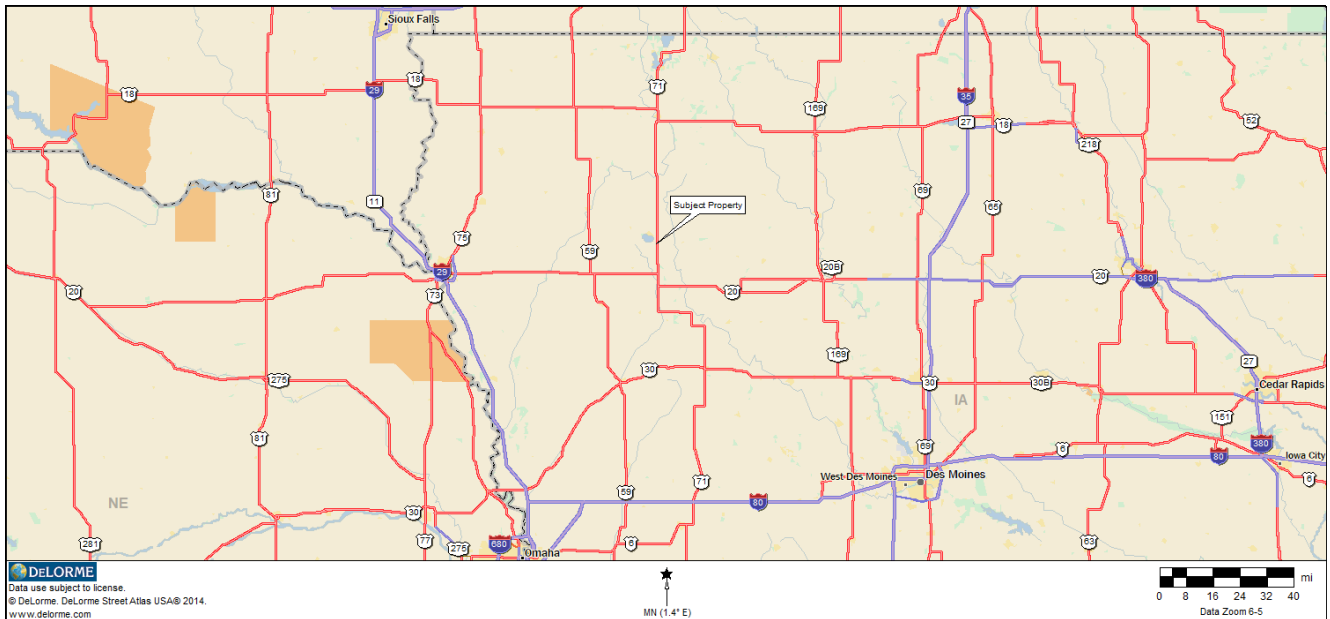
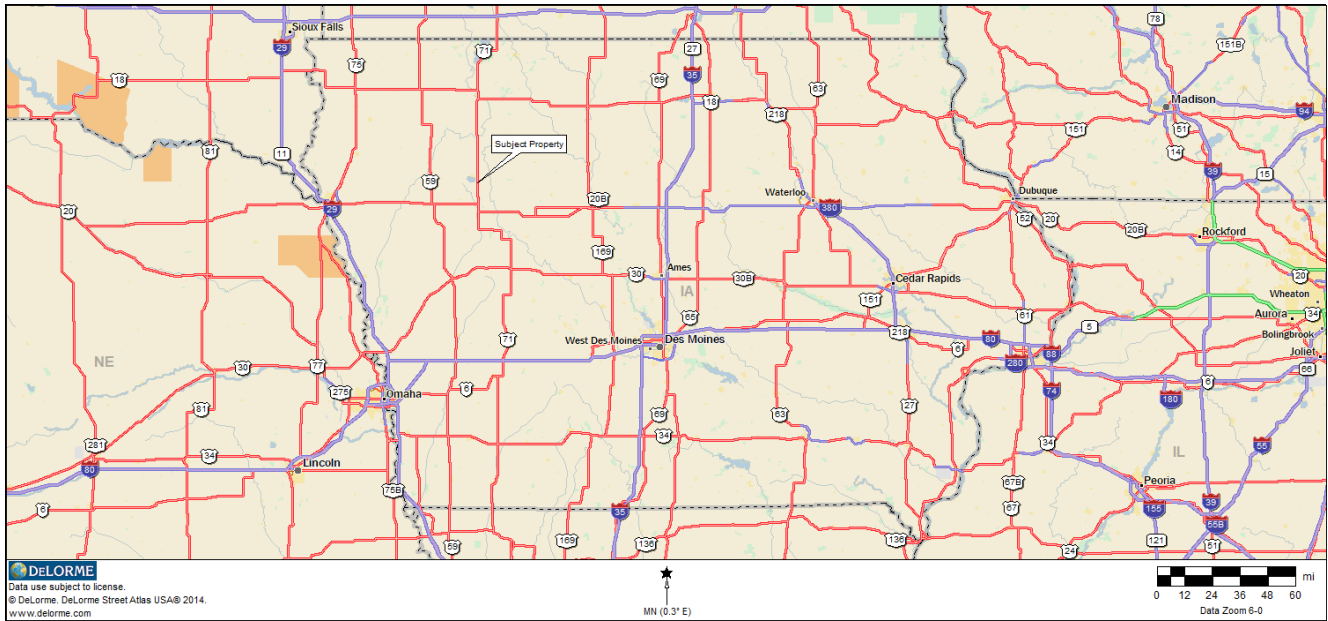
Then the specific data is analyzed, and used in one or more of the three standard approaches to value that are generally recognized by the appraisal community. The most common titles for these approaches are; The Cost Approach, The Direct Sales Comparison Approach, and The Income Approach.

The final step in the appraisal process is the reconciliation of the value indications given by each of the applied approaches into a single dollar figure. When all three approaches are used, the appraiser examines the spread among the three, separate indications. A wide spread may indicate that one or more of the approaches is not truly applicable to the appraisal problem. The appraiser must always consider the relative dependability and applicability of each approach in reconciling the value indications into a final estimate of defined value. In the reconciliation the appraiser considers the following critical factors; which of the approaches is based upon the greatest amount of reliable data, which approach most closely reflects the actual attitudes of typical buyers and sellers, and which approach (s) is most pertinent given the objective of the appraisal. The reconciliation also provides an opportunity to resolve variations and inconsistencies among the value indications and the methods with which they were derived.

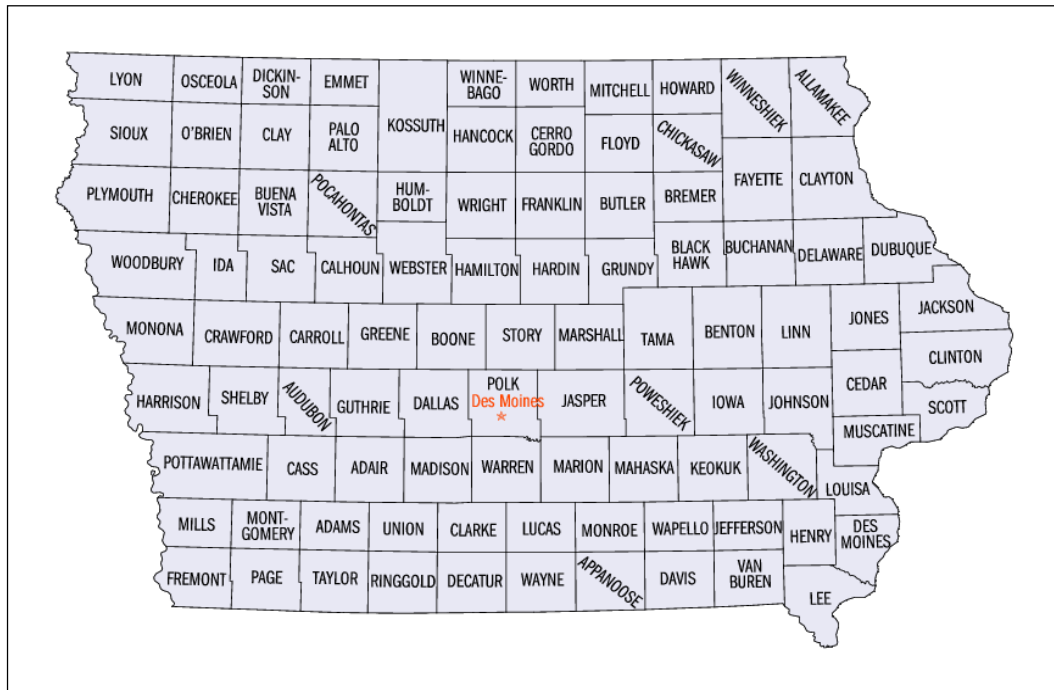
The report of defined value provides the client with a summary of the data analyzed, the methods used, and the reasoning that led to the value estimate.

DESCRIPTIONS

REGIONAL MAP



STATE DATA



LOCATION:

The State of Iowa is located in the central part of the United States, or that part commonly known as the Midwest. It is bordered on the east by the Mississippi River, the Missouri River on the west, the State of Missouri on the south, and the State of Minnesota on the north. Des Moines is the State Capital, and it is located in central Iowa.

GOVERNMENT:

Iowa has a 2-house legislative body, both of which are elected on the basis of population. Iowa is represented in the U.S. Congress by two senators and four representatives. The state has six electoral votes.

TAX STRUCTURE:

The state levies a 6% sales tax on retail goods and services (food/drugs exempt), a motor fuel tax, and a tax on income, both private and corporate.

OVERALL POPULATION TRENDS:

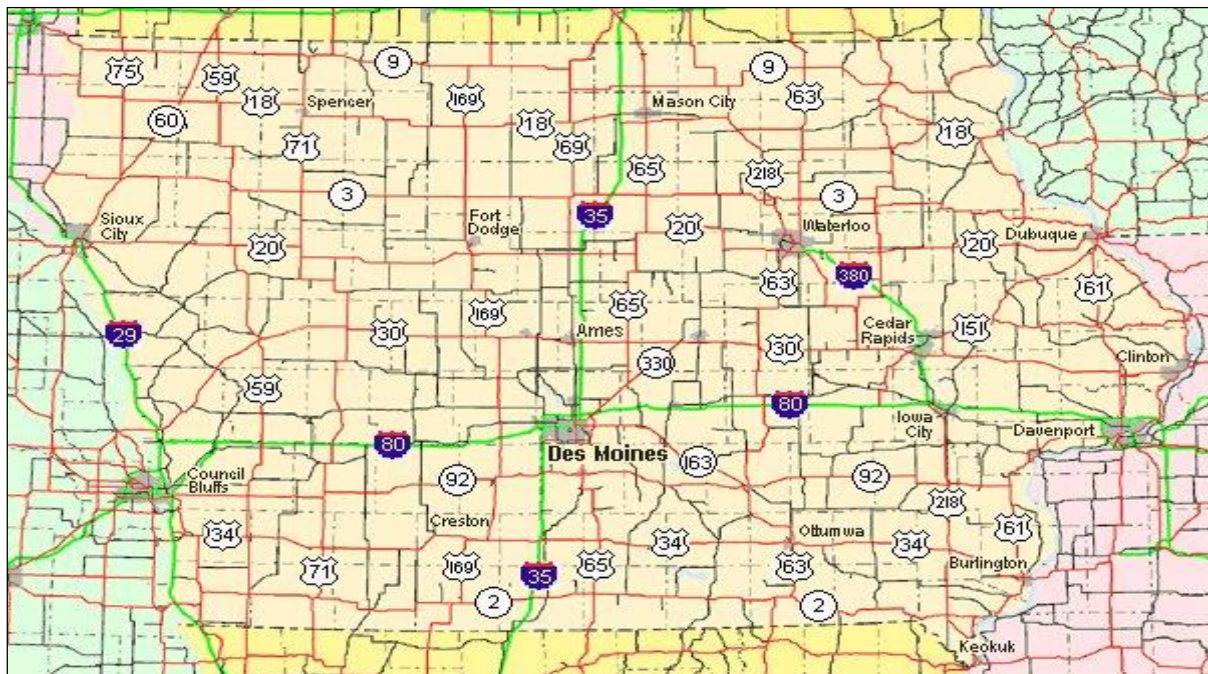
The urban population (incorporated cities with 2,500 or more residents) of Iowa has generally increased most decades from 1940 through 2010. Iowa's rural population, on the other hand, decreased each decade since 1940. That general rural decline hides three distinct trends, however. The farm population decreased substantially. The total number living in small towns remained remarkably stable. And those living in the country (but not on farms nor in small towns) gained throughout the last half-century.

Trends in segments of the urban population are not as distinct. Growth has not varied greatly by size of urban place, although Iowa's central cities have not changed much in recent decades while smaller urban cities have been more likely to gain.

Iowa's population experienced growth of 4.1% since 2000, bringing the total state population up to 3,046,355. This growth kept Iowa ranked at 30th overall in population. Projections show that Iowa's population is expected to grow at similar rate experienced in last decade for the next 30 years.

TRANSPORTATION:

Iowa is well serviced by highways, railroads, barges (on the Mississippi and Missouri Rivers) and by airlines to all major cities.



CLIMATIC CONDITIONS:

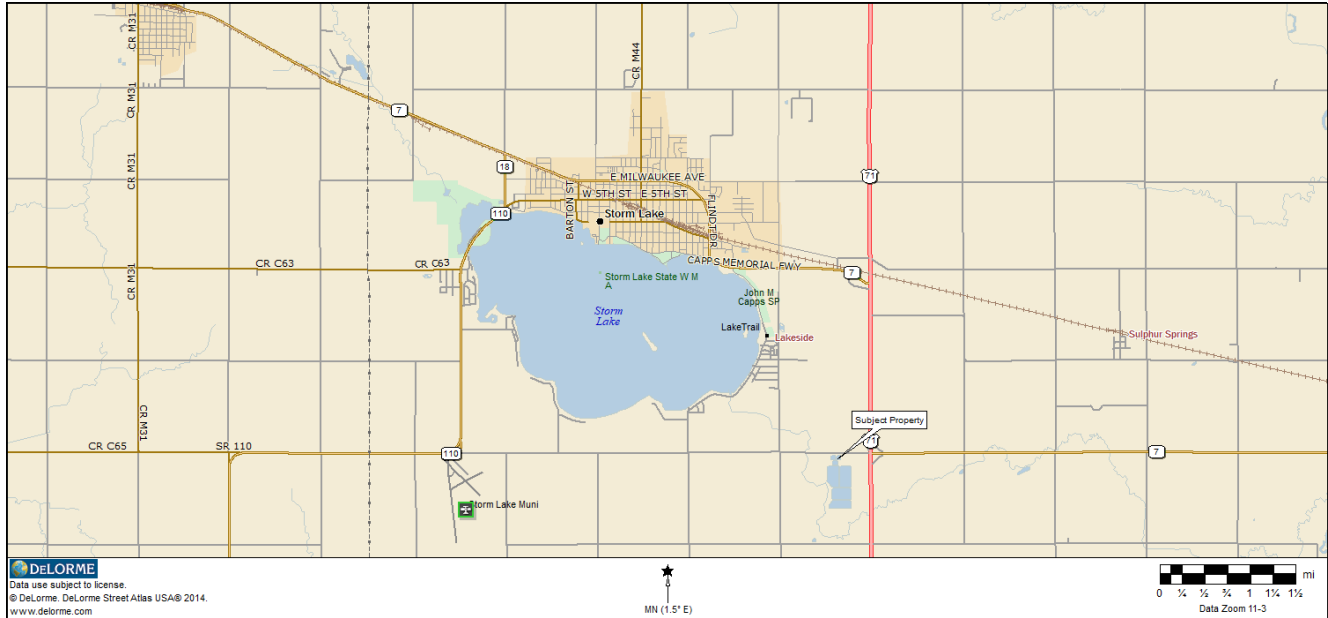
Iowa's four distinct seasons provide a climate that is classified as humid continental. Temperatures vary through a wide range, arriving at an annual average of 49 degrees. A typical year brings 166 days of sunshine, 100 days of partly cloudy, and 99 days of cloudy. Since much of the average 32 inches of rainfall comes during the growing season, Iowa climate is ideal for agricultural production and related services/industries. Winter snowfall averages 30 inches, and relative humidity averages 72%.

Iowa is located in what is commonly referred to as the Temperate Zone. The average growing season ranges from 135 days in the extreme north, to 175 days in the extreme southeast portion. Average temperatures during the growing season are well suited to production of feed-cereal grains, as well as forage crops. Annual rainfall is almost always adequate for high crop yields. Long-term averages are within a range of 26 inches in the northwest to 34 inches in the extreme east and southeast.

TOPOGRAPHY:

Located between the Upper Mississippi and Missouri Rivers, Iowa comprises 56,000 square miles, primarily of rolling prairie. Elevation changes are small across the state, varying from 1,670 feet in Osceola County in the northwest, to 480 feet at the mouth of the Des Moines River in the southeast. Some rugged terrain, mainly of forest soils, may be found in the northeast and near major river systems. Most of Iowa's natural lakes are located in the northwest. The topography of Iowa varies from level and undulating in many areas, to slightly rolling and steep or gullied on small portions. Such topography provides large areas suitable for agricultural enterprises.

COMMUNITY MAP



The subject is situated within the corporate limits of Storm Lake, the county seat of Buena Vista County.

The following is a brochure from the Iowa Economic Development website regarding the community of Storm Lake.

COMMUNITY DATA (Continued)

Storm Lake

County: Buena Vista

Iowa Lakes Corridor Development Corp.

7122643474 | kmiller@lakescorridor.com



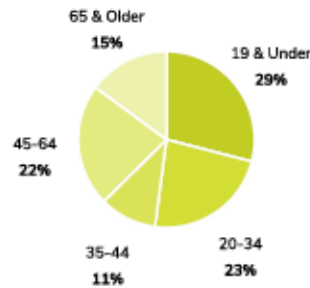
Source: ESRI®, 2019

Population Overview

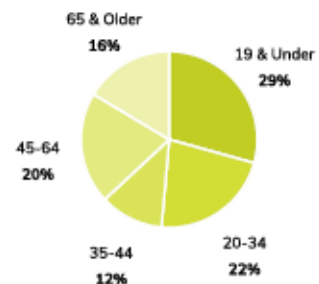
Population 2019:	10,761
Population 2023:	10,808
Female Population 2019:	5,392
Male Population 2019:	5,371
Diversity Index:	80.3

Population

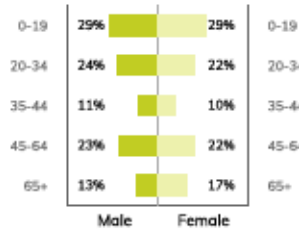
Population By Age 2019



Population By Age 2023



Age & Gender 2019



Median Age 2019



Households



Total Families



Workforce

Total Workforce:	6,348
Employed:	96%
Unemployed:	4%

Average Daily Commute



Net Migration



COMMUNITY DATA (Continued)

Housing Overview

2019 Median Home Value:	\$137,121
2023 Median Home Value:	\$157,299
2019 Total Housing Units:	3,866
2019 Owner Occupied Units:	2,154
2019 Renter Occupied Units:	1,429
2019 Vacant Units:	283
2023 Total Housing Units:	3,879
2023 Owner Occupied Units:	2,174
2023 Renter Occupied Units:	1,429
2023 Vacant Units:	297

Employment by Industry

Manufacturing:	2,289
Educational Services:	760
Retail Trade:	633
Accommodation/Food Services:	589
Health Care/Social Assistance:	518
Construction:	241
Professional/Scientific/Tech Services:	180
Other Services:	151
Admin/Support/Waste Management Services:	123
Finance/Insurance:	110
Wholesale Trade:	105
Agriculture/Forestry/Fishing/Hunting:	102
Transportation/Warehousing:	94
Public Administration:	48
Utilities:	47
Arts/Entertainment/Recreation:	42
Information:	21
Mining/Quarrying/Oil & Gas Extraction:	7
Real Estate/Rental/Leasing:	6
Management of Companies/Enterprises:	0

Income

Median Household Income

2019	2023
\$50,928	\$53,535

Average Household Income

2019	2023
\$65,415	\$72,121

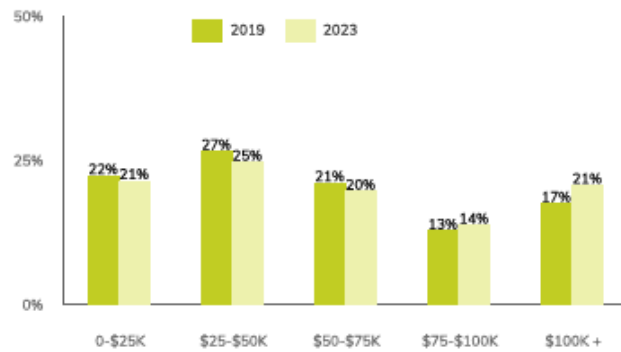
Per Capita Income

2019	2023
\$22,278	\$24,454

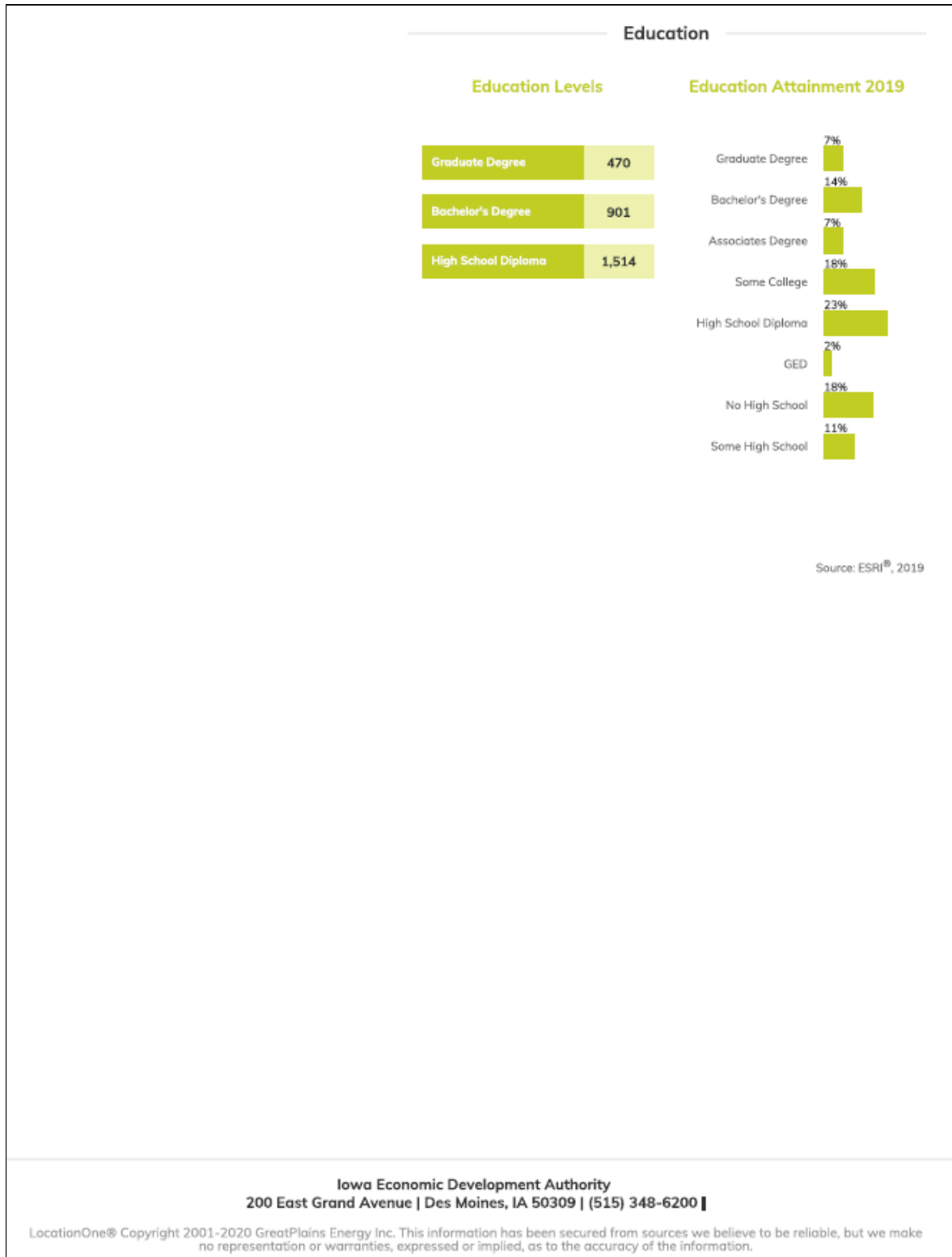
Income Growth

Per Capita Income Annual Growth Rate	1.88%
Median Household Income Annual Growth Rate	1%

Household Income Distribution



COMMUNITY DATA (Continued)



COMMUNITY DATA (Continued)

Population and Household Income

Storm Lake is the county seat of Buena Vista County. The population and household statistics for the Storm Lake are as follows:

		Demographic and Income Profile		
		Storm Lake city, IA (1975630) Place		
Summary	Census 2010	2016	2021	
Population	10,640	11,014	11,321	
Households	3,553	3,667	3,765	
Families	2,289	2,362	2,416	
Average Household Size	2.75	2.78	2.79	
Owner Occupied Housing Units	2,190	2,286	2,348	
Renter Occupied Housing Units	1,363	1,380	1,417	
Median Age	30.8	32.8	33.2	
Trends: 2016 - 2021 Annual Rate	Area	State	National	
Population	0.55%	0.66%	0.84%	
Households	0.53%	0.65%	0.79%	
Families	0.45%	0.57%	0.72%	
Owner HHs	0.54%	0.62%	0.73%	
Median Household Income	2.93%	2.33%	1.89%	
Households by Income	2016		2021	
	Number	Percent	Number	Percent
<\$15,000	569	15.5%	572	15.2%
\$15,000 - \$24,999	381	10.4%	438	11.6%
\$25,000 - \$34,999	412	11.2%	323	8.6%
\$35,000 - \$49,999	626	17.1%	423	11.2%
\$50,000 - \$74,999	736	20.1%	894	23.7%
\$75,000 - \$99,999	468	12.8%	532	14.1%
\$100,000 - \$149,999	356	9.7%	446	11.8%
\$150,000 - \$199,999	48	1.3%	66	1.8%
\$200,000+	70	1.9%	73	1.9%
Median Household Income	\$45,269		\$52,310	
Average Household Income	\$57,267		\$62,516	
Per Capita Income	\$20,454		\$22,199	

COMMUNITY DATA

(Continued)

The population statistics for Storm Lake indicate that this is a stable community with a slight growth trend. This is typical for most communities of this size in Iowa. The growth trend is attributed to the presence of Buena Vista University and the surrounding lake.

The household income statistics for Storm Lake are as follows:

	
Executive Summary	
Storm Lake city, IA (1975630) Place	
	Storm Lake ci...
Population	
2000 Population	10,209
2010 Population	10,640
2016 Population	11,014
2021 Population	11,321
2000-2010 Annual Rate	0.41%
2010-2016 Annual Rate	0.55%
2016-2021 Annual Rate	0.55%
2016 Male Population	50.0%
2016 Female Population	50.0%
2016 Median Age	32.8
In the identified area, the current year population is 11,014. In 2010, the Census count in the area was 10,640. The rate of change since 2010 was 0.55% annually. The five-year projection for the population in the area is 11,321 representing a change of 0.55% annually from 2016 to 2021. Currently, the population is 50.0% male and 50.0% female.	

Retail Trade

The total retail sales potential for the Storm Lake are on the following pages. The analysis indicates leakages in several retail sectors. This is because a lot of retail dollars are migrating to Sioux City to the west and Spencer/Spirit Lake/Okoboji to the north.

COMMUNITY DATA (Continued)



Retail MarketPlace Profile

Storm Lake city, IA (1975630)
Place

Summary Demographics

2016 Population	11,014
2016 Households	3,667
2016 Median Disposable Income	\$36,807
2016 Per Capita Income	\$20,454

Industry Summary	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/Surplus Factor	Number of Businesses
Total Retail Trade and Food & Drink	44-45,722	\$114,892,421	\$209,538,848	-\$94,646,427	-29.2	133
Total Retail Trade	44-45	\$105,006,896	\$194,327,540	-\$89,320,644	-29.8	96
Total Food & Drink	722	\$9,885,525	\$15,211,308	-\$5,325,783	-21.2	37

Industry Group	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/Surplus Factor	Number of Businesses
Motor Vehicle & Parts Dealers	441	\$24,253,077	\$55,697,071	-\$31,443,994	-39.3	19
Automobile Dealers	4411	\$19,578,045	\$46,796,522	-\$27,218,477	-41.0	8
Other Motor Vehicle Dealers	4412	\$2,782,404	\$4,756,285	-\$1,973,881	-26.2	3
Auto Parts, Accessories & Tire Stores	4413	\$1,892,628	\$4,144,264	-\$2,251,636	-37.3	8
Furniture & Home Furnishings Stores	442	\$2,645,198	\$3,195,815	-\$550,617	-9.4	5
Furniture Stores	4421	\$1,767,348	\$1,388,833	\$378,515	12.0	2
Home Furnishings Stores	4422	\$877,850	\$1,806,982	-\$929,132	-34.6	3
Electronics & Appliance Stores	443	\$5,467,647	\$4,056,912	\$1,410,735	14.8	5
Bldg Materials, Garden Equip. & Supply Stores	444	\$5,434,014	\$3,337,424	\$2,096,590	23.9	6
Bldg Material & Supplies Dealers	4441	\$4,847,180	\$3,337,424	\$1,509,756	18.4	6
Lawn & Garden Equip & Supply Stores	4442	\$586,834	\$0	\$586,834	100.0	0
Food & Beverage Stores	445	\$21,376,960	\$28,092,814	-\$6,715,854	-13.6	10
Grocery Stores	4451	\$19,609,482	\$24,061,824	-\$4,452,342	-10.2	7
Specialty Food Stores	4452	\$1,233,587	\$277,183	\$956,404	63.3	1
Beer, Wine & Liquor Stores	4453	\$533,891	\$3,753,807	-\$3,219,916	-75.1	2
Health & Personal Care Stores	446,4461	\$5,733,448	\$13,316,228	-\$7,582,780	-39.8	10
Gasoline Stations	447,4471	\$6,898,053	\$10,698,756	-\$3,800,703	-21.6	5
Clothing & Clothing Accessories Stores	448	\$3,302,669	\$9,640,842	-\$6,338,173	-49.0	13
Clothing Stores	4481	\$2,150,882	\$7,315,333	-\$5,164,451	-54.6	9
Shoe Stores	4482	\$413,299	\$905,485	-\$492,186	-37.3	2
Jewelry, Luggage & Leather Goods Stores	4483	\$738,488	\$1,420,024	-\$681,536	-31.6	2
Sporting Goods, Hobby, Book & Music Stores	451	\$2,397,527	\$4,112,737	-\$1,715,210	-26.3	8
Sporting Goods/Hobby/Musical Instr Stores	4511	\$1,956,439	\$3,906,942	-\$1,950,503	-33.3	7
Book, Periodical & Music Stores	4512	\$441,088	\$205,795	\$235,293	36.4	1
General Merchandise Stores	452	\$19,790,906	\$57,350,949	-\$37,560,043	-48.7	2
Department Stores Excluding Leased Depts.	4521	\$16,689,663	\$56,620,711	-\$39,931,048	-54.5	1
Other General Merchandise Stores	4529	\$3,101,243	\$730,238	\$2,371,005	61.9	1
Miscellaneous Store Retailers	453	\$5,256,126	\$4,679,282	\$576,844	5.8	12
Florists	4531	\$247,543	\$909,701	-\$662,158	-57.2	3
Office Supplies, Stationery & Gift Stores	4532	\$1,171,392	\$1,783,620	-\$612,228	-20.7	3
Used Merchandise Stores	4533	\$656,726	\$1,833,232	-\$1,176,506	-47.3	5
Other Miscellaneous Store Retailers	4539	\$3,180,465	\$152,729	\$3,027,736	90.8	1
Nonstore Retailers	454	\$2,451,271	\$148,710	\$2,302,561	88.6	1
Electronic Shopping & Mail-Order Houses	4541	\$1,479,892	\$148,710	\$1,331,182	81.7	1
Vending Machine Operators	4542	\$378,164	\$0	\$378,164	100.0	0
Direct Selling Establishments	4543	\$593,215	\$0	\$593,215	100.0	0
Food Services & Drinking Places	722	\$9,885,525	\$15,211,308	-\$5,325,783	-21.2	37
Special Food Services	7223	\$193,651	\$0	\$193,651	100.0	0
Drinking Places - Alcoholic Beverages	7224	\$694,767	\$997,620	-\$302,853	-17.9	3
Restaurants/Other Eating Places	7225	\$8,997,107	\$14,213,688	-\$5,216,581	-22	34

Data Note: Supply (retail sales) estimates sales to consumers by establishments. Sales to businesses are excluded. Demand (retail potential) estimates the expected amount spent by consumers at retail establishments. Supply and demand estimates are in current dollars. The Leakage/Surplus Factor presents a snapshot of retail opportunity. This is a measure of the relationship between supply and demand that ranges from +100 (total leakage) to -100 (total surplus). A positive value represents 'leakage' of retail opportunity outside the trade area. A negative value represents a surplus of retail sales, a market where customers are drawn in from outside the trade area. The Retail Gap represents the difference between Retail Potential and Retail Sales. Esri uses the North American Industry Classification System (NAICS) to classify businesses by their primary type of economic activity. Retail establishments are classified into 27 industry groups in the Retail Trade sector, as well as four industry groups within the Food Services & Drinking Establishments subsector. For more information on the Retail MarketPlace data, please click the link below to view the Methodology Statement.
<http://www.esri.com/library/whitepapers/pdfs/esri-data-retail-marketplace.pdf>

Source: Esri and Infogroup. Retail MarketPlace 2016 Release 2. Copyright 2016 Infogroup, Inc. All rights reserved.

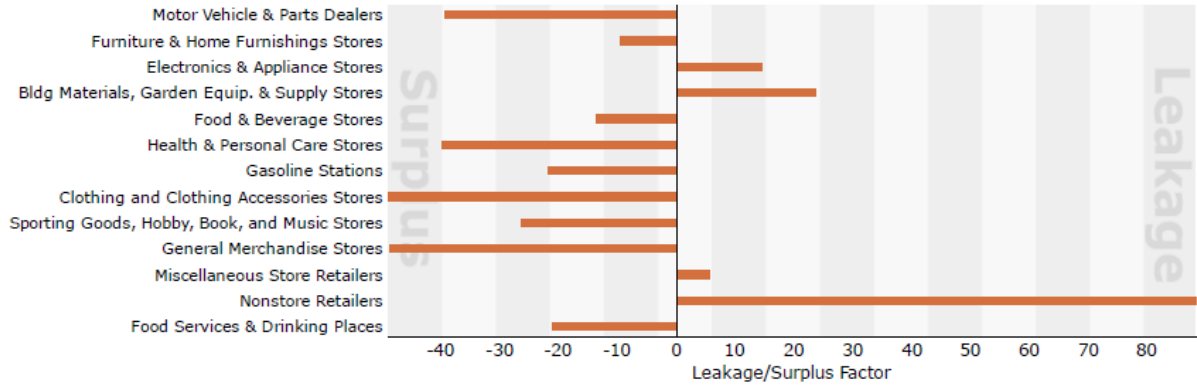
COMMUNITY DATA (Continued)



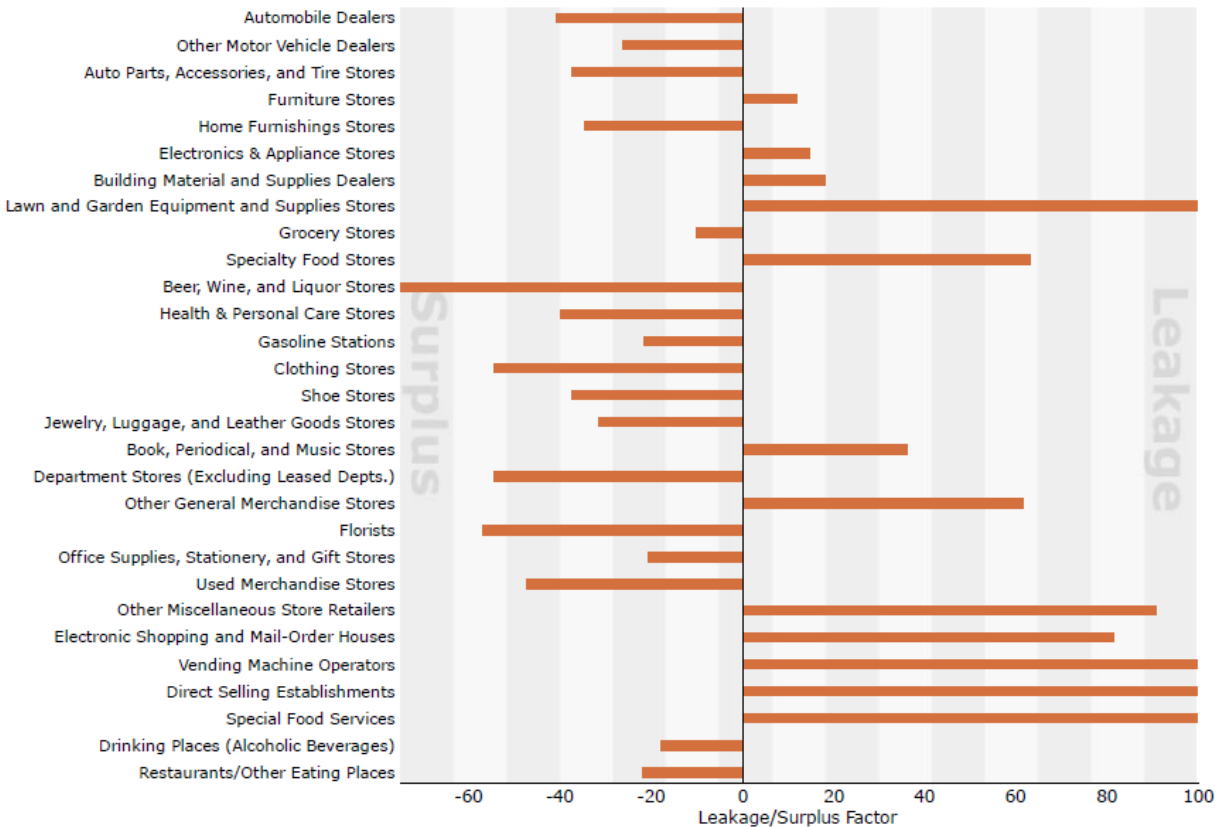
Retail MarketPlace Profile

Storm Lake city, IA (1975630)
Place

Leakage/Surplus Factor by Industry Subsector



Leakage/Surplus Factor by Industry Group



Source: Esri and Infogroup. Retail MarketPlace 2016 Release 2. Copyright 2016 Infogroup, Inc. All rights reserved.

COMMUNITY DATA

(Continued)

Employment

The leading employers for Storm Lake are indicated below.

Leading Employers	Employees
Tyson Fresh Meats	1800
Sara Lee Foods	670
Buena Vista Regional Medical Center	426
Storm Lake Public Schools	365
Buena Vista University	325
WalMart	300
Faith Hope and Charity	150
HyVee	130
Buena Vista County	130
City of Storm Lake	120

The United States Bureau of Labor Statistics indicates an unemployment rate of 2.6% for the State of Iowa as of November of 2019. Buena Vista County's unemployment rate has been estimated at 1.8% as of November of 2019.

Education

Storm Lake has a public school system K-12 with approximately 2,773 students. Secondary educational opportunities are available at Buena Vista University with an enrollment of approximately 1,847 students.

Transportation

U.S. Highway 71 is a two-lane arterial street around the east side of Storm Lake. U.S. Highway 20 is located about 15 miles south of Storm Lake on U.S. Highway 71.

The distance to major metro areas is illustrated below.

Metro Area Distances				
City	Driving Distance (miles)	Flight Time	Days by Truck	Days by Rail
Atlanta	1190		3	3
Chicago	425		1	1
Denver	670		2	3
Des Moines	152		1	1
Kansas City	315		1	2
Los Angeles	1810		4	3
Milwaukee	421		1	2
Minneapolis	300		1	2
New Orleans	1257		3	3
New York	1250		3	4

NEIGHBORHOOD DATA

The map displays the neighborhood data for Storm Lake, Iowa. The central feature is Storm Lake, a large blue body of water. To the north of the lake is the town of Storm Lake, with streets labeled E Milwaukee Ave, W 5th St, E 5th St, and Bartol St. To the south of the lake is Storm Lake State W M. To the east of the lake is Lake Trail and John M. Capps Sr. The map also shows the location of Storm Lake Muni to the southwest. Major roads include CR M31, CR M44, CR C63, SR 110, and US 7. A scale bar and north arrow are located in the bottom right corner.

DELOME
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www.delorme.com

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Data Zoom 11-3

North	Recycling Center / Ag Land
South	Vacant Land
East	Vacant Land / Acreage
West	Storm Lake Wastewater Plant

The neighborhood boundaries are considered to be a five-mile radius of the the incorporated city limits of Storm Lake. The subject is located SE of the Storm Lake city limits along a paved county road. Within the immediate area includes a recycling center as well as the Storm Lake wastewater treatment facility.

Storm Lake is situated along US Highway 71 and Highway 7 within Northwest, Iowa. US Hwy 71 is the main north-south thoroughfare in the area that runs through Spencer / Okoboji Area to the north and connects to the four-lane Highway 20 to the south.

NEIGHBORHOOD DATA

(Continued)

Neighborhood Trends

The immediate area is established. The community features commercial developments along the main thoroughfares. The remaining area consists of vacant land and single family development. It is estimated that the community will remain stable in the near future with little known development.

The majority of new development is occurring on the north side of Storm Lake as well as towards the central part of town. A new strip center is being developed at 1515 Lake Avenue which will be anchored by a Dollar Tree and Shoe Sensation. In addition, (2) multi-family developments were developed in 2013 at a reported total cost of \$13.1 million. Both projects are subsidized housing projects. The first is a row-style townhome development located along 10th Street, locally known as the "Tenth Street Townhomes". This complex is a (42) two and three-bedroom townhome units that cost roughly \$7.7 million. The 2nd is located at 1500 Seneca Street, locally known as The Reserves. This project includes (2) 16-unit buildings that feature (32) two and three bedroom units with a clubhouse. This complex was projected to cost \$5.4 million to develop.

Development towards the center of the community is from razing of older properties. A McDonalds and Pizza Ranch are some recent developments. Casey's General Store purchased the former Honda dealership along E Milwaukee Avenue to raze the site to develop a new store.

Vacancy

Observed vacancies of the subject's community is typically between 5%-20% for commercial properties.

Employment

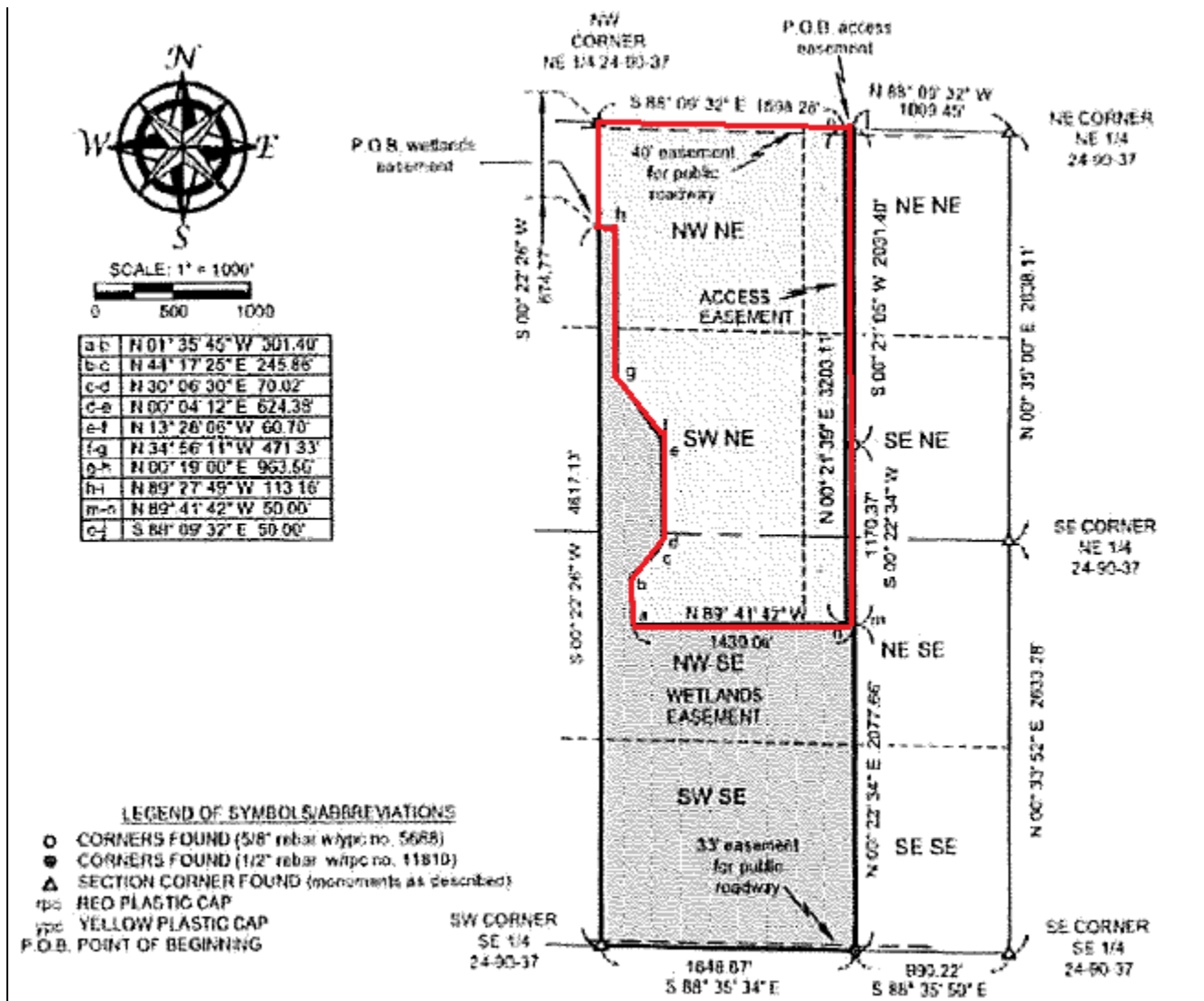
Employment was discussed in the community data section of this report.

Neighborhood Comments

The subject is located within a rural area just outside the corporate limits of Storm lake. This community provides the area with commercial service and socio-economic needs. It is expected that the community will remain stable in the foreseeable future.

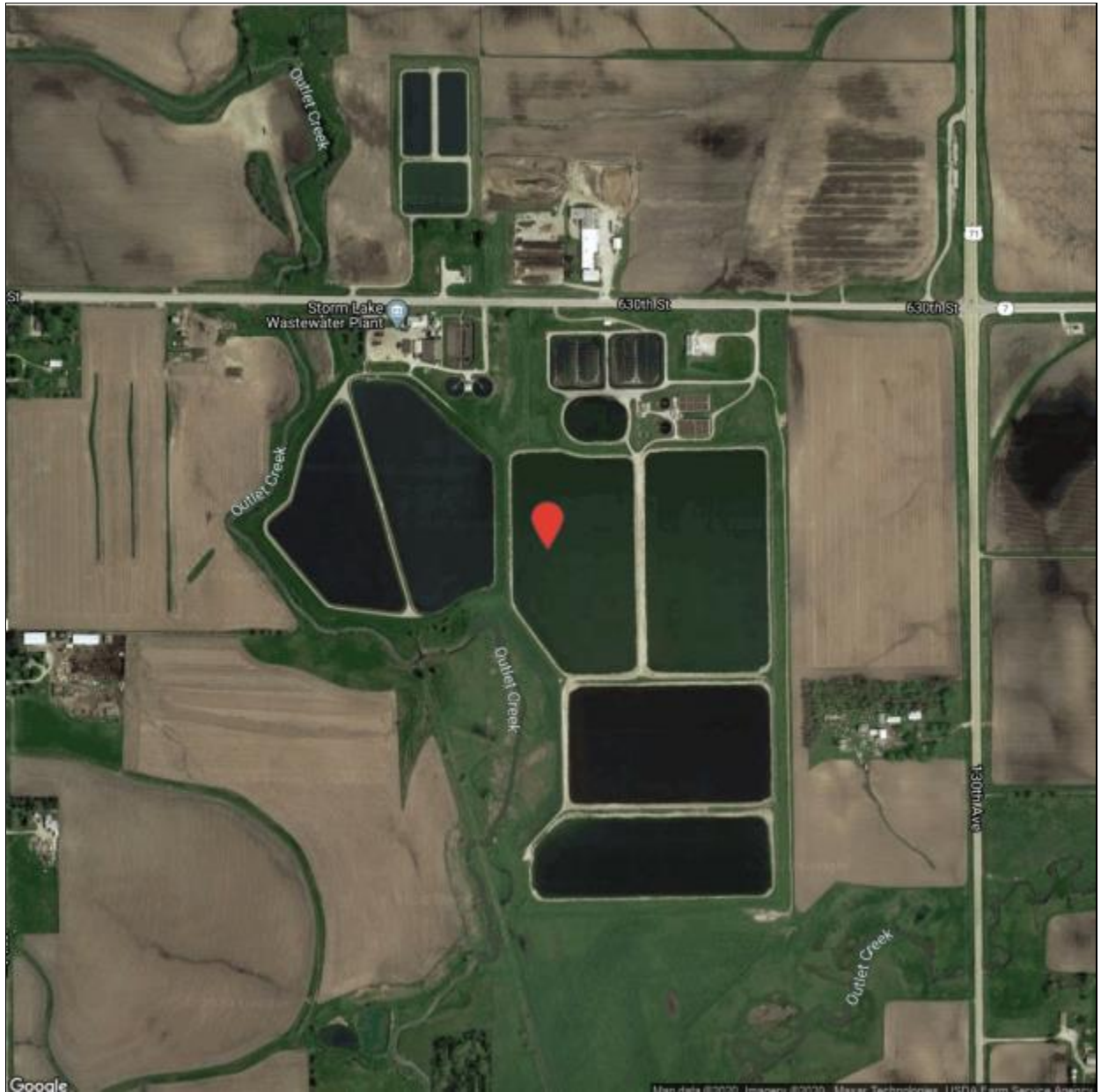
A local broker who works closely with Tyson's within Storm Lake indicated a current shortage of housing and market rental units within the community. The supply of housing has been at a historic low for well over a year now. He further indicated that Tyson's has been offering lump sum referral fees for existing employees to recruit and bring in new employees.

SITE DESCRIPTION



The subject's site is outlined in red above.

AERIAL PHOTOGRAPH



SITE DESCRIPTION

Shape/Size

The subject site is irregular in shape and contains approximately 104.16 acres based on the records the survey provided above.

Topography/Soil Conditions:

The subject's site has a rolling topography and is above street level. A soil survey was not furnished to the appraiser but the soil conditions are assumed adequate to support those uses deemed to be the highest and best use of the site.

Visibility/Access

The subject site is accessed from 630th Street to the north.

Utilities:

Electricity	Yes
Cable	None
Natural Gas	None
City Water	Yes
Sanitary Sewer	None

Zoning:

The subject property is zoned A-1, Agricultural District with a special use permit for lagoons. This zoning district allows for a variety of agricultural uses as well as the current use due to a special use permit.

Flood Zone:

The subject property is not mapped but appears to be upland with a small area long the west side of the property that may flood.

Encroachments/Easements:

The subject will have an access easement along the east side of the property. This is not considered detrimental and does not have a significant impact on value.

General Comments:

The site is considered adequate for the development of the improvements.

IMPROVEMENT DESCRIPTION

Building Summary "As Is"

Lagoons:

The subject property includes seven (7) lagoons that vary in depth, size and use.

North Two Lagoons:

The north two lagoons are influent covered lagoons that are approximately 17' deep. These lagoons have covers that were replaced in 2000 and cost approximately \$400,000/cover. Although well cared for, a typical life of the cover is 20. The purpose of these lagoons is to remove large sentiments. Water comes out of these lagoons and goes to a bar screen located by the office that was constructed in 1987.

Lagoon South of Two North Lagoons:

This lagoon contains the living organisms within sludge that break down and helps clean water. These organisms are circulated through the water within two 160' x 80' (18' deep) and two 64' diameter (12' deep) structures located to the east of an office building. The office building (2,640 SF+/-) was constructed in 1966 and includes a small office, electrical room, small shop area, and chemical room. The lab area located between the concrete structures includes additional pumps, electrical, and mechanical equipment.

Lagoon South of Two North Lagoons:

South of the office area are two effluent off spec lagoons that are 6' deep and hold 48,000,000 gallons.

Lagoon South of Effluent Lagoon:

This lagoon is also 6' deep and holds 22,000,000 gallons. This lagoon will house water that will travel to the last lagoon before being discharged into the stream to the west. The final OO² lagoon is 6' deep and holds 18,000,000 gallons.

There are pump houses located at the NW and SW corners of the property that house lift stations, pumps, heaters, and samplers.

There is also a 2000 built concrete block structure that that is approximately 4,650 SF that lies along 630th Street. This property includes the burner, mechanical room, chemical storage area, and chemical byproduct area.

The garage area/maintenance area is 816 SF block building. This property was the former office area when the City of Storm Lake owned the property but is currently unheated storage area.

Year Built	1966 with numerous additions, improvements and modifications
Actual Age	Actual Age is the years that have elapsed since the completion of the improvements. The subject property is an existing construction. The actual weighted age is unknown.
Effective Age	Effective age is the age indicated by the condition and utility of a structure. The subject property is an existing construction. The effective age as of the effective date of this appraisal is estimated to be 25 years.
Economic Life	Economic life is the period of time over which the improvements to real estate contribute to property value. Economic life and physical life can differ widely. The estimated economic life of this type of property is 25 years.
Remaining Economic Life	Remaining economic life is the estimated time during which improvements continue to contribute to property value. The estimated remaining economic life of the subject property is 0 years.

MARKET ANALYSIS

Subject Overview:

The subject property is a wastewater treatment facility owned by the City of Storm Lake and operated by Tyson Foods. The property was originally constructed to service the community of Storm Lake in what appears to be 1966. Since this date, the City of Storm Lake constructed a new facility on the land area adjacent to the west of the subject and leased the subject property to IBP for 20 years with (1) 20-year option for \$1.00/year beginning in 1982. IBP, now Tyson Foods, exercised the 20-year option which is set to expire 4/20/2022. Over the course of lessee's tenure at the property, there have been a number of leasehold improvements to the equipment, buildings, site and processes.

Recently, the DNR inspected the subject property and is requiring additional procedures to remove phosphorus from the water as part of the State of Iowa water quality standards. The new regulations will include installation of two sludge dryers, two holding tanks, piping, pumps, a bunker, a dissolved air floatation unit, and two presses to reduce water moisture in sludge. Final costs have not been accumulated but a representative for Tyson Foods estimates the cost to be \$10,000,000.

An interview with a Tyson Foods employee indicated that there have been two properties that have been remediated and converted back to an alternative use. The conversion process includes removing all sludge, removing rip rap along lagoons, demolishing building and underground piping, excavating lagoons, and adding fill dirt. Costs associated with these projects have ranged from \$6,000,000-\$8,000,000+. The subject is estimated to be at the upper end of this range due to the fact the property is larger than both comparables but the subject has been well managed with lower sludge contents. If the property were to have sludge removed and be utilized for recreational purposes, the estimate value for the land area would, at the most, \$2,500/acre or \$260,000. This assumes no external obsolescence from the recycling center or neighboring wastewater treatment facility. As a recreational use, the property would be classified as agricultural or likely purchased by a non-profit and hence, would generate minimal tax revenue.

The subject property has limited marketability for an alternative use. The utility of the subject property is limited to anyone other than the current tenant as the piping to the subject leads to only one location and the subject process is specific to a meatpacking facility. That said, there is a need for Tyson Foods to have such facility. Currently, the subject property is tax exempt as it is owned by the City of Storm Lake. If the property were to transfer to a private entity, the property would be restored back to the tax roll. A Tyson Foods representative indicated that the average taxes paid for their lagoon systems is approximately \$40,000/year (varies based on assessment, rollback, and levy rates).

A full copy of the current lease agreement can be found within the addendum.

HIGHEST AND BEST USE ANALYSIS

Highest and Best Use is defined as:

“The reasonably probable use of the property that results in the highest value.”⁴

The highest and best use of the land as though vacant and/or property as improved must meet the following four criteria:

1. Physically Possible:

What uses of the site and/or building in question are physically possible? The size, layout, and other physical factors can affect the possible uses of the land/or improvements.

2. Legally Permissible:

What uses are permitted of the site and/or improvements in question? Private restrictions, zoning, building codes, historic district controls, and environmental regulations must be investigated because they may preclude many potential highest and best uses.

3. Financially Feasible:

Which possible and permissible uses produce a return to the owner of the site? Uses that meet the first two criteria are analyzed further to determine which are likely to produce an income, or return, equal to or greater than the amount needed to satisfy operating expenses, financial obligations, and capital amortization. All uses that are expected to produce a positive return are regarded as financially feasible.

4. Maximally Productive:

Of the financially feasible uses, the use that produces the highest price, or value, consistent with the rate of return warranted by the market for that use is the highest and best use.

⁴ The Appraisal of Real Estate, 14th Edition, pg 332.

HIGHEST AND BEST USE ANALYSIS

AS VACANT:

Legally Permissible:

The subject property is zoned A-1, Agricultural District with a lagoon special use permit. The district allows for numerous agricultural purposes as well as a lagoon.

Physical Possibility:

The topography is rolling but generally slopes from north to south. The property has access to city water and public electric to the site. There are no physical limitations to prevent development of the subject's site with any of the uses permitted by its own physical size.

Financial Feasibility Test:

The subject has frontage on a road along 630th Street from the north. The immediate area generally caters to agricultural purposes with a recycling center and Storm Lake wastewater treatment plant adjoining to the north and west, respectively. Given the neighboring properties, development is unlikely. As such, an agricultural or recreational purpose would be the only financially feasible use.

Maximum Productivity Test:

The highest and best use for the subject, as vacant, would be for some type of agricultural. The likely user would be a developer and the timing is immediate.

AS IMPROVED:

The subject property is improved with a wastewater treatment plant for a local meatpacking plant. The property was originally constructed in 1966 with numerous additions and modifications throughout the life of use. The tenant, Tyson Foods, has made and paid for all of these improvements since originally leasing the property in 1982.

Legal Permissibility:

The subject property is zoned A-1, Agricultural District with a lagoon special use permit. The current use is an allowed use in this zoning district due to the special permit.

Physical Possibility Test:

The size, shape, area, terrain, accessibility, and risk of natural disasters such as floods affect the uses to which the subject can be developed. The subject property is designed for use as a wastewater treatment facility. The site is considered adequate for the improvements.

Financial Feasibility Test:

The subject property is located along a county road in Buena Vista County. Neighboring properties include agricultural uses, an acreage, a wastewater treatment facility and a recycling center. As discussed within the market analysis prior, the subject is required to incur significant improvements to remove additional phosphorus from the water prior water discharge into the neighboring stream. These cost are estimated to be \$10,000,000 and would not be financially feasible for any entity other than the current user. Furthermore, if the property were to become vacant, the estimated remediation cost to make the site usable for an alternative use would be approximately \$8,000,000 per market participants. This includes approximately 60%-75% of the costs to remove sludge from the lagoons with the remainder for the demolition of buildings, dikes, removal of rip rap along lagoons, excavation, and fill. The City of Storm Lake has historically leased the site to lessee for \$1/year, which is believed to be market based on the limited marketability of the property.

Maximum Productivity Test:

Of the financially feasible uses, the use that produces the highest price, or value, consistent with the rate of return warranted by the market for that use is the highest and best use. Thus, the current use with required improvements by the tenant is the highest and best use for the subject property. Given the costs to conform to current regulation and cost to remediate the property and convert the area back to an alternative productive use, there would be limited marketability outside the current tenant. Therefore, the fair market value for the subject property would be \$1.00.

RECONCILIATION & FINAL VALUE CONCLUSION

Summary & Conclusion:

Due to the specific use nature of the subject property, the required investment to continue operation due to current regulations, and costs associated with the remediating the subject use to allow for an alternative use, and residual value upon conversion of alternative use, there would be minimal interest in the subject property outside of the current tenant.

As a result of my investigation, and based upon the foregoing data and analysis, it is my finding that the market value of the Fee Simple Estate of the subject property, with the value date of February 19, 2020, "As Is", and subject to the Underlying Assumptions and Limiting Conditions and Certifications in the sum of:

\$1.00

ONE DOLLAR

ASSUMPTIONS AND LIMITING CONDITIONS

1. This is an Appraisal Report, which is intended to comply with the reporting requirements set forth under Standard Rule 2-2(a) of the Uniform Standards of Professional Appraisal practice for an Appraisal Report. As such, it includes only brief discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraiser is not responsible for unauthorized use of this report.
2. No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated in this report.
3. The property is appraised free and clear of any or all liens and encumbrances unless otherwise stated in this report.
4. Responsible ownership and competent property management are assumed unless otherwise stated in this report.
5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
6. All engineering is assumed to be correct. Any plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
8. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless otherwise stated in this report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined, and considered in this appraisal report.
10. It is assumed that all required licenses, certificates of occupancy, or other legislative or administrative authority from any local, state, or national governmental, or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report are based.
11. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed

or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.

12. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless otherwise stated in this report.
13. The appraiser is not qualified to detect hazardous wastes and/or toxic materials. Any comment by the appraiser that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental assessment. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The appraiser's value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process.
14. Unless otherwise stated in this report, the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the Americans with Disabilities Act. The presence of architectural and communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability, or utility.
15. Any proposed improvements are assumed to be completed in a good workmanlike manner in accordance with the submitted plans and specifications.
16. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
17. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the prior written consent of the appraiser, and in any event, only with proper written qualification and only in its entirety.
18. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, other media without prior written consent and approval of the appraiser.

ADDENDA

Legal Description

DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE EAST HALF (E ½) OF SECTION 24, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) corner of the Northeast Quarter (NE ¼) of said Section 24: Thence South 88° 09' 32" East, along the North line of said Northeast Quarter (NE ¼), 1598.28 feet; Thence South 00° 21' 39" West, 3203.11 feet; Thence North 89° 41' 42" West, 1439.00 feet; Thence North 01° 35' 45" West, 301.40 feet; Thence North 44° 17' 25" East, 245.86 feet; Thence North 30° 06' 30" East, 70.02 feet; Thence North 00° 04' 12" East, 624.38 feet; Thence North 13° 28' 06" West, 60.70 feet; Thence North 34° 56' 11" West, 471.33 feet; Thence North 00° 19' 00" East, 963.56 feet; Thence North 89° 27' 49" West, 113.16 feet to the West line of said Northeast Quarter (NE ¼); Thence North 00° 22' 26" East, along said West line, 674.77 feet to the Point of Beginning.

Tract contains 104.16 acres and is subject to all easements of record.

Subject Lease



Part of the Tyson Foods Family

James C. Meehan, Litigation Attorney

COPY

End of 204K
Lease

December 10, 2002

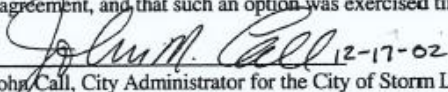
Mr. John Call
City Administrator
P.O. Box 1086
620 Erie
Storm Lake, IA 50588

RE: Wastewater Lagoon Facility Agreement

Dear Mr. Call:

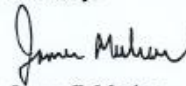
Your November 25, 2002 letter to Mr. Schmitz has been forwarded to my attention. After discussing this matter internally, it is IBP's desire to exercise the option in Section 1 of the Wastewater Lagoon Facility Lease Agreement dated April 15, 1982 to extend IBP's lease over the waste water treatment system for an additional twenty year period to expire on April 20, 2022.

To acknowledge that the City of Storm Lake accepts and acquiesces to IBP's right to extend the lease period over the waste water treatment system to April 15, 2022, as specifically mentioned in Exhibit "A" of the April 15, 1982 agreement, and that such an option was exercised timely, please sign below:


John Call, City Administrator for the City of Storm Lake

Once you have signed the acknowledgment please send me a copy for our files here. If you have any questions in regards to this issue please do not hesitate to contact me.

Sincerely,


James C. Meehan

JCM/pd
CC: Jim Schmitz, Vice President Operations

Tyson Foods/IBP, Legal Department, 800 Stevens Port Drive Suite DD 836, Dakota Dunes, SD 57049
Telephone: (605) 235-3130 Fax No. (605) 235-2427 E-mail: james.meehan@tyson.com



P.O. Box 1086 • 620 Erie • Storm Lake, Iowa 50588 (712) 732-8000 • Fax (712) 732-4114

November 25, 2002

Mr. Jim Schmitz, Vice President
Fresh Meat Operations
Tyson Foods, Inc.
800 Stevens Port Drive, Suite 726
Dakota Dunes, SD 57049-8726

RE: Lagoon Wastewater Treatment Facility Agreement - Storm Lake

Dear Jim:

During our recent contract negotiations with respect to the Water Agreement, I believe that we were in full agreement that the lease by the City to Tyson of the lagoon facilities was not affected by the Water Agreement, and the Water Agreement so recited that fact, but apparently neither Tyson nor the City actually reviewed the Wastewater Lagoon Facility Lease Agreement to see if it needed updating.

In any case, I have reviewed the Agreement and note that by its terms, it expired April 20, 2002 although Tyson had the option in the Agreement to renew the Lease Agreement for an additional 20 year period.

The City is not interested in trying to negotiate to increase the rental amount due from Tyson for the lagoon facilities, but for the record, we do require something in writing from Tyson before any additional time passes to indicate that Tyson is exercising the option contained in the earlier Agreement to continue the lease for the additional 20 year period until April 20, 2022. I would therefore request that Tyson exercise that option in writing in a letter directed to me so that we will have it on file, and if you wish, you can put in a provision where I will countersign your letter to indicate that the City accepts the exercise of the option as timely filed.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Call".

John Call, City Administrator

JC:nw

IBP Agreements List

- 4-15-82 Wastewater Treatment
 - Leases Plant to IBP
- 6-7-82 Sewer Line Usage – charge '82
 - Transporting Waste
- 7-1-82 Water Agreement – *expired*
 - Usage & Cost Allocation
- 1-10-85 Sewer Line – Change '85
 - Swapping Lines
- 10-8-91 Sewer Line Change '91
 - 30" Abandoned
- 6-8-92 Reservoir & Tank Agreement (Financing) – *expired*
 - IBP's Obligation specific to the Project
- 7-6-98 Letter of Understanding – *expired*
 - Re: Privatization of OMM @ Water Plant

11/13/02 30 yr Water Agreement

4-15-82 Wastewater Treatment Plant Lease

Sec 1 – Lease of Treatment Plant

- 20 Year Lease + 20 year option
- \$1.00

Sec 2 – Only IBP Company uses

Sec 3 – Agreements until new City WWTP is constructed

Sec 4 – Old agreement w/Hygrade not obligation of IBP (cost sharing of construction)

Sec 5 – Improvements – made by IBP & paid by IBP

Sec 6 – Company to comply with DNR re: construction – Plans to City also

Sec 9 – City can inspect anytime

Sec 10 – Maintenance company shall maintain in accordance with state regulations

Sec 11 – If company no longer uses – subsequent users must pay IBP

Sec 12 – If company sells, lease is assignable with City approval which shall not be unreasonable withheld

If production ceases for 2 years, no renewal is automatic

6-7-82 Sewer Line Usage Change 82

Change in outfall lines and usage

IBP uses 18" line

Costs, etc.

7-1-82 Water Agreement

- 7 years +13 years renewable
- 2,250,000 g/d weekly average not more than 2.5 mgd
- 50-60 psi
- How rates are determined
- Treatment
 - 10 grains hardness – below IBP doesn't pay
- Sect 5 10 inch line used only by plant – costs paid by IBP
- Sect 6 Capital after yr 7
 - % cost of plant expansion, new wells
 - if rev bonds – only % share due each year.
- No resale of water

1-10-85 Sewer Line Change '85

Agreement deals with an 18" and 30" sewer line swapping one for the other

10-8-91 Sewer Line Change '91

- 30" to City – abandoned cleaning, plugging, etc.

6-8-92 Reservoir & Tank Agreement (Financing)

- construction of 1.32 million in 90-91
 - Financed w/GO Bonds
- Question Does Company owe? Owe share up front? Owe share of pmt?

1. Agreement applies only these improvements
2. Company shall reimburse principal & interest of GO Bonds
3. Company doesn't have to pay for 500,000 elevated tank only reservoir based on benefit to company. Company to pay 56% of payment owed.
4. 5-year average to determine share
5. waiting for average until after current year

7-6-98 Letter of Understanding – Privatization & Costs

- City will privatize OM & M
- 2 – IBP will pay based on
- 2 & b) Roughly same formula
- c) Capital Costs per Sec. 6 of April 15, 1982 supplemental Agreement
- d) 100% of Sec 5 from 1982 agreement

- 6 IBP can audit for savings comparison

- 7 No material change

WASTEWATER
Treatment
April 82

INDEX

INSTRUMENT # 971481

fee 41.00

97 JUN 10 AM 11:48

Shari L. O'Bannon
By Maureen A. O'Bannon
SHARI L. O'BANNON
RECORDED

AGREEMENT

THIS AGREEMENT is made and entered into between the CITY OF STORM LAKE, IOWA, a municipal corporation, herein referred to as CITY, and IOWA BEEF PROCESSORS, INC., a corporation doing business in the State of Iowa, herein referred to as COMPANY.

RECITALS

A. Company is engaged in the meat processing business and is considering the possible purchase of the Hygrade Food Products Corporation meat packing facilities in Storm Lake, Iowa.

B. City is willing to agree to certain conditions as an inducement to Company to purchase and operate the now idle Hygrade Food Products facilities, including but not limited to leasing of waste treatment facilities, land acquisition and parking, water rates and street lights.

C. City owns and operates and maintains an industrial waste treatment facility in Section Twenty-Four (24), Township Ninety (90) North, Range Thirty-Seven (37) West of the 5th P.M.

D. The Iowa Department of Environmental Quality has found that the present facilities are not adequate under certain circumstances and conditions and that the said industrial waste water treatment facility must be upgraded to meet final effluent limitations.

E. City desires to contract a lease agreement with Company to have Company take over the operation and improvement of the said facility, and Company is willing to contract with City for the Company to assume the construction, operation and maintenance of the said industrial waste water treatment facility as provided herein.

F. City intends to construct improvements to its municipal waste treatment facility to treat sewage waste in the City of Storm Lake, Iowa and the City of Lakeside, Iowa, excluding waste of Company.

IN CONSIDERATION OF THE MUTUAL COVENANTS SET FORTH HEREIN, it is agreed by the parties as follows:

Section 1. Lease of Industrial Waste Water Treatment System. City shall lease to Company and Company shall lease from City the Industrial Waste

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971481

Water Treatment System for a period of twenty (20) years beginning April 20, 1982, and ending April 20, 2002, with an option to Company to renew for an additional twenty (20) year period, unless sooner terminated by mutual agreement of the parties. The INDUSTRIAL WASTE WATER TREATMENT SYSTEM (hereinafter called INDUSTRIAL SYSTEM), including the land upon which it is situated, is described as set forth on Exhibit A, attached hereto and made a part hereof. Company shall pay to City for said lease the sum of One Dollar (\$1.00) and other valuable consideration.

Section 2. Exclusive Use. Company shall be the exclusive user of the said leased Industrial System after completion of the municipal waste water treatment facility by City.

Section 3. Conditions of Use. For that period of time until a proposed new City municipal waste water treatment facility is constructed and placed in operation, Company agrees to:

A. Continue to treat waste water from the City of Lakeside in the Industrial System for a period not to exceed five (5) years from the date of this Agreement.

B. Continue to accept City sludge for a period not to exceed five (5) years from the date of this Agreement.

For and during the period of time until a proposed new City municipal waste water facility is constructed and placed in operation, the City agrees to:

C. Pay to the Company for the treatment of waste from the City of Lakeside, Iowa, during the interim period before said Lakeside waste is diverted to the municipal waste water treatment system to be constructed by the City, an amount equal to 79 cents per 1,000 gallons of City water delivered to the City to Lakeside from the City of Storm Lake, Iowa, excluding water resold to Bel Air Beach.

D. Complete the cleaning of all lagoons in the Industrial System by removing accumulated sludge prior to the takeover of operation by Company or as soon thereafter as is feasible. As of the signing of this Agreement, the City has completed the cleaning of the anerobic and aerobic ponds and this Agreement is therefore limited to the cleaning of the large storage ponds.

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F. Inspect by I.V. and clean the 15 inch sewer line from the said Hygrade Plant to the manhole east of Flindt Drive and the 18 inch sewer line carrying sewage waste from the Hygrade facility for the 2,275 feet length of 18 inch pipe at the expense of City and certify that the 18 inch pipe and the 30 inch pipe carrying sewage waste from the Hygrade facility to the Industrial System are open and in satisfactory working condition prior to the takeover of operation by Company.

F. If sludge is discharged into the industrial lagoon, pursuant to subparagraph B of this section, the City agrees to pay a prorata share of the expenses of dredging the sludge out of the Industrial System whenever Company elects to dredge this sludge pursuant to its responsibilities as hereafter set out. For purposes of determining City's prorata share, City and Company shall each appoint one engineer to estimate the respective contributions of sludge of City and Company who shall then determine the actual prorata share to be assumed by City.

G. Provide for the treatment and handling of all sludge and skimmed material, storm water and untreated municipal waste water in the municipal waste water treatment facility to be constructed. City, after completion of the improvements to the municipal waste water treatment facility, shall at no expense to Company:

H. Disconnect from the Industrial System line(s) the waste water from the City of Lakeside, Iowa.

I. Separate and isolate the City municipal waste system from the industrial interceptor and Industrial System to prevent any cross-connections, by-passes and discharges from the municipal system to the Industrial System.

Section 4. Industrial Waste Agreement. City agrees that Company will not be charged for obligations to City of Hygrade Food Products Corporation for cost sharing of the construction of industrial waste water treatment facility pursuant to the Industrial Waste Agreement between the City and Hygrade dated the 7th day of February, 1966.

Section 5. Cost of Improvements; Permit. The cost of improving the leased portion of the Industrial System will be paid by Company and the construction of the same will be under the control of Company. The engineering services will be provided by Company, including design analysis, preliminary and final plans and specifications. Company will pay all operation and maintenance expenses of the Industrial System leased to Company during the period of the lease and Company agrees to clean and remove all sludge accumulated in the Industrial System at the termination of the lease unless said sludge has been removed within the preceding five (5) years. During the period of the lease, Company will hold the National Pollution Discharge Elimination System (NPDES) permit.

Section 6. Compliance with Specifications. The construction of the industrial waste water treatment system improvements shall be carried forward by Company pursuant to the final plans and specifications for the proposed improvements as submitted to and approved by the Iowa Department of Environmental Quality. After approval, Company will provide a complete set of the plans and specifications to City to become a part of City's permanent records.

Section 7. Time for Performance. Company shall proceed with construction of the industrial waste water improvements as soon as (a) final plans and specifications are approved by the Department of Environmental Quality, and (b) Company acquires title to the Storm Lake plant of Hygrade Food Products Corporation. If for any reason Company's proposed acquisition of said plant fails to close, Company shall be excused from its obligations under this instrument, which shall be deemed void and of no further force and effect.

Section 8. Industrial Interceptor and Industrial Lift Station. Company shall operate and maintain the industrial interceptor up to the inlet to the anaerobic cells and the industrial lift station, subject to City having said interceptor line and lift station in satisfactory working condition on the effective date of this Agreement.

Section 9. Inspection. City shall have the right to inspect the Industrial System at any time.

Section 10. Maintenance. Company shall maintain and operate the said Industrial System being leased by it in accordance with the standards established by the Iowa Department of Environmental Quality and shall comply with

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all orders of said Department, except as the same may be contested by Company by proper administrative and judicial procedures.

Section 11. Cost Recovery. In the event that Company discontinues the use of the Industrial System, said facility shall not be used by City or by any other firm, company, person or association until such time as Company is paid for its equipment costs, carried at book value, less depreciation, to be fully depreciated in not more than fifteen (15) years. The cost balance payback may not be longer than over a ten (10) year period if used by the City and five (5) years if user is other than the City. The City agrees to act as the agent to receive and disburse payments between the user and Company.

Section 12. Right to Assign. City agrees that if Company sells its Storm Lake packing facility, it may assign this Agreement for the construction of improvements, operation and maintenance of the said waste water treatment system subject to assumption and compliance with all of the provisions hereof by the assignee and approval of the assignee by City which approval shall not be withheld except for reasonable cause. Any assignment shall not release Company from any of its responsibilities and obligations under this contract in the event it continues to operate its Storm Lake packing facility. In the event that Company should cease meat packing operations for a period of two (2) years the option granted herein to Company to renew this Agreement for an additional twenty (20) year period shall expire and terminate.

Section 13. Financing. City agrees to issue industrial revenue bonds to be financed by payments from Company for the cost of improvements to the said industrial waste water treatment system in the event that the City's bonding attorneys render an opinion that such financing is feasible and Company requests such financing. The cost of issuance of the industrial revenue bonds will be at the expense of Company.

Section 14. Compliance. City agrees to comply with the requirements of Chapter 364 of the Code of Iowa, 1981, and particularly with Section 364.7 thereof.

Section 15. Indemnification by City. City shall indemnify Company and its agents and employees from and against all claims, damages, penalties, fines, losses and expenses that are caused by City's negligent or intentional

acts or omissions or that of its agents or employees or anyone employed by them or for whose acts City may be held liable provided said negligent or intentional acts or omissions are within the scope of the City's responsibilities assumed by the contract, including any claims arising by reason of the operation and maintenance of said Industrial System prior to the date of this lease.

Section 16. Indemnification by Company. Company shall indemnify City, its elected officials and officers, agents and employees from and against all claims, damages, penalties, fines, losses and expenses that are caused by Company's negligent or intentional acts or omissions or that of its agents or employees or anyone employed by them or for whose acts Company may be liable provided said negligent or intentional acts or omissions are within the scope of Company's responsibilities assumed by this contract, including any claims arising by reason of the operation and maintenance of the said Industrial System subsequent to the date of this lease. In addition, Company agrees to hold City harmless from any liability for costs related to the construction and improvements to the Industrial System and it shall not permit any lien for such costs which may be enforceable to remain as a lien against the premises.

Section 17. Land Acquisition. City agrees to acquire any additional land required for expansion of the Industrial System and such other additional land as City determines may be required for public purposes which are reasonable and necessary to implement expansion of the production facilities of Company. All costs of acquisition will be at Company's expense.

Section 18. Water Supply. City will furnish and sell water to Company subject to conditions set forth in a supplemental agreement.

Section 19. Lighting and Parking. City agrees that it will cause to be installed and operated at its expense on City right-of-way for so long as Richland Street remains a City street sufficient street lights to adequately light the street. The City further agrees that curbs on the existing streets adjacent to the plant facilities may be modified or changed to accommodate parking and plant operations.

Section 20. Entire Agreement. This Agreement constitutes the entire contract between the parties hereto and no party shall be liable or bound to another in any manner except as specifically set forth herein.

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Section 21. Modification. This Agreement may not be changed or modified except by agreement in writing.

Section 22. Benefit. The terms and conditions of this Agreement shall inure to the benefit of and be binding upon the respective legal representatives, successors and assigns of the parties hereto.

Section 23. This Agreement is made pursuant to and shall be construed under the laws of the State of Iowa.

Section 24. To the extent that references are made in this contract to the assumption of an expense by City at no cost to Company, that provision shall not operate to relieve Company from any tax levy made by City including a tax levy to cover the cost of general obligation bonds and which tax levy shall be applicable to all property owners within the City of Storm Lake and provide further that this paragraph shall not be construed to reduce any property tax exemption provisions for which Company might otherwise qualify.

IN WITNESS WHEREOF, the parties have executed this Agreement on the

15th day of April, 1982.

CITY OF STORM LAKE, IOWA

IOWA BEEF PROCESSORS, INC.

By

[Signature]
Mayor

By

[Signature]

ATTEST:

[Signature]
City Clerk

ATTEST:

[Signature]
Secretary



EXHIBIT "A"

The West 1650.00 Feet of the East Half (E½) of Section Twenty-Four (24), Township Ninety (90) North, Range Thirty-Seven (37) West of the 5th P.M., Buena Vista County, Iowa, except right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railway; and except the following irregular parcel, described as:

A tract of land in the Northeast Quarter (NE¼) and the Southeast Quarter (SE¼) of Section Twenty-Four (24), Township Ninety North (90N), Range Thirty-Seven West (37W) of the 5th Principal Meridian now in and forming a part of Buena Vista County, Iowa. Said tract of land is more particularly described as follows: Commencing at the North Quarter (N¼) corner of said Section Twenty-Four (24); thence South along the north-south one quarter with all subsequent bearings referenced therefrom a distance of 790.10 feet to the point of beginning; thence continuing South a distance of 2132.80 feet to a point where the north-south one quarter line intersects the east right-of-way line of the railroad; thence South 80°30' East a distance of 190.85 feet; thence North 44°45' East a distance of 297.50 feet; thence North 00°01'39" West a distance of 725.39 feet; thence North 37°00' West a distance of 466.50 feet; thence North a distance of 857.10 feet; thence South 89°00' West a distance of 116.60 feet to the point of beginning.

The foregoing real estate is leased together with the following equipment:

- 1 - 8" pump, S. # K2 K1 031 887, R.P.M. 1150, 2660 g.p.m. F.B.
- 1 - motor 60 h.p., 480 V - 60 amps, 1200 R.P.M., S. #1400915, G.E.
- 1 - 6" pump, S. # K3 E1 05 08814, F.B., R.P.M. 1160, 1300 g.p.m.
- 1 - 30 h.p., 480 V - 35.8 amps, G.E., 1150 R.P.M., S. #4023438
- 1 - 6" pump S. # K3D1087690, F.B., R.P.M. 1150, 1300 g.p.m.
- 1 - motor, 30 h.p., 480 V - 24.8 amps, G.E., 1150 R.P.M., S. #4025624

At the Lagoon Building

- 2 - Reculating pumps with motors, F.B., 3 h.p., 6", S. #K2K1031886

Aerators

- 1 - Aqua Lator areator, model 1125-C, 25 h.p. motor
- 2 - Aqua Lator units, model F.L. T.m-50, 50 h.p., R.P.M. 885

Other

- 1 - flat bottom boat with oars
- 1 - outboard motor

Qualifications

CLINTON DENNIS MILLER, MAI

RALLY APPRAISAL, L.L.C.
1454 30th Street, Suite #107
West Des Moines, Iowa 50266
Phone (515) 226-8733
Fax (515) 226-0148
Email: cmiller@rallyappraisal.com

LICENSE:

#CG02604 / #CG2014013R
Certified General Real Property Appraiser
License: Iowa / Nebraska
Expiration: June 30, 2021 / December 31, 2021

EDUCATION AND RELATED COURSE WORK:

- University of Northern Iowa, B.A. Double Major: Real Estate and Finance
- High School Diploma, Starmont High School, Arlington, IA
- The Appraisal Institute, USPAP Update (2018)
- The Appraisal Institute, Fundamentals of Separating Real Property, Personal Property & Intangible Assets (2012)
- The Appraisal Institute, Successfully Completed Peer Review
- The Appraisal Institute, Successfully Completed Comprehensive Exam
- The Appraisal Institute, Report Writing and Valuation Analysis
- The Appraisal Institute, Advanced Applications, 550
- The Appraisal Institute, Business Practices and Ethics, 430
- The Appraisal Institute, Advanced Sales Comparison and Cost Approaches, 530
- The Appraisal Institute, Advanced Income Capitalization, 510
- The Appraisal Institute, National Standards of Professional Appraisal Practice, 410
- Van Education Center, Appraisal 101
- The Appraisal Institute, Income Valuation of Small, Mixed-Use Properties, 600
- The Appraisal Institute, Basic Income Capitalization, 310
- The Appraisal Institute, Highest & Best Use and Market Analysis, 510

RELATED WORK EXPERIENCE:

June 2004 – Present
Rally Appraisal, L.L.C.; Formerly Hayes Appraisal Associates, L.L.C.
West Des Moines, IA
Real Estate Appraiser

January 2003-May 2004
Valuation Services, Inc.
Cedar Falls, IA
Real Estate Appraiser Intern

TYPES OF PROPERTIES APPRAISED:

- | | |
|---|--|
| ➤ Ag Land | ➤ Vacant Land |
| ➤ Acreages | ➤ Single Family Residential |
| ➤ Small/Large Multiple Family Residential | ➤ Carwash |
| ➤ Retail/Apartment (mixed use) | ➤ Retail |
| ➤ Storage Units | ➤ Office/Warehouse (mixed use) |
| ➤ Restaurant | ➤ Convenience Store |
| ➤ Greenhouse | ➤ House of Worship |
| ➤ Warehouse | ➤ Commercial & Residential Subdivision |
| ➤ Manufactured Home Park | ➤ IDOT Work/Review |
| ➤ Boarding House | ➤ Dog Kennel |
| ➤ Service Station | ➤ Fraternal Buildings |
| ➤ Industrial/Manufacturing Building | ➤ Eminent Domain |



STATE OF IOWA
IOWA DEPARTMENT OF COMMERCE
PROFESSIONAL LICENSING AND REGULATION

This is to certify that the below named has been granted a certification
as: Certified General Appraiser.

Certification Number: CG02604 Expires: June 30, 2021

Status: Active

Clinton D Miller
Rally Appraisal
1454 30th Street, Ste 107
West Des Moines, Iowa 50266

RESOLUTION NO. 32-R-2020-2021_

RESOLUTION APPROVING THE SALE AND CONVEYANCE OF REAL ESTATE TO TYSON FRESH MEATS, INC., AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE CONTRACTS, DEEDS, AND DOCUMENTS FOR SUCH SALE AND CONVEYANCE

WHEREAS, the City of Storm Lake, Iowa (the “City”) is the owner of real estate described as follows:

A TRACT OF LAND LOCATED IN PART OF THE EAST HALF (E ½) OF SECTION 24, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) corner of the Northeast Quarter (NE ¼) of said Section 24: Thence South 88° 09’ 32” East, along the North line of said Northeast Quarter (NE ¼), 261.00 feet to the Point of Beginning. Thence continuing South 88° 09’ 32” East, along said North line, 1337.28 feet; Thence South 00° 21’ 39” West, 3203.11 feet; Thence North 89° 41’ 42” West, 1389.00 feet; Thence North 00° 56’ 28” West, 304.04 feet; Thence North 44° 09’ 45” East, 241.54 feet; Thence North 30° 06’ 30” East, 70.02 feet; Thence North 00° 04’ 12” East, 624.38 feet; Thence North 13° 28’ 06” West, 60.70 feet; Thence North 34° 56’ 11” West, 471.33 feet; Thence North 00° 19’ 00” East, 853.75 feet; Thence North 89° 55’ 38” East, 128.30 feet; Thence North 01° 47’ 22” East, 777.46 feet to the Point of Beginning.

Hereafter known as Lot H in Section 24, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 99.92 acres and is subject to all easements of record.

(the “Real Estate”);

WHEREAS, the City has received a proposal from Tyson Fresh Meats, Inc. (“Tyson”), in the form of a proposed Real Estate Contract (the “Contract”) by and between the City and Tyson, pursuant to which the City would sell and convey the Real Estate to Tyson at a purchase price of \$1.00;

WHEREAS, the City Council, by Resolution adopted December 7, 2020, proposed that the City sell and convey the Real Estate to Tyson for the purchase price of \$1.00, and scheduled a public hearing on the proposed sale and disposition for December 21, 2020;

WHEREAS, notice of said proposed disposition of the Real Estate has been made to the public by publication in the Storm Lake Times on December 11, 2020, pursuant to a directive to the Clerk contained in the December 7, 2020 resolution;

WHEREAS, a certified general real property appraiser has appraised the Real Estate at \$1.00 because of the substantial investment required to continue to use it as the site of a wastewater treatment plant, its current use, and because of the high cost of converting the Real Estate to another use, coupled with the small likelihood that buyers other than Tyson would be interested in purchasing the Real Estate;

WHEREAS, the Real Estate, if sold to Tyson, would generate property tax revenue, whereas no such tax revenue is generated so long as the City owns the Real Estate;

WHEREAS, the Real Estate, which the City has leased to Tyson and its predecessor meat packing operations for many years at an annual rental of \$1.00, serves as a wastewater treatment facility for Tyson, and is not needed by the City;

WHEREAS, Tyson needs to make significant costly improvements to the wastewater treatment facility and desires to own the facility before making that investment;

WHEREAS, the Council finds that the proposed disposition is in the City's interest for the reason set forth above; and

WHEREAS, no objections to the proposed sale and conveyance have been made.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Storm Lake, Iowa does hereby agree to sell the Real Estate and convey it by Quit Claim Deed to Tyson at a purchase price of \$1.00.

IT IS FURTHER RESOLVED AND DIRECTED that the Mayor and City Clerk are authorized to sign and otherwise execute all necessary contracts, deeds, and documents associated with the sale on behalf of the City for the purpose of selling and conveying the Real Estate to Tyson in exchange for the consideration and under the terms and conditions aforesaid.

Passed and approved this 7th day of December, 2020.

Michael Porsch, Mayor

Attest:

Mayra A. Martinez, City Clerk

Staff Summary

12/21/2020

Agenda Item # 7.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Keri Navratil, City Manager

SUBJECT: **Ordinance No. 03-O-2020-2021 Amending City Code
Chapter 5-10 Property Maintenance - 2nd Reading**

BACKGROUND: Amending City Code Chapter 5-10 Property Maintenance to allow for alternate paving materials to be used to construct a parking lot for a non-conforming building that is not required to provide off-street parking. Items to note in the amendment:

- Alternate paving material must follow the Iowa Statewide Urban Design and Specifications
- Hard surface paving in concrete or asphalt will need to occur three years after a permit is issued.
- A daily fine/penalty will occur if hard surface paving is not complete after three years of permit being issued

FISCAL IMPACT: N/A

RECOMMENDATION: ~~First Reading- December 7, 2020~~
Second Reading- December 21, 2020
Third Reading- January 4, 2021

ATTACHMENTS:

Description	Type
Ordinance No. 03-O-2020-2021	Ordinance

ORDINANCE NO. 03-O-2020-2021

ORDINANCE AMENDING CHAPTER 5-10 OF TITLE V OF THE CITY CODE OF THE CITY OF STORM LAKE, IOWA, TITLED “PROPERTY MAINTENANCE CODE,” TO REVISE REQUIREMENTS RELATING TO THE PAVING OF VEHICLE PARKING AREAS

WHEREAS, the City Council of the City of Storm Lake, Iowa, has determined that Section 5-10-7 of Chapter 5-10 in Title V of the City Code of the City of Storm Lake, Iowa should be amended to provide for a limited exception to the requirement that all off-street vehicular parking areas be hard surfaced.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Storm Lake, Iowa, as follows:

Section 1. Chapter 5-10 in Title V of the City Code of the City of Storm Lake, Iowa, is hereby amended as follows:

a. Section 5-10-7(D)(1), captioned, “Definitions,” is amended to insert the following two new definitions between the definition for “Non-Hard-Surfaced driveway” and the definition for “Approach”:

Hard-surfaced parking area, as used in Section 5-10-7(D)(8), shall mean any vehicle parking area that is paved with a hard surface, including concrete, asphalt, or paving stones, installed and maintained according to City specifications.

Alternate material, as used in Section 5-10-7(D)(8), shall mean a material, other than concrete, asphalt, or paving stones, which, under the Statewide Urban Design and Specifications (SUDAS), is authorized or suitable for the construction of a vehicle parking area that is not a hard-surfaced parking area.

b. Section 5-10-7(D)(8) is deleted and, in lieu thereof, the following new Section 5-10-7(D)(8) is inserted:

8. Any vehicle parking area constructed after the adoption of this Ordinance shall be a hard-surfaced parking area except, under the conditions specified below in this Section 5-10-7(D)(8), a vehicle parking area may be constructed of an alternate material, which parking area may remain in place for a period of not more than three years from the date of the City-issued permit authorizing the construction of the vehicle parking area using such alternate material; provided, however, that, by the end of such three-year period, one hundred percent of the area covered by the parking area made of an alternate material shall be constructed, re-constructed or converted into a hard-surfaced parking area. All of the following conditions must be satisfied before the use of an alternate material in the construction of a vehicle parking area is authorized for a three-year period under the provisions of this section:

(a) The parking area to be constructed will be situated on one or more real

estate lots located in a Community Commercial Zoning District;

(b) The parking area will serve a business operated in a building situated on the same real estate lot or on an abutting real estate lot or lots;

(c) If the parking area is to be constructed on one or more real estate lots abutting the real estate lot or lots on which the building housing the business is situated, the abutting real estate lots on which the building housing the business is situated and on which the parking area is to be constructed are under common ownership and the owner, for himself, herself, or itself, and for the owner's successors in interest, agrees in an instrument approved by the Enforcement Officer and filed of record in the Buena Vista County, Iowa Recorder's office that such abutting real estate lots will remain under common ownership in perpetuity and will only be transferred together, as if the real estate lots comprised but one real estate lot, unless and until the City agrees otherwise in a written instrument recorded in the office of the Buena Vista County, Iowa Recorder;

(d) Each building housing such business is a nonconforming structure that nonetheless is permitted to exist under the City of Storm Lake's zoning code;

(e) The use of such building or buildings must be a conforming retail use under the City of Storm Lake's zoning code;

(f) The business is not required by the City's zoning code to have off-street parking but off-street parking needs to be constructed for the convenience of the patrons of such business, the safety of the public, or both;

(g) The parking area design satisfies the requirements of the Americans with Disabilities Act and the post-construction storm water provisions of the City Code;

(h) The construction of the parking area is authorized by the issuance of a permit as provided herein.

As used in the above-listed conditions, the term "business" includes any authorized retail use.

The failure of the owner of the real estate lot or lots who applies for the permit required in this Section 5-10-7(D)(8) or any subsequent owner of such real estate lot or lots to timely complete construction of the hard-surfaced parking area as required in this Section 5-10-7(D)(8), after the construction or partial construction of a parking area using an alternate material on such real estate lot or lots, shall constitute a municipal infraction punishable by a civil penalty of \$250.00. Each day that construction of the hard-surfaced parking area is not completed after the three-year period specified above shall constitute a separate and distinct infraction. The provision of Section 5-10-8(A), the abatement provisions contained in the second sentence of Section 5-10-8(B), captioned "INSPECTIONS, the provisions of Section 5-10-8 Paragraphs (C), captioned "VOLUNTARY ABATEMENT," (D), captioned "EMERGENCY CONDITION," (E), captioned "REPEAT OFFENSE," (F), captioned "NOTICE," (G), captioned "ABATEMENT REMEDIES AND PENALTIES, and (H), captioned "EMERGENCY ABATEMENT PROCEDURE," and the powers of the Property Maintenance Appeal Board enumerated in subparagraphs 2 and 3 of Section 5-10-8 Paragraph I,

captioned “APPEAL,” shall not apply to municipal infractions arising under this Section 5-10-7(D)(8). The Enforcement Officer shall file a notice, in affidavit form, in the Buena Vista County, Iowa Recorder’s office before the transfer of a real estate lot or lots on which a parking area is constructed or partially constructed using an alternate material pursuant to this Section 5-10-7(D)(8), which notice shall set forth:

- (aa) The legal description of such real estate lot or lots;
- (bb) The fact that Section 5-10-7(D)(8) of the Storm Lake City Code requires the construction of a hard-surfaced parking area in compliance with the City’s design standards and specifications on such real estate lot by a date to be specified in the affidavit, which date shall be three years from the date of the City-issued permit for the construction of the parking area using an alternate material;
- (cc) The fact that any owner of such real estate lot is subject to the requirement to complete the construction of the hard-surfaced parking area if it has not been completed by a prior owner;
- (dd) The fact that failure to timely complete the construction of the hard-surfaced parking area is a municipal infraction punishable by a civil penalty of \$250.00 for each infraction and that each day that such construction is not completed after the three-year period specified in the affidavit shall constitute a separate and distinct infraction;
- (ee) The fact that the affidavit is made pursuant to Section 5-10-7(D)(8) of the City Code of the City of Storm Lake, Iowa.
- (ff) The name and title of the Enforcement Officer making the affidavit.

Upon a determination by the Enforcement Officer that the hard-surfaced parking area has been completed, the Enforcement Officer shall file an affidavit with the Buena Vista County Recorder describing the real estate upon which the hard-surfaced parking area was constructed, referencing the Notice described above to which the affidavit relates by the date of the recording of the Notice and the document number of the Notice assigned by the Recorder, setting forth the fact that the hard-surfaced parking area was completed and the date of such completion.

Before beginning construction of a parking area pursuant to the provisions of this Section 5-10-7(D)(8), the owner of a real estate lot or lots desiring to construct a parking area thereon using an alternate material shall apply to the City of Storm Lake in writing on a City-approved form for a permit to do so. The application shall be submitted to the City Clerk. The application shall include a description of the design of the parking area using an alternate material and a description of the design of the hard-surfaced parking area that will be developed within the three-year period specified herein, as well as such other information the City deems relevant to the City’s determination whether or not to issue the permit. The Enforcement Officer shall issue a permit if the City determines that the conditions specified in subparagraphs (a) through (g) of this Section 5-10-7(D)(8) are satisfied.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this

ordinance are hereby repealed.

Section 3. This ordinance shall be in effect following its passage, approval, and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2020.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

12/21/2020

Agenda Item # 8.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Scott Olesen, Building Official

SUBJECT: **Motion Setting A Public Hearing On Plans, Specifications, Form Of Contract, and Engineer's Estimate of Cost For The Storm Lake Radio Park Lift Station Project**

BACKGROUND: This agenda item is the public hearing to approve the plans, specifications, form of contract, and Engineer's estimate of cost for the Storm Lake Radio Park Lift Station project.

This project will replace the existing sanitary sewer lift station located at the south west corner of Radio Park. The existing lift station has been in place for over 50 years and has reached the point in its service life where it must be replaced. It still is a necessary part of the sanitary sewer system, so it cannot be abandoned.

The project proposal does include an addendum for an on-site emergency electrical generator.

FISCAL IMPACT: The Engineers estimate of base bid cost is \$557,711.00. Cost including an alternate for an on site generator is \$608,911.00.

RECOMMENDATION: Approve setting a public hearing for 5:00 pm January 4th, 2021 in City Council Chamber via telephonic due to Covid-19.

ATTACHMENTS:

Description	Type
Public Hearing Notice	Backup Material

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING ON PROPOSED PLANS AND SPECIFICATIONS, FORM OF
CONTRACT AND ESTIMATE OF COST FOR THE CONSTRUCTION OF RADIO PARK LIFT
STATION REPLACEMENT FOR THE CITY OF STORM LAKE, IOWA

Notice is hereby given that the City Council of Storm Lake, Iowa, will meet at City Hall, 620 Erie Street, Storm Lake, Iowa on the **4th day of January, 2021, at 5:00 p.m.**, Due to Covid-19, this meeting will be a telephonic meeting only ~ dial in to participate: 1-408-418-9388 ACCESS CODE: 146 309 7532 at which time and place a hearing will be held on the proposed plans and specifications, form of contract and estimate of cost for Radio Park Lift Station Replacement, in and for said City. Any interested person may appear at said hearing and file objections to the proposed plans, specifications, form of contract and estimated costs for said improvements.

The general description of types of construction and their limits for which bids will be received shall be as follows:

Lift Station Replacement – Base Bid

Replacement of the existing lift station with a concrete wet well structure, two 1250 GPM submersible effluent pumps, process piping, controls, and all other miscellaneous work to complete the project.

Lift Station Replacement – Alternate Bid

All items from the base bid will apply, with the addition of a stationary generator.

The general project location is as follows: Radio Park, Storm Lake, IA.

Plans and specifications governing the construction of the proposed improvements have been prepared by the Engineer. These plans and specifications, and the proceedings of the City referring to and defining said improvements, are hereby made a part of this Notice and the proposed contract by reference, and the proposed contract shall be executed to comply therewith.

Published upon order of the City of Storm Lake, Iowa.

CITY OF STORM LAKE, IOWA

BY /s/ Mike Porsch
Mayor

ATTEST:

BY /s/ Keri Navratil
City Manager

Staff Summary

12/21/2020

Agenda Item # 9.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Scott Olesen, Building Official

SUBJECT: **Public Hearing On A Proposal To Amend The City Code By Updating The Referenced Electrical Code To The Most Recent Edition**

BACKGROUND: The City Code adopts by reference the National Electrical Code.

The Electrical Code is produced by the National Fire Protection Association, this organization updates the Electrical code on a three year cycle.

At this time, City staff is proposing to update from the 2017 version of the National Electrical Code to the 2020 National Electrical Code.

Updating to the current code editions will bring the City into line with the Electrical Code adopted by the State of Iowa. The National Electrical Code is mandated Statewide. Additionally, the City of Storm Lake is reviewed every three years by the Insurances Services Offices (ISO), which provides ratings for building departments which is then used for setting insurance rates. A City's ISO rating is also used by FEMA in responding to natural disasters. Adopting more current codes will help to maintain our current rating.

Adopting the most current codes is important to keep pace with new materials and techniques in the industry as well.

Council must first hold a Public Hearing on the proposed amendment to the current City Code, and then hold the first reading of the proposed amendment to the City Code which appears later on the Council agenda.

A copy of the proposed Ordinance and the amendments is

attached for your review.

FISCAL IMPACT: Legal fees and publication are estimated to be \$300.00

RECOMMENDATION: Open the public hearing, receive input, close the public hearing.

ATTACHMENTS:

Description		Type
	PH Notice	Backup Material

RESOLUTION NO. 23-R-2020-2021

RESOLUTION SETTING HEARING ON A PROPOSAL TO ADOPT BY REFERENCE PARTS OR ALL OF A CERTAIN STATEWIDE OR NATIONALLY RECOGNIZED STANDARD CODE AND IOWA CODE SECTIONS AS PART OF AN ORDINANCE AMENDING THE CITY'S ELECTRICAL CODE AND PRESCRIBING NOTICE

WHEREAS, the City Council of the City of Storm Lake, Iowa has, from time to time, adopted by reference the provisions of certain statewide or nationally recognized standard codes or portions of such codes by ordinances which identify the codes by subject matter, source, and date, without setting them forth in full, as permitted by Iowa Code Section 380.10;

WHEREAS, the City Council of the City of Storm Lake, Iowa has, from time to time, adopted by reference the provisions of certain portions of the Code of Iowa related to such statewide or nationally recognized standard codes or portions of such codes by ordinances without setting them forth in full, also as permitted by Iowa Code Section 380.10;

WHEREAS, the City's Electrical Code is included among such codes that are adopted in whole or part by reference to statewide or nationally recognized standard codes and portions of the Code of Iowa;

WHEREAS, the City Council now intends to consider adopting an ordinance that amends and updates the City's Electrical Code by reference to an updated statewide or nationally recognized standard code and portions of the Code of Iowa;

WHEREAS, the updated statewide or nationally recognized standard code to be adopted in whole or part by reference is the National Electrical Code, 2020 Edition;

WHEREAS, the Iowa Code sections to be adopted in whole or part by reference are sections 100.1, 100.35, 103.1 and 103.6;

WHEREAS, Iowa Code Section 380.10 requires the Council to hold a public hearing on any proposed standard code or on the portion of the standard code to be adopted by reference and

to hold a public hearing on any portion of the Code of Iowa to be adopted by reference; and

WHEREAS, copies of the standard code or portions thereof and the portions of the Iowa Code proposed to be adopted by reference are available for review by members of the public at the office of the City Clerk of the City of Storm Lake, City Hall, 620 Erie Street, Storm Lake, Iowa.

NOW, THEREFORE, be it hereby resolved that this proposal to adopt by reference parts or all of such statewide or nationally recognized standard code and Iowa Code sections as part of an Ordinance amending the City's Electrical Code shall be scheduled for public hearing at the Council Chambers at City Hall at the regular council meeting scheduled November 16, 2020, at 5:00 p.m. The City Clerk is directed to have a copy of this Resolution published in the Storm Lake Times on a date not less than four (4) days nor more than twenty (20) days prior to said meeting. The City Clerk is further directed to have available in the City Clerk's office at the Clerk's address shown above copies of the standard codes or portions thereof and the portions of the Iowa Code proposed to be adopted by reference for review by members of the public.

Passed and approved this 2nd day of November, 2020.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

12/21/2020

Agenda Item # 10.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Scott Olesen, Building Official

SUBJECT: **Ordinance No. 02-O-2020-2021 Amending The City Code By Updating The Referenced Electrical Code To The Most Recent Edition - 1st Reading**

BACKGROUND:

The City Code adopts by reference the National Electrical Code.

This code is produced by the National Fire Protection Association. This organization updates this code on a three year cycle.

At this time, City staff is proposing to update from the 2017 version of the National Electrical Code to the 2020 National Electrical Code.

Updating to the current code editions will bring the City into line with the code as adopted by the State of Iowa. The Electrical Code is mandated by the State of Iowa and is in effect Statewide. Additionally, the City of Storm Lake is reviewed every three years by the Insurances Services Offices (ISO), which provides ratings for building departments which is then used for setting insurance rates. A City's ISO rating is also used by FEMA in responding to natural disasters. Adopting more current codes will help to maintain our current rating.

Adopting the most current codes is also important to keep pace with new materials and techniques in the industry as well.

A copy of the proposed Ordinance and the amendments is attached for your review.

FISCAL IMPACT: Legal fees and publication are estimated to be \$300.00

RECOMMENDATION: Ordinance No. 02-O-2020-2021
Pass on 1st reading December 21st, 2020
Pass on 2nd reading January 4th, 2021
Pass on 3rd reading January 18th, 2021

ATTACHMENTS:

Description	Type
 Ordinance NO. 02-O-2020-2021	Ordinance

ORDINANCE NO. 02-O-2020-2021

ORDINANCE AMENDING CHAPTER 5-4 OF TITLE V OF THE CITY CODE OF THE CITY OF STORM LAKE, IOWA, TITLED “ELECTRICAL CODE AND REGULATION OF ELECTRICIANS,” TO ADOPT BY REFERENCE THE MOST RECENT EDITION OF THE NATIONAL ELECTRICAL CODE, WITH MODIFICATIONS, AND CERTAIN RELATED IOWA CODE SECTIONS

WHEREAS, the City Council of the City of Storm Lake, Iowa, has determined that Chapter 5-4 of Title V of the City Code of the City of Storm Lake, Iowa should be amended to delete references to the 2017 Edition of the National Electrical Code and to adopt by reference of the most recent edition of the National Electrical Code, with certain modifications;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Storm Lake, Iowa, as follows:

Section 1. Chapter 5-4 of Title V of the City Code of the City of Storm Lake, Iowa, is hereby amended as follows:

a. Section 5-4-3, captioned, “Electrical Code Adopted,” is deleted and, in lieu thereof, the following new Section 5-4-3, captioned “Electrical Code Adopted,” is inserted:

Section 5-4-3 Electrical Code Adopted

After published notice and public hearing as required by law, the National Electrical Code, 2020 Edition, as published and approved by the National Fire Protection Association but as adopted and amended from time to time by the electrical examining board within the division of state fire marshal of the Iowa Department of Public Safety pursuant to Iowa Code Sections 100.1, 100.35, 103.1, and 103.6 and administrative rules pursuant thereto is hereby adopted as the Electrical Code for the City, subject to the modifications made by this Section 5-4-3. The National Electrical Code, 2020 Edition, as so adopted and amended, and Iowa Code Sections 100.1, 100.35, 103.1, and 103.6 are hereby incorporated by reference, subject to the modifications set forth below in this Section 5-4-3. All installations, repair or replacement of electrical equipment within the City shall be made in conformance with the Electrical Code for the City and no permit shall be issued by the Electrical Inspector for such a project if the plans and specifications are not in conformance with that Code.

A copy of the National Electrical Code, 2020 Edition, as adopted and amended by the electrical examining board within the division of state fire marshal of the Iowa Department of Public Safety, shall be maintained in the office of the Building Official and shall be available for public inspection during all normal business hours.

Notwithstanding the provisions of the National Electrical Code, 2020 Edition, as adopted and amended by the electrical examining board within the division of state fire marshal of the Iowa Department of Public Safety, the following provisions shall apply:

(A) All business buildings (either erected, altered or converted for such purpose), public buildings, schools, churches, oil stations, warehouses, bulk oil plants, institutional

buildings, apartment houses and all buildings except dwelling houses of not more than two (2) families, shall be wired throughout with rigid conduit, armored cable, flexible steel conduit, metal raceway, electrical metallic tubing, metal clad cable, or electrical non-metallic tubing in accordance with NEW requirements, provided, however, that armored cable or flexible steel conduit may be used only where it is impractical to use rigid conduit or electrical metallic tubing, and further provided that in remodeling work in the buildings above mentioned, metal surface raceway may be used in remodeling, where, in the opinion of the Electrical Inspector, it is impractical to install rigid conduit or electrical metallic tubing. However, in all structures having four (4) or more dwelling units, a feeder must be installed to each dwelling unit branch circuit panel and run in conduit or electric metallic tubing. Each individual dwelling unit may be wired in metallic armored cable (BX) or non-metallic sheath cable (Romex).

(B) Basements of all dwelling houses shall be wired in rigid conduit or electric metallic tubing with the same provision for the use of armored cable or flexible steel conduit as provided in the preceding paragraph, provided that where the entrance switch or panel is on a floor other than the basement, the conduit must be continuous from such switch or panel and connect to the basement conduit. The balance of buildings used as dwelling houses for not more than two (2) families and private garages may be wired with non-metallic sheathed cable.

(C) All sign boards or poster boards shall be wired in rigid conduit, electric metallic tubing, or electrical non-metallic tubing.

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

Section 3. This ordinance shall be in effect following its passage, approval, and publication as provided by law.

PASSED AND APPROVED this ____ day of _____, 2020.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

12/21/2020

Agenda Item # 11.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Scott Olesen, Building Official

SUBJECT: **Public Hearing Of Application 2020-3, Request For Change In Zoning From R-1, Low Density Residential, To R-3 Medium Density Residential.**

BACKGROUND: Midwest Land Management and Real Estate along with Thomas W. Prichard, Eloise Y. Prichard, James M. Prichard and Jane E Prichard have filed an application with the City of Storm Lake seeking a zoning ordinance amendment change in the Zoning designation of parcels of property which are generally located at 1401 & 1404 Poplar Lane and a vacant lot between 600th St. and 4th St. legally described as:
1401 Poplar Ln. Lot seven (7), block nine (9), third Sunrise Park Addition to the City of Storm Lake, Iowa
1404 Poplar Ln. Lot eight (8), block nine (9), third Sunrise Park Addition of Storm Lake, Iowa
Parcel # 1402131001 See Exhibit "A" The full legal description is included in the attached exhibit "A" in this staff summary.
The Applicants are requesting that the property currently zoned R-1 Low Density Residential be Re-Zoned as R-3, Medium Density Residential to allow for the construction of duplex residential housing.

A re-zoning request is a proposal to change the Official Zoning Map, and therefore requires that Planning and Zoning Commission make a recommendation to the Storm Lake City Council. The Storm Lake Planning and Zoning Commission held their public hearing on December 17, 2020 and the vote was 4 to 1 in favor of approval.

The City Council will need to hold a public hearing and three readings to approve the request

FISCAL IMPACT:

The proposed project is set to invest approximately 17.5 million dollars with an estimated 14 million dollar property value, which will generate an estimated annual tax revenue of \$300,000.

RECOMMENDATION:

Open public hearing, receive public input, close public hearing.

ATTACHMENTS:

Description	Type
▣ Application	Application
▣ Map	Map
▣ Legal Description Exhibit "A"	Backup Material
▣ Public NOtice	Backup Material
▣ Concept Plan	Backup Material
▣ FAQ	Backup Material
▣ Letters	Letter

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

PROPERTY ADDRESS:

n/a - parcel ID 1402131001

PROPERTY OWNER:

Thomas W Prichard, Eloise Y Prichard, James M Prichard,
Jane E Prichard

OWNER ADDRESS
(if different than above):

Midwest Land Management and Real Estate
PO Box 909
Spencer, IA 51301-0909

OWNER PHONE NUMBER:

507-645-0744

OWNER EMAIL:

prichardjy@gmail.com

The City of Storm Lake Zoning Ordinance Article 12 Section 1204 establishes the amendment procedure for the Zoning Ordinance and requires the property owner to submit the following information, which must accompany this application before it can be considered by the Planning and Zoning Commission and the City Council.

The legal description and local address of the property.

The present zoning classification and the requested zoning classification.

The existing use of the property and the proposed use of the property.

A statement of the reasons why the applicant feels the present zoning classification is no longer valid.

Attach a plat showing the locations, dimensions and use of the applicant's property and all property within three hundred (300') feet including streets, alleys, railroads, and other physical features.

The request for a rezoning request will be heard by the Planning and Zoning Commission and the City Council at separate meetings.

The City of Storm Lake will notify all property owners within three hundred (300') feet of the applicant's property notifying them of the upcoming hearing.

The City of Storm Lake will notify the applicant of the hearing date.

The City of Storm Lake will publish a public hearing notice in a locally circulated newspaper not less than 7 and no more than 20 days prior to the meeting.

A non refundable application fee of **\$200.00** is required at time of the application. The fee will not be refunded if the request is denied by the Planning and Zoning Commission or the City Council.

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL

☐ Text Amendment to the Zoning Ordinance

☒ Zoning Map Amendment to the Zoning Ordinance



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

CURRENT ZONING ORDINANCE : Storm Lake Zoning Map Updated April 7, 2014

TEXT AMEDEMMENT REQUEST:

ADDRESS OF THE PROPERTY:

n/a - parcel ID 1402131001

LEGAL DESCRIPTION
OF THE PROPERTY:

See attached legal description.

PRESENT ZONING DISTRICT:

R-1: Low Density Residential

REQUESTED ZONING DISTRICT:

R-3: Medium Density Residential

WHY PRESENT ZONING IS NO LONGER VALID:

Proposed development includes construction of multiresidential housing at approximate density of 8 units/acre.

EXISTING USE OF PROPERTY:

Agriculture

PROPOSED USE OF PROPERTY

Multiresidential Housing

Signature of Property Owner:

Date:

11/11/20

City of Storm Lake Use

Meeting Date:

Appeal No.:

Application Fee Paid:

Date Paid:

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

PROPERTY ADDRESS:	n/a - parcel ID 1402131001
PROPERTY OWNER:	Thomas W Prichard, Eloise Y Prichard, James M Prichard, Jane E Prichard
OWNER ADDRESS (if different than above):	Midwest Land Management and Real Estate PO Box 909 Spencer, IA 51301-0909
OWNER PHONE NUMBER:	763 - 321 - 9140
OWNER EMAIL:	prichard_jane@yahoo.com

The City of Storm Lake Zoning Ordinance Article 12 Section 1204 establishes the amendment procedure for the Zoning Ordinance and requires the property owner to submit the following information, which must accompany this application before it can be considered by the Planning and Zoning Commission and the City Council.

The legal description and local address of the property.

The present zoning classification and the requested zoning classification.

The existing use of the property and the proposed use of the property.

A statement of the reasons why the applicant feels the present zoning classification is no longer valid.

Attach a plat showing the locations, dimensions and use of the applicant's property and all property within three hundred (300') feet including streets, alleys, railroads, and other physical features.

The request for a rezoning request will be heard by the Planning and Zoning Commission and the City Council at separate meetings.

The City of Storm Lake will notify all property owners within three hundred (300') feet of the applicant's property notifying them of the upcoming hearing.

The City of Storm Lake will notify the applicant of the hearing date.

The City of Storm Lake will publish a public hearing notice in a locally circulated newspaper not less than 7 and no more than 20 days prior to the meeting.

A non refundable application fee of **\$200.00** is required at time of the application. The fee will not be refunded if the request is denied by the Planning and Zoning Commission or the City Council.

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL

☐ Text Amendment to the Zoning Ordinance

☒ Zoning Map Amendment to the Zoning Ordinance



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

CURRENT ZONING ORDINANCE:

Storm Lake Zoning Map Updated April 7, 2014

TEXT AMENDMENT REQUEST:

ADDRESS OF THE PROPERTY:

n/a - parcel ID 1402131001

LEGAL DESCRIPTION
OF THE PROPERTY:

See attached legal description.

PRESENT ZONING DISTRICT:

R-1: Low Density Residential

REQUESTED ZONING DISTRICT:

R-3: Medium Density Residential

WHY PRESENT ZONING IS NO LONGER VALID:

Proposed development includes construction of multiresidential housing at approximate density of 8 units/acre.

EXISTING USE OF PROPERTY:

Agriculture

PROPOSED USE OF PROPERTY

Multiresidential Housing

Signature of Property Owner:

Jim E. Prichard

Date:

11-12-20

City of Storm Lake Use

Meeting Date:

Appeal No.:

Application Fee Paid:

Date Paid:

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

PROPERTY ADDRESS:

n/a - parcel ID 1402131001

PROPERTY OWNER:

✓ Thomas W Prichard, Eloise Y Prichard, James M Prichard,
Jane E Prichard

OWNER ADDRESS
(if different than above):

Midwest Land Management and Real Estate
PO Box 909
Spencer, IA 51301-0909

OWNER PHONE NUMBER:

612, 600, 3136

OWNER EMAIL:

twp700@gmail.com

The City of Storm Lake Zoning Ordinance Article 12 Section 1204 establishes the amendment procedure for the Zoning Ordinance and requires the property owner to submit the following information, which must accompany this application before it can be considered by the Planning and Zoning Commission and the City Council.

The legal description and local address of the property.

The present zoning classification and the requested zoning classification.

The existing use of the property and the proposed use of the property.

A statement of the reasons why the applicant feels the present zoning classification is no longer valid.

Attach a plat showing the locations, dimensions and use of the applicant's property and all property within three hundred (300') feet including streets, alleys, railroads, and other physical features.

The request for a rezoning request will be heard by the Planning and Zoning Commission and the City Council at separate meetings.

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ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL

☐ Text Amendment to the Zoning Ordinance

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City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

CURRENT ZONING ORDINANCE: Storm Lake Zoning Map Updated April 7, 2014

TEXT AMENDMENT REQUEST:

ADDRESS OF THE PROPERTY:

n/a - parcel ID 1402131001

LEGAL DESCRIPTION
OF THE PROPERTY:

See attached legal description.

PRESENT ZONING DISTRICT:

R-1: Low Density Residential

REQUESTED ZONING DISTRICT:

R-3: Medium Density Residential

WHY PRESENT ZONING IS NO LONGER VALID:

Proposed development includes construction of multiresidential housing at approximate density of 8 units/acre.

EXISTING USE OF PROPERTY:

Agriculture

PROPOSED USE OF PROPERTY

Multiresidential Housing

Signature of Property Owner:

Thomas W. Puckett

Date: 11-12-20

City of Storm Lake Use

Meeting Date:

Appeal No.:

Application Fee Paid:

Date Paid:

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

PROPERTY ADDRESS:

n/a - parcel ID 1402131001

PROPERTY OWNER:

Thomas W Prichard, Eloise Y Prichard, James M Prichard,
Jane E Prichard

OWNER ADDRESS
(if different than above):

Midwest Land Management and Real Estate
PO Box 909
Spencer, IA 51301-0909

OWNER PHONE NUMBER:

712-732-1053

OWNER EMAIL:

None

The City of Storm Lake Zoning Ordinance Article 12 Section 1204 establishes the amendment procedure for the Zoning Ordinance and requires the property owner to submit the following information, which must accompany this application before it can be considered by the Planning and Zoning Commission and the City Council.

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ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL

☐ Text Amendment to the Zoning Ordinance

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City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

CURRENT ZONING ORDINANCE : Storm Lake Zoning Map Updated April 7, 2014

TEXT AMEDEMMENT REQUEST:

ADDRESS OF THE PROPERTY: n/a - parcel ID 1402131001

LEGAL DESCRIPTION OF THE PROPERTY: See attached legal description.

PRESENT ZONING DISTRICT: R-1: Low Density Residential

REQUESTED ZONING DISTRICT: R-3: Medium Density Residential

WHY PRESENT ZONING IS NO LONGER VALID: Proposed development includes construction of multiresidential housing at approximate density of 8 units/acre.

EXISTING USE OF PROPERTY: Agriculture

PROPOSED USE OF PROPERTY Multiresidential Housing

Signature of Property Owner: *Eloise Y. Prichard* Date: 11-12-2020

City of Storm Lake Use			
Meeting Date:		Appeal No.:	
Application Fee Paid:		Date Paid:	

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

PROPERTY ADDRESS:

1404 Poplar Ln, Storm Lake, IA 50588

PROPERTY OWNER:

Eloise Y Prichard

OWNER ADDRESS
(if different than above):

209 E Lakeshore Dr, #2, Storm Lake, IA 50588

OWNER PHONE NUMBER:

712-732-1053

OWNER EMAIL:

None

The City of Storm Lake Zoning Ordinance Article 12 Section 1204 establishes the amendment procedure for the Zoning Ordinance and requires the property owner to submit the following information, which must accompany this application before it can be considered by the Planning and Zoning Commission and the City Council.

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CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL

☐ Text Amendment to the Zoning Ordinance

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City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

CURRENT ZONING ORDINANCE : Storm Lake Zoning Map Updated April 7, 2014

TEXT AMEDEMMENT REQUEST:

ADDRESS OF THE PROPERTY: 1404 Poplar Ln, Storm Lake, IA 50588

LEGAL DESCRIPTION OF THE PROPERTY: Lot eight (8), block nine (9), third Sunrise Park Addition to the City of Storm Lake, Iowa.

PRESENT ZONING DISTRICT: R-1: Low Density Residential

REQUESTED ZONING DISTRICT: R-3: Medium Density Residential

WHY PRESENT ZONING IS NO LONGER VALID: Proposed development includes construction of multiresidential housing at approximate density of 8 units/acre.

EXISTING USE OF PROPERTY: Vacant lot - zoned R-1: Low Density Residential

PROPOSED USE OF PROPERTY: Multiresidential Housing

Signature of Property Owner: *Eloise Y. Prichard* Date: 11-12-2020

City of Storm Lake Use			
Meeting Date:		Appeal No.:	
Application Fee Paid:		Date Paid:	

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

PROPERTY ADDRESS:

1401 Poplar Ln, Storm Lake, IA 50588

PROPERTY OWNER:

Eloise Y Prichard

OWNER ADDRESS
(if different than above):

209 E Lakeshore Dr, #2, Storm Lake, IA 50588

OWNER PHONE NUMBER:

712-732-1053

OWNER EMAIL:

None

The City of Storm Lake Zoning Ordinance Article 12 Section 1204 establishes the amendment procedure for the Zoning Ordinance and requires the property owner to submit the following information, which must accompany this application before it can be considered by the Planning and Zoning Commission and the City Council.

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ZONING ORDINANCE AMENDMENT REQUEST

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City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

CURRENT ZONING ORDINANCE : Storm Lake Zoning Map Updated April 7, 2014

TEXT AMEDEMMENT REQUEST:

ADDRESS OF THE PROPERTY: 1401 Poplar Ln, Storm Lake, IA 50588

LEGAL DESCRIPTION OF THE PROPERTY: Lot seven (7), block nine (9), third Sunrise Park Addition to the City of Storm Lake, Iowa.

PRESENT ZONING DISTRICT: R-1: Low Density Residential

REQUESTED ZONING DISTRICT: R-3: Medium Density Residential

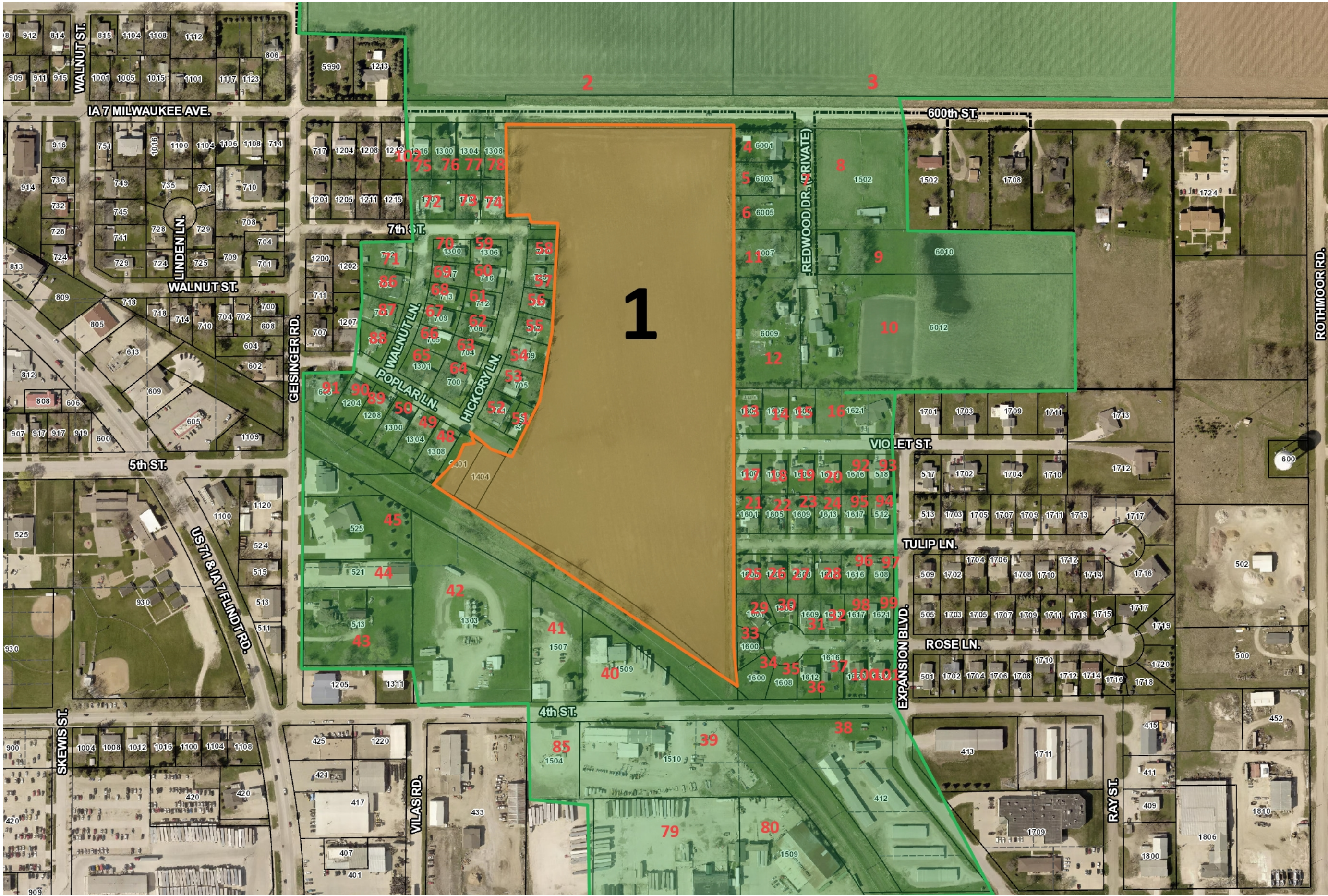
WHY PRESENT ZONING IS NO LONGER VALID: Proposed development includes construction of multiresidential housing at approximate density of 8 units/acre.

EXISTING USE OF PROPERTY: Vacant lot - zoned R-1: Low Density Residential

PROPOSED USE OF PROPERTY: Multiresidential Housing

Signature of Property Owner: *Elaine G. Prichard* Date: 11-12-2020

City of Storm Lake Use			
Meeting Date:		Appeal No.:	
Application Fee Paid:		Date Paid:	



Legend

- City Limits
- Lot Lines
- Parcels (10-16-2018)

Map Name



Disclaimer:
This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Storm Lake is not responsible for any inaccuracies herein contained.



Exhibit "A"

That part of the East Half of the Northwest Quarter ($E\frac{1}{2}NW\frac{1}{4}$), Section Two (2), Township Ninety North (T 90 N), Range Thirty-seven West (R 37 W) of the 5th P.M., Buena Vista County, Iowa, lying North of the right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad, more particularly described as follows: Commencing at a Point Six Hundred Thirty Six and Seventeen Hundredths Feet (636.17') East of the Northwest Corner of the Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) Section Two (2), Township Ninety North (T 90 N), Range Thirty Seven West (R 37 W) of the Fifth Principal Meridian (5th P.M.); thence North $90^{\circ}00'$ East along the North Line of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) a distance of Six Hundred Eighty Three and Forty Six Hundredths Feet (683.46') to the Northeast Corner of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$); thence South $00^{\circ}13'$ West along the East Line of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) a distance of Eight Hundred Twenty Five and nine Tenths Feet (825.90'); thence South $00^{\circ}35'$ East along said East Line of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) a distance of Nine Hundred Seven and Twenty Eight Hundredths Feet (907.28') to the Northerly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence Northwesterly along the Northerly right of way line of said railroad, said line being a part of a circular curve concave southwesterly with a radius of Two Thousand Nine Hundred Fourteen and Seventy Nine Hundredths Feet (2,914.79') a distance of Six Hundred Fifty Two and Thirty Four Hundredths Feet (652.34'); thence continuing along said railroad right of way line North $60^{\circ}01'20''$ West a distance of Three Hundred and Eighty Six Hundredths Feet (300.86') to the Southeast Corner of Lot Eight (8), Block Nine (9), Third Sunrise Park Addition to the City of Storm Lake, Iowa; thence North $30^{\circ}11'40''$ East along the East Line of said Lot Eight (8) a distance of One Hundred Seventy Nine and Seventy Five Hundredths Feet (179.75') to the Northeast Corner of said Lot Eight (8); thence North $45^{\circ}04'$ East a distance of Sixty Two and Nine Hundredths Feet (62.09') to the Southeast corner of Lot Ten (10), Block Five (5), Corrected Plat Block Five (5) Third Sunrise Park Addition to Storm Lake, Iowa; thence North $27^{\circ}47'$ East along the East Line of said Lot Ten (10) a distance of One Hundred Fourteen and Five Tenths Feet (114.50') to the Northeast Corner of said Lot Ten (10), and the Southeast Corner of Lot Twelve (12) of said Block Five (5); thence North $15^{\circ}30'$ East along the East Line of said Lot Twelve (12) a distance of One Hundred Eight and Five Tenths Feet (108.50') to the Northeast Corner of said Lot Twelve (12), and the Southeast Corner of Lot Thirteen (13) of said Block Five (5); thence North $08^{\circ}46'$ East along the East Line of said Lot Thirteen (13) a distance of Eighty Seven and Five Tenths Feet (87.50') to the Northeast Corner of said Lot Thirteen (13), and the Southeast Corner of Lot Fourteen (14) of said Block Five (5); thence North $04^{\circ}13'$ East along the East Line of Lots Fourteen, Fifteen, Sixteen, and Seventeen (14, 15, 16, & 17) all in said Block Five (5) a distance of Three Hundred Twenty One and Eight Tenths Feet (321.80') to the Northeast Corner of said Lot Seventeen (17) Block Five (5); thence North $03^{\circ}32'$ East a distance of Sixty and Eighty Five Hundredths Feet (60.85') to the North Line of East Seventh Street (E. 7th. St.) as dedicated; thence North $89^{\circ}59'$ West along the North Line of said East Seventh Street (E. 7th. St.) a distance of One Hundred Sixty Three and Twenty Five Hundredths Feet (163.25') to the Southeast Corner of Lot Nine (9), Block One (1) First Sunrise Park Addition to the City of

Storm Lake, Iowa; thence north $00^{\circ}07'$ East along the East Line of said Block One (1) a distance of Three Hundred Twenty Two Feet (322.00') to the Point of Beginning and containing an area of 21.60 acres of which 0.79 acres are existing highway right of way. The above description is intended to include only that part of the East Half, Northwest Quarter ($E\frac{1}{2}NW\frac{1}{4}$) of Section Two (2), T 90 N, R 37 W of the Fifth P.M. lying North of the C. M. St. P. & P. Railroad that has not been included in the First, Second or Third Plattings of Sunrise Park Additions to Storm Lake, Iowa. For the purpose of this description the North Line of the Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) Section Two (2), T 90 N, R 37 W of the Fifth P.M. is assumed to have a True East to West Bearing. EXCEPT that land included in the First, Second and Third Plattings of Sunrise Park Addition to Storm Lake, Iowa,



NOTICE OF PUBLICATION

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION File number: 2020-3

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

DUE TO COVID-19, ALL MEETINGS WILL BE TELEPHONIC ONLY WITH NUMBERS AND ACCESS CODES LISTED IN RED FOR EACH MEETING.

November 30, 2020

An application for a rezoning request in the R-1 Low Density Residential District as applied to the properties described as: 1401 Poplar Lane, 1404 Poplar Lane and parcel 1402131001 has been filed by Thomas W. Prichard, Eloise Y Prichard, James M Prichard, Jane E. Prichard.

Being more particularly described as follows:

1401 Poplar Ln. Lot seven (7), block nine (9), third Sunrise Park Addition to the City of Storm Lake, Iowa

1404 Poplar Ln. Lot eight (8), block nine (9), third Sunrise Park Addition of Storm Lake, Iowa
Parcel # 1402131001 See Exhibit "A".

The application requests approval of a rezoning of such property from R-1 Low Density Residential to R-3 Medium Density Residential.

DUE TO COVID-19, ALL MEETINGS WILL BE TELEPHONIC ONLY

If you so desire, you, yourself, an agent, or an attorney may call in to join the hearing before the Planning and Zoning Commission, or the City Council meetings in opposition or support of the proposed change in the zoning ordinance to amend the zoning of this parcel from R-1 Low Density Residential to R-3 Medium Density Residential.

- Monday December 7, 2020 at 5:00 pm - The City Council will meet to **set** a public hearing on this proposed change in the zoning ordinance to amend the zoning map. **Join via teleconference by calling 1-408-418-9388 access 146 409 9250.**
- Wednesday, December 17, 2020 at 4:30 p.m. - A public hearing will be held by the Planning and Zoning Commission. **Join via teleconference by calling 1-408-418-9388 access 146 002 0327.** Following the hearing, the Commission will make a recommendation to the City Council relative to the application.

- Monday, December 21, 2020 at 5:00 p.m. - A public hearing and first reading of the proposed change in the zoning ordinance to amend the zoning map will be held by the City Council. [Join via teleconference by calling 1-408-418-9388 access 146 170 5214.](#)
- Monday January 4, 2021 at 5:00 p.m. - The second reading of this application for a proposed change in the zoning ordinance to amend the zoning map will be held by the City Council. [Join via teleconference by calling 1-408-418-9388 access 146 309 7532.](#)
- Monday January 18, 2021 at 5:00 p.m. - The third and final reading of this application for a proposed change in the zoning ordinance to amend the zoning map will be held by the City Council. [Join via teleconference by calling 1-408-418-9388 access 146 514 7318.](#)

Respectfully submitted,

Scott Olesen
Zoning Administrator

Exhibit "A"

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DRAWN BY:
TAL
CHECKED BY:
JGP
DATE:
11/16/2020
JOB NO.
20027
SHEET
C02



EAST 4TH STREET

ENTRANCE

EAST MILWAUKEE STREET





FAQ's

Will there be a storm shelter? / These units do not have basements and it doesn't appear a storm shelter is planned?

It is accurate that these units will be slab-on-grade. Residents are advised to seek shelter in an interior, ground floor room, such as a bathroom. This is the same procedure followed by students in schools, occupants of an office building, shoppers in a retail environment, and residents of apartment buildings.

Will the few streets be able to handle the traffic?

We discussed these concerns that were brought up with the city and understand they intend to request a traffic study for the nearby state road in question. There are no concerns with traffic through the development.

How will this affect water pressure?

It is our understanding that the adjacent neighborhood experiencing water pressure issues is serviced by a 4" line and the standard is now for service to be through an 8" line, which is likely what the current neighbors are experiencing what appears to be low water pressure. This development would be connecting to a separate 8" line, on a separate loop. There should be no impact to the water supply of the adjacent neighborhoods.

Is this low income or subsidized housing?

It is neither. It is market-rate housing, priced at a level that is meant to be affordable to the working class. We anticipate rents starting around \$900/mo for a 3-bedroom, 1-bathroom townhome, and households would be required to show proof of verifiable income of at least three times the monthly rent (in this case, \$36,000 annually).

Is the sale of the land contingent on the completion of this project, or could the project change once the land has been purchased?

The purchase of the land is contingent upon the approval of the rezoning application and the site plan, as well as a number of other due diligence items.

176 units could include between 500-700 individuals in a concentrated area.

The proposed development would result in a density of 8 units/acre. This is significantly lower than traditional apartment development.

176 units could easily involve 350 vehicles. The smaller units have a single car garage; the 10 larger units have a double car garage. The plan shows 30 additional parking spaces for overflow. Weekends, holidays, etc. seem like it could cause a problem.

Each unit will have a minimum of two parking spaces – one in the garage and one in the driveway. The units with a 2-car garage have four parking spaces per unit. The proposed concept mirrors a large number of developments Kading already has in operation. We have not experienced issues with insufficient parking available as a result of this typical design.

Streets would be considered private; therefore, not required to conform with City of Storm Lake specifications.

There are engineering construction standards and public safety standards that apply with regard to access by emergency personnel, etc. The best way to think of the private drives is as an extended driveway like you would find in a development with several apartment buildings. The benefit to the city of the drives being private is that Kading will be responsible for all repair, maintenance, snow removal, etc. whereas with public streets the city would be obligated to these expenses. Additionally, proactive management practices allow Kading to enforce a reduced speed limit, restrict parking to off-street spaces, etc.

There is very limited space for children to play.

There is a greenspace parkland planned for dedication to the city on the south end of the development. Additionally, there is ample green space around the buildings to allow for recreation. Again, the proposed concept mirrors many developments in existence, and this has not been an issue.

Storm Lake was under "water conservation" this past summer which causes concern. An additional 500-700 individuals in a small area would seem to put additional stress on the Storm Lake water system. Sewer problems also causes concern.

We are not aware of the specifics of the water conservation requirement this summer in Storm Lake, but many communities are forced to put in place some sort of water conservation efforts in times of drought. Many areas of Iowa did experience severe drought this summer. We have shared both of these concerns with the city, and they have assured us they do not foresee any issue with water supply, stormwater, or sanitary capacity issues as a result of the proposed development. The development of the land and resulting engineered water retention system would actually result in slower release of water into the stormwater system than currently exists. The city has shared with us that they see no capacity issues with the sanitary tie-in that would be utilized; my understanding is that this is not directly tied in to the adjacent neighborhood, but rather runs to the south.

Many times, a home "owner" takes more pride in the maintenance of the property than "renters", who are only obligated to a monthly payment and can move on at will.

The Site Specialist hired to oversee the property would be an employee of the owner. Our Site Specialists take meticulous care of our properties, and our management team appropriately funds replacement reserve accounts to plan for capital improvements and repairs to ensure the properties are maintained over time. Kading would be responsible for all lawn care, landscaping, snow removal, repairs, and maintenance, which results in more uniform care of the entire property than if there were individual homeowners. In order to serve all of its residents, a community needs a variety of housing options including both rental and owner-occupied homes. Many individuals either prefer the rental lifestyle in which they do not have to worry about yard work and maintenance, and others do not have the means to purchase a home, particularly a new construction home with costs that are continually rising. We are proud to offer a quality rental option.

11/29/2020

Attn: Planning and Zoning Commission

Dear Sir:

In regard to the proposed rezoning request for Kading Properties LLC for the area between Tulip Lane, Hickory Lane, 4th Street and Milwaukee.

We are currently an R-1 Low Density Residential. Due to the following facts, I would very much like to discourage you in changing the rezoning.

1. The current water/sewer is not adequate for all three neighborhoods.
2. As stated in the Storm Lake times newspaper, research shows we may be hitting our water limit due to the high consumption levels in the Dakota Aquifer. This summer you had asked the residence of Storm Lake to conserve water. If we couldn't handle the water consumption levels this summer how can we handle an additional 176 town houses or approximately 528 (at the least) people.
3. Have you thought about the traffic on 4th street. If every town house has two vehicles, 352 more vehicles would be traveling 4th street and Milwaukee. 4th Street is already congested about any time of day, especially 3:00 on. I try not to go that way if, at all possible.
4. When it rains, the water will go to the street. Great place for flooding. I realize Tulip Lane has had a lot of rainwater problems and I realize you are working on it; I am sure Kading Properties will also. Residents and visitors will be driving through the water along with children as there will be no sidewalks. I understand there will be no "ponds" for water drainage, which I don't feel 'ponds' are the answer anyway. I see flooding again.
5. I understand there would be a 10 years tax abatement. My taxes will have to increase to help pay for the sewer and water for a company that makes millions of dollars. One of my family members inquired about purchasing a home on the lake in Storm Lake. They found out that Storm Lake's taxes are higher than the taxes in Spirit Lake, in the best lake front area. They decided against moving here for that reason alone.

We welcome new residential neighborhoods R-1 with sewer and water systems and citizens paying for their own taxes. We are retired and on a limited income.

I am asking you NOT to change the zoning as our forefathers had laid out and instead build family homes.

Sincerely,

Henry and Sandra Ivers

Dear Mr. Olesen and Members of the Planning and Zoning Commission:

Kading Properties of Urbandale, Iowa proposes to build 176 rental units in the field between Milwaukee Ave. and 4th Street. This would require changing the zoning from R-1 to R-3. I oppose the change in zoning for the following reasons:

- 1) The neighborhood on the east side of the property has 77 homes and two apartment houses with 24 units. The neighborhood on the west side of the property has 50 homes and 8 apartment units. The proposed units would more than double population, traffic, and use of utilities. The request to change zoning from R-1 which allows about 4 houses/acre to R-3 which would allow 8 units/acre would **double density**.
- 2) The proposed plan has exits onto 4th Street and East Milwaukee. If each unit has two cars, an **additional 352 vehicles** would travel those two streets. There is no stop light on either street. There are **no sidewalks**. Congestion and accidents would likely increase.
- 3) More than doubling the households would **stress water and sewer for all three neighborhoods**. The existing neighborhoods already experience problems with water backup and inadequate water pressure. According to a recent newspaper article, the water aquifers available to Storm Lake are running out of water.
- 4) **Storm water drainage** is an issue throughout Storm Lake. Several locations in the existing neighborhoods flood. The water table is high. The neighborhood on the east side of the proposed housing is finally receiving some attention to address this issue. An additional 176 housing units will undoubtedly increase storm water issues.
- 5) Kading is renting all 176 units. The **rental dollars will end up in Urbandale** not Storm Lake.
- 6) Kading expects that units will be rented by people living in Storm Lake and small towns around Storm Lake. If people already live within Storm Lake, this **will not increase local businesses revenues**. The small towns around Storm Lake do not have grocery stores or other businesses. They already shop in Storm Lake so will not increase business significantly. **Existing rentals will be emptied**, negatively impacting their owners and communities.
- 7) Renters do not pay property taxes. According to Kading, the City of Storm Lake will not charge them taxes for 10 years. That means that **my neighbors and I will be paying Kading's taxes**.
- 8) The Storm Lake School District is building a new school in phases. As those phases proceed, we are likely to see a tax increase.
- 9) The City of Storm Lake is discussing new water and wastewater systems which are needed for expansion of business and residential areas. These systems will be very costly and will be paid by community members paying higher water rates.
- 10) Kading intends to bring in its own crew to build the properties. They do not intend to employ any local residents.

11) Streets will not be built to City standards. They will be narrower and there will be no sidewalks. When asked, Kading said that kids could walk and play in the streets. Will these streets be wide enough for emergency vehicles? What if someone parks in the street?

I welcome responsible building that would keep benefits in the Storm Lake community. I would welcome City Council working with our local builders to fill the field with a variety of housing: houses, condominiums, and duplexes for sale, and some rental properties. This approach would be in keeping with the existing neighborhoods, would benefit the community as a whole, and would keep the building money and tax dollars in the community.

I would like to see Storm Lake take a regional approach to growth. The small towns around Storm Lake contribute homes for many people. Some people prefer to live in smaller communities. The housing may be more affordable. Other communities have figured out how to provide transportation to bring workers to their industry. Storm Lake could do that and develop a neighborly relationship with these communities rather than an adversarial relationship.

Changing the zoning of this piece of land is not in keeping with the best use of this land. The original intent was to build homes for purchase. While it may be valuable to consider mixed housing, the plan to fill this piece of real estate with all rentals owned by an out of town corporation will harm the existing communities as well as cost existing home owners whose existing street, water, and sewer needs are not met as it is. I urge you not to change the zoning of this property.

Sincerely,

Kathryn McKinley¹

1208 E. Milwaukee Ave.

Storm Lake, IA 50588

Members of the Planning and Zoning Commission:

Thank you for taking the time to read this correspondence.

I am aware that rental housing is a priority for Storm Lake in light of the need for a stable work force. I do take issue, however, with the shoebox or sardine-can approach to this residential rental proposal. It reminds me very much of military base and university married housing. When I occupied university housing, there were sidewalks, though, for the children and the disabled. Will there be pedestrian and bike access through East 7th or Poplar Lane? There is no pedestrian sidewalk on E. Milwaukee. The students who walk to school from this proposed addition will not have a safe route. Green space, as a percentage of the total land, is rather misleading when the sixteen feet between the rental units is included.

City tax abatement on rental units which will produce income of \$176,000 per month does not seem all that fair to the people who reside in this community. Kading is an entity that will require our police and firefighter departments to help maintain safety and security of their rental property. Obligations that need to be met by The City Beautiful such as street lights, water, and sewer will not be remunerated in kind for ten years. And what of Kading's obligations five years down the road?

Maintaining the zoning as R1, would be a way to build mixed housing which could include rental property. This would lead to a much better sense of community. A more measured and thoughtful approach to this proposal, might keep the community from regarding this as merely an enclave for transient workers.

Mark Fikkert

806 Geisinger Road

between East Milwaukee and 4th Street for the construction of 176 units (town homes) for the following reasons:

1. 176 units could include between 500-700 individuals in a concentrated area
2. 176 units could easily involve 350 vehicles. The smaller units have a single car garage; the 10 larger units have a double car garage. The plan shows 30 additional parking spaces for overflow. Weekends, holidays, etc seem like it could cause a problem.
3. Streets would be considered private; therefore, not required to conform with City of Storm Lake specifications.
4. There is very limited space for children to play.
5. Storm Lake was under "water conservation" this past summer which causes concern. An additional 500-700 individuals in a small area would seem to put additional stress on the Storm Lake water system. Sewer problems also causes concern.
6. These units do not have basements and it doesn't appear a storm shelter is planned.

We understand Storm Lake has a housing shortage and we embrace change that will benefit residents of the city; we do not believe that the passage of this proposal is a positive step towards the betterment of Storm Lake.

Many times a home "owner" takes more pride in the maintenance of the property than "renters", who are only obligated to a monthly payment and can move on at will. Many present residents near the proposed development would like to see good quality homes built by local contractors.

We hope you will take time and consideration to the concerns of Storm Lake residents who will be highly affected by the proposed plan between East Milwaukee and 4th Street.

Sincerely,

Jim and Fern Bjorklund

1308 Poplar Lane

Storm Lake, IA

Staff Summary

12/21/2020

Agenda Item # 12.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Scott Olesen, Building Official

SUBJECT: **Ordinance No. 04-O-2020-2021 Of Application 2020-3,
Request For Change In Zoning From R-1, Low Density
Residential, To R-3 Medium Density Residential**

BACKGROUND: Midwest Land Management and Real Estate along with Thomas W. Prichard, Eloise Y. Prichard, James M. Prichard and Jane E Prichard have filed an application with the City of Storm Lake seeking a zoning ordinance amendment change in the Zoning designation of a parcel of property which is generally located at 1401 & 1404 Poplar Lane and Between 600th St. and 4th St. legally described as:

1401 Poplar Ln. Lot seven (7), block nine (9), third Sunrise Park
Addition to the City of Storm Lake, Iowa
1404 Poplar Ln. Lot eight (8), block nine (9), third Sunrise Park
Addition of Storm Lake, Iowa

Parcel # 1402131001 See Exhibit "A" The full legal description is included in the attached exhibit "A" in this staff summary.

The Applicants are requesting that the property currently zoned R-1 Low Density Residential be Re-Zoned as R-3, Medium Density Residential to allow for the construction of duplex residential housing.

A re-zoning request is a proposal to change the Official Zoning Map, and therefore requires that Planning and Zoning Commission make a recommendation to the Storm Lake City Council. The Storm Lake Planning and Zoning Commission held a public hearing on December 17, 2020, and the vote was 4 to 1 in favor of approval.

The City Council will need to hold a public hearing and three

readings to approve the request

FISCAL IMPACT:

The proposed project is set to invest approximately 17.5 million dollars with an estimated 14 million dollar property value, which will generate an estimated annual tax revenue of \$300,000.

RECOMMENDATION:

Recommend approval of application 2020-3, as recommended by the Planning & Zoning Commission for a request for change in Zoning from R-1 to R-3, to the Storm Lake City Council, based on it's relationship to the Comprehensive Plan's stated Goal 1, items 1-6 located on page 5-6, which is to provide a variety of housing options.

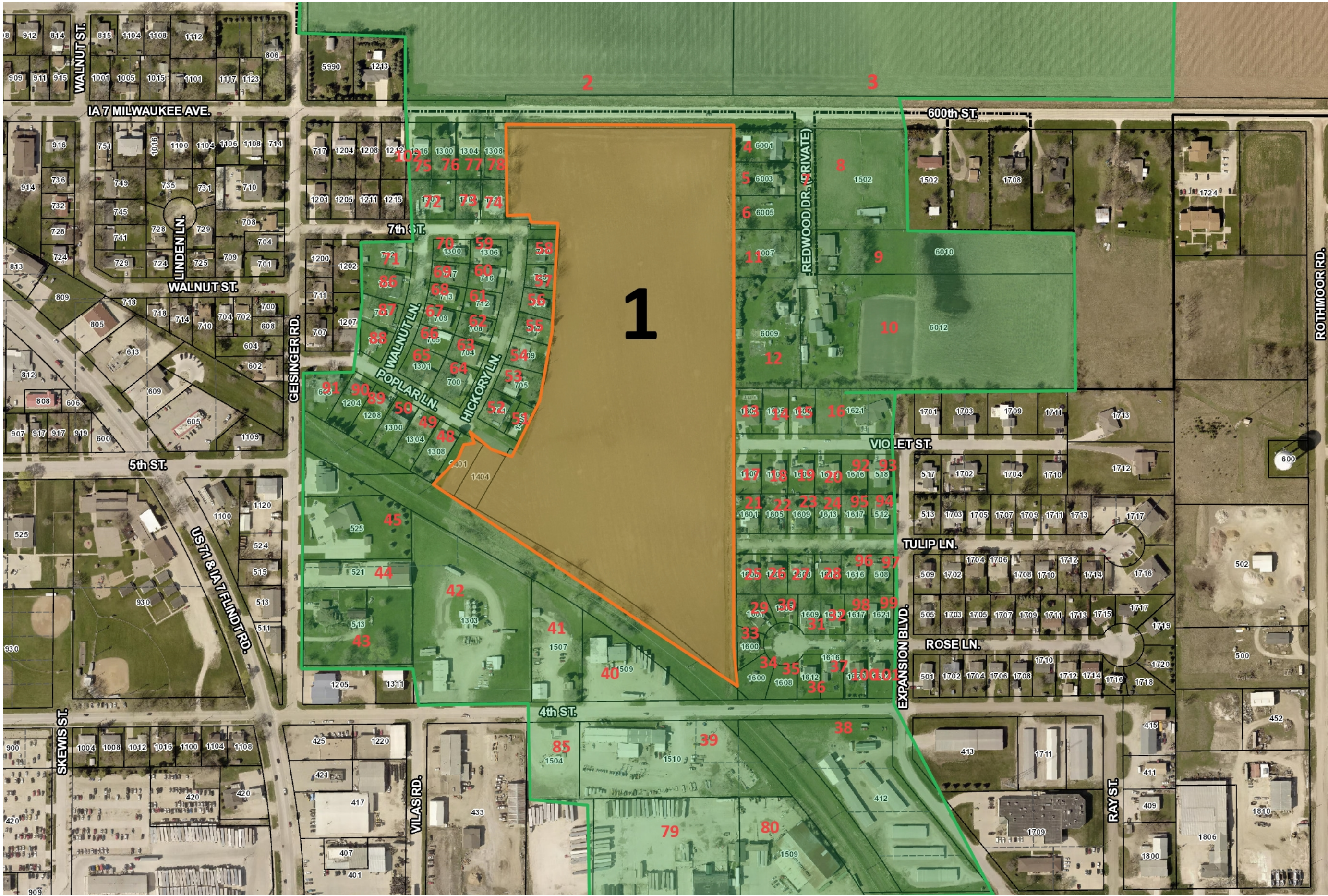
Approve on first reading: December 21st, 2020

Approve on second reading: January 4, 2021

Approve on third reading: January 18th, 2021

ATTACHMENTS:

Description	Type
☐ Map	Map
☐ Application	Application
☐ Legal Description Exhibit "A"	Backup Material
☐ Notice to the Public	Backup Material
☐ Concept Plan	Backup Material
☐ FAQ	Backup Material
☐ Ordinance NO. 04-O-2020-2021	Ordinance
☐ Letters	Letter



Legend

- City Limits
- Lot Lines
- Parcels (10-16-2018)

Map Name



Disclaimer:
This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Storm Lake is not responsible for any inaccuracies herein contained.

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

PROPERTY ADDRESS:

n/a - parcel ID 1402131001

PROPERTY OWNER:

Thomas W Prichard, Eloise Y Prichard, James M Prichard,
Jane E Prichard

OWNER ADDRESS
(if different than above):

Midwest Land Management and Real Estate
PO Box 909
Spencer, IA 51301-0909

OWNER PHONE NUMBER:

507-645-0744

OWNER EMAIL:

prichardjy@gmail.com

The City of Storm Lake Zoning Ordinance Article 12 Section 1204 establishes the amendment procedure for the Zoning Ordinance and requires the property owner to submit the following information, which must accompany this application before it can be considered by the Planning and Zoning Commission and the City Council.

The legal description and local address of the property.

The present zoning classification and the requested zoning classification.

The existing use of the property and the proposed use of the property.

A statement of the reasons why the applicant feels the present zoning classification is no longer valid.

Attach a plat showing the locations, dimensions and use of the applicant's property and all property within three hundred (300') feet including streets, alleys, railroads, and other physical features.

The request for a rezoning request will be heard by the Planning and Zoning Commission and the City Council at separate meetings.

The City of Storm Lake will notify all property owners within three hundred (300') feet of the applicant's property notifying them of the upcoming hearing.

The City of Storm Lake will notify the applicant of the hearing date.

The City of Storm Lake will publish a public hearing notice in a locally circulated newspaper not less than 7 and no more than 20 days prior to the meeting.

A non refundable application fee of **\$200.00** is required at time of the application. The fee will not be refunded if the request is denied by the Planning and Zoning Commission or the City Council.

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL

☐ Text Amendment to the Zoning Ordinance

☒ Zoning Map Amendment to the Zoning Ordinance



City of Storm Lake
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Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

CURRENT ZONING ORDINANCE : Storm Lake Zoning Map Updated April 7, 2014

TEXT AMEDEMMENT REQUEST:

ADDRESS OF THE PROPERTY:

n/a - parcel ID 1402131001

LEGAL DESCRIPTION
OF THE PROPERTY:

See attached legal description.

PRESENT ZONING DISTRICT:

R-1: Low Density Residential

REQUESTED ZONING DISTRICT:

R-3: Medium Density Residential

WHY PRESENT ZONING IS NO LONGER VALID:

Proposed development includes construction of multiresidential housing at approximate density of 8 units/acre.

EXISTING USE OF PROPERTY:

Agriculture

PROPOSED USE OF PROPERTY

Multiresidential Housing

Signature of Property Owner:

Date:

11/11/20

City of Storm Lake Use

Meeting Date:

Appeal No.:

Application Fee Paid:

Date Paid:

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

PROPERTY ADDRESS:	n/a - parcel ID 1402131001
PROPERTY OWNER:	Thomas W Prichard, Eloise Y Prichard, James M Prichard, Jane E Prichard
OWNER ADDRESS (if different than above):	Midwest Land Management and Real Estate PO Box 909 Spencer, IA 51301-0909
OWNER PHONE NUMBER:	763 - 321 - 9140
OWNER EMAIL:	prichard_jane@yahoo.com

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CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL

☐ Text Amendment to the Zoning Ordinance

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CURRENT ZONING ORDINANCE:

Storm Lake Zoning Map Updated April 7, 2014

TEXT AMENDMENT REQUEST:

ADDRESS OF THE PROPERTY:

n/a - parcel ID 1402131001

LEGAL DESCRIPTION
OF THE PROPERTY:

See attached legal description.

PRESENT ZONING DISTRICT:

R-1: Low Density Residential

REQUESTED ZONING DISTRICT:

R-3: Medium Density Residential

WHY PRESENT ZONING IS NO LONGER VALID:

Proposed development includes construction of multiresidential housing at approximate density of 8 units/acre.

EXISTING USE OF PROPERTY:

Agriculture

PROPOSED USE OF PROPERTY

Multiresidential Housing

Signature of Property Owner:

Jim E. Prichard

Date:

11-12-20

City of Storm Lake Use

Meeting Date:

Appeal No.:

Application Fee Paid:

Date Paid:

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

PROPERTY ADDRESS:

n/a - parcel ID 1402131001

PROPERTY OWNER:

✓ Thomas W Prichard, Eloise Y Prichard, James M Prichard,
Jane E Prichard

OWNER ADDRESS
(if different than above):

Midwest Land Management and Real Estate
PO Box 909
Spencer, IA 51301-0909

OWNER PHONE NUMBER:

612, 600, 3136

OWNER EMAIL:

twp700@gmail.com

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ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL

☐ Text Amendment to the Zoning Ordinance

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CURRENT ZONING ORDINANCE: Storm Lake Zoning Map Updated April 7, 2014

TEXT AMENDMENT REQUEST:

ADDRESS OF THE PROPERTY:

n/a - parcel ID 1402131001

LEGAL DESCRIPTION
OF THE PROPERTY:

See attached legal description.

PRESENT ZONING DISTRICT:

R-1: Low Density Residential

REQUESTED ZONING DISTRICT:

R-3: Medium Density Residential

WHY PRESENT ZONING IS NO LONGER VALID:

Proposed development includes construction of multiresidential housing at approximate density of 8 units/acre.

EXISTING USE OF PROPERTY:

Agriculture

PROPOSED USE OF PROPERTY

Multiresidential Housing

Signature of Property Owner:

Thomas W. Puchak

Date: 11-12-20

City of Storm Lake Use

Meeting Date:

Appeal No.:

Application Fee Paid:

Date Paid:

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL



City of Storm Lake
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f (712) 732-4114

PROPERTY ADDRESS:

n/a - parcel ID 1402131001

PROPERTY OWNER:

Thomas W Prichard, Eloise Y Prichard, James M Prichard,
Jane E Prichard

OWNER ADDRESS
(if different than above):

Midwest Land Management and Real Estate
PO Box 909
Spencer, IA 51301-0909

OWNER PHONE NUMBER:

712-732-1053

OWNER EMAIL:

None

The City of Storm Lake Zoning Ordinance Article 12 Section 1204 establishes the amendment procedure for the Zoning Ordinance and requires the property owner to submit the following information, which must accompany this application before it can be considered by the Planning and Zoning Commission and the City Council.

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ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL

☐ Text Amendment to the Zoning Ordinance

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CURRENT ZONING ORDINANCE : Storm Lake Zoning Map Updated April 7, 2014

TEXT AMEDEMMENT REQUEST:

ADDRESS OF THE PROPERTY: n/a - parcel ID 1402131001

LEGAL DESCRIPTION OF THE PROPERTY: See attached legal description.

PRESENT ZONING DISTRICT: R-1: Low Density Residential

REQUESTED ZONING DISTRICT: R-3: Medium Density Residential

WHY PRESENT ZONING IS NO LONGER VALID: Proposed development includes construction of multiresidential housing at approximate density of 8 units/acre.

EXISTING USE OF PROPERTY: Agriculture

PROPOSED USE OF PROPERTY: Multiresidential Housing

Signature of Property Owner: *Eloise Y. Prichard* Date: 11-12-2020

City of Storm Lake Use			
Meeting Date:		Appeal No.:	
Application Fee Paid:		Date Paid:	

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

PROPERTY ADDRESS:

1404 Poplar Ln, Storm Lake, IA 50588

PROPERTY OWNER:

Eloise Y Prichard

OWNER ADDRESS
(if different than above):

209 E Lakeshore Dr, #2, Storm Lake, IA 50588

OWNER PHONE NUMBER:

712-732-1053

OWNER EMAIL:

None

The City of Storm Lake Zoning Ordinance Article 12 Section 1204 establishes the amendment procedure for the Zoning Ordinance and requires the property owner to submit the following information, which must accompany this application before it can be considered by the Planning and Zoning Commission and the City Council.

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ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

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City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
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f (712) 732-4114

CURRENT ZONING ORDINANCE : Storm Lake Zoning Map Updated April 7, 2014

TEXT AMEDEMMENT REQUEST:

ADDRESS OF THE PROPERTY: 1404 Poplar Ln, Storm Lake, IA 50588

LEGAL DESCRIPTION OF THE PROPERTY: Lot eight (8), block nine (9), third Sunrise Park Addition to the City of Storm Lake, Iowa.

PRESENT ZONING DISTRICT: R-1: Low Density Residential

REQUESTED ZONING DISTRICT: R-3: Medium Density Residential

WHY PRESENT ZONING IS NO LONGER VALID: Proposed development includes construction of multiresidential housing at approximate density of 8 units/acre.

EXISTING USE OF PROPERTY: Vacant lot - zoned R-1: Low Density Residential

PROPOSED USE OF PROPERTY: Multiresidential Housing

Signature of Property Owner: *Eloise Y. Prichard* Date: 11-12-2020

City of Storm Lake Use			
Meeting Date:		Appeal No.:	
Application Fee Paid:		Date Paid:	

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

PROPERTY ADDRESS:

1401 Poplar Ln, Storm Lake, IA 50588

PROPERTY OWNER:

Eloise Y Prichard

OWNER ADDRESS
(if different than above):

209 E Lakeshore Dr, #2, Storm Lake, IA 50588

OWNER PHONE NUMBER:

712-732-1053

OWNER EMAIL:

None

The City of Storm Lake Zoning Ordinance Article 12 Section 1204 establishes the amendment procedure for the Zoning Ordinance and requires the property owner to submit the following information, which must accompany this application before it can be considered by the Planning and Zoning Commission and the City Council.

The legal description and local address of the property.

The present zoning classification and the requested zoning classification.

The existing use of the property and the proposed use of the property.

A statement of the reasons why the applicant feels the present zoning classification is no longer valid.

Attach a plat showing the locations, dimensions and use of the applicant's property and all property within three hundred (300') feet including streets, alleys, railroads, and other physical features.

The request for a rezoning request will be heard by the Planning and Zoning Commission and the City Council at separate meetings.

The City of Storm Lake will notify all property owners within three hundred (300') feet of the applicant's property notifying them of the upcoming hearing.

The City of Storm Lake will notify the applicant of the hearing date.

The City of Storm Lake will publish a public hearing notice in a locally circulated newspaper not less than 7 and no more than 20 days prior to the meeting.

A non refundable application fee of **\$200.00** is required at time of the application. The fee will not be refunded if the request is denied by the Planning and Zoning Commission or the City Council.

ZONING ORDINANCE AMENDMENT REQUEST

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION and CITY COUNCIL

☐ Text Amendment to the Zoning Ordinance

☒ Zoning Map Amendment to the Zoning Ordinance



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

CURRENT ZONING ORDINANCE : Storm Lake Zoning Map Updated April 7, 2014

TEXT AMEDEMMENT REQUEST:

ADDRESS OF THE PROPERTY: 1401 Poplar Ln, Storm Lake, IA 50588

LEGAL DESCRIPTION OF THE PROPERTY: Lot seven (7), block nine (9), third Sunrise Park Addition to the City of Storm Lake, Iowa.

PRESENT ZONING DISTRICT: R-1: Low Density Residential

REQUESTED ZONING DISTRICT: R-3: Medium Density Residential

WHY PRESENT ZONING IS NO LONGER VALID: Proposed development includes construction of multiresidential housing at approximate density of 8 units/acre.

EXISTING USE OF PROPERTY: Vacant lot - zoned R-1: Low Density Residential

PROPOSED USE OF PROPERTY: Multiresidential Housing

Signature of Property Owner: *Elaine G. Prichard* Date: 11-12-2020

City of Storm Lake Use			
Meeting Date:		Appeal No.:	
Application Fee Paid:		Date Paid:	

Exhibit "A"

That part of the East Half of the Northwest Quarter ($E\frac{1}{2}NW\frac{1}{4}$), Section Two (2), Township Ninety North (T 90 N), Range Thirty-seven West (R 37 W) of the 5th P.M., Buena Vista County, Iowa, lying North of the right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad, more particularly described as follows: Commencing at a Point Six Hundred Thirty Six and Seventeen Hundredths Feet (636.17') East of the Northwest Corner of the Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) Section Two (2), Township Ninety North (T 90 N), Range Thirty Seven West (R 37 W) of the Fifth Principal Meridian (5th P.M.); thence North $90^{\circ}00'$ East along the North Line of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) a distance of Six Hundred Eighty Three and Forty Six Hundredths Feet (683.46') to the Northeast Corner of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$); thence South $00^{\circ}13'$ West along the East Line of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) a distance of Eight Hundred Twenty Five and nine Tenths Feet (825.90'); thence South $00^{\circ}35'$ East along said East Line of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) a distance of Nine Hundred Seven and Twenty Eight Hundredths Feet (907.28') to the Northerly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence Northwesterly along the Northerly right of way line of said railroad, said line being a part of a circular curve concave southwesterly with a radius of Two Thousand Nine Hundred Fourteen and Seventy Nine Hundredths Feet (2,914.79') a distance of Six Hundred Fifty Two and Thirty Four Hundredths Feet (652.34'); thence continuing along said railroad right of way line North $60^{\circ}01'20''$ West a distance of Three Hundred and Eighty Six Hundredths Feet (300.86') to the Southeast Corner of Lot Eight (8), Block Nine (9), Third Sunrise Park Addition to the City of Storm Lake, Iowa; thence North $30^{\circ}11'40''$ East along the East Line of said Lot Eight (8) a distance of One Hundred Seventy Nine and Seventy Five Hundredths Feet (179.75') to the Northeast Corner of said Lot Eight (8); thence North $45^{\circ}04'$ East a distance of Sixty Two and Nine Hundredths Feet (62.09') to the Southeast corner of Lot Ten (10), Block Five (5), Corrected Plat Block Five (5) Third Sunrise Park Addition to Storm Lake, Iowa; thence North $27^{\circ}47'$ East along the East Line of said Lot Ten (10) a distance of One Hundred Fourteen and Five Tenths Feet (114.50') to the Northeast Corner of said Lot Ten (10), and the Southeast Corner of Lot Twelve (12) of said Block Five (5); thence North $15^{\circ}30'$ East along the East Line of said Lot Twelve (12) a distance of One Hundred Eight and Five Tenths Feet (108.50') to the Northeast Corner of said Lot Twelve (12), and the Southeast Corner of Lot Thirteen (13) of said Block Five (5); thence North $08^{\circ}46'$ East along the East Line of said Lot Thirteen (13) a distance of Eighty Seven and Five Tenths Feet (87.50') to the Northeast Corner of said Lot Thirteen (13), and the Southeast Corner of Lot Fourteen (14) of said Block Five (5); thence North $04^{\circ}13'$ East along the East Line of Lots Fourteen, Fifteen, Sixteen, and Seventeen (14, 15, 16, & 17) all in said Block Five (5) a distance of Three Hundred Twenty One and Eight Tenths Feet (321.80') to the Northeast Corner of said Lot Seventeen (17) Block Five (5); thence North $03^{\circ}32'$ East a distance of Sixty and Eighty Five Hundredths Feet (60.85') to the North Line of East Seventh Street (E. 7th. St.) as dedicated; thence North $89^{\circ}59'$ West along the North Line of said East Seventh Street (E. 7th. St.) a distance of One Hundred Sixty Three and Twenty Five Hundredths Feet (163.25') to the Southeast Corner of Lot Nine (9), Block One (1) First Sunrise Park Addition to the City of

Storm Lake, Iowa; thence north $00^{\circ}07'$ East along the East Line of said Block One (1) a distance of Three Hundred Twenty Two Feet (322.00') to the Point of Beginning and containing an area of 21.60 acres of which 0.79 acres are existing highway right of way. The above description is intended to include only that part of the East Half, Northwest Quarter ($E\frac{1}{2}NW\frac{1}{4}$) of Section Two (2), T 90 N, R 37 W of the Fifth P.M. lying North of the C. M. St. P. & P. Railroad that has not been included in the First, Second or Third Plattings of Sunrise Park Additions to Storm Lake, Iowa. For the purpose of this description the North Line of the Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) Section Two (2), T 90 N, R 37 W of the Fifth P.M. is assumed to have a True East to West Bearing. EXCEPT that land included in the First, Second and Third Plattings of Sunrise Park Addition to Storm Lake, Iowa,



NOTICE OF PUBLICATION

CITY OF STORM LAKE

PLANNING AND ZONING COMMISSION File number: 2020-3

**DUE TO COVID-19, MEETINGS WILL BE TELEPHONIC ONLY
TO PARTICIPATE CALL 1-408-418-9388 ACCESS 146 833 2644**

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

November 20, 2020

A petition for a rezoning request in the R-1 Low Density Residential District as applied to the properties described as: 1401 Poplar Lane, 1404 Poplar Lane and parcel 1402131001 has been filed by Thomas W. Prichard, Eloise Y Prichard, James M Prichard, Jane E. Prichard.

Being more particularly described as follows:

1401 Poplar Ln. Lot seven (7), block nine (9), third Sunrise Park Addition to the City of Storm Lake, Iowa

1404 Poplar Ln. Lot eight (8), block nine (9), third Sunrise Park Addition of Storm Lake, Iowa
Parcel # 1402131001 See Exhibit "A" .

The petition requests approval of a rezoning of such property from R-1 Low Density Residential to R-3 Medium Density Residential.

DUE TO COVID-19, BOTH MEETINGS WILL BE TELEPHONIC ONLY

A public hearing will be held by the Planning and Zoning Commission on Wednesday, December 2, 2020 at 4:30 p.m. **via teleconference by calling 1-408-418-9388 access 146 833 2644**. Following the hearing, the Commission will make a recommendation to the City Council relative to the application. The City Council will meet to set a public hearing on this application for zoning classification request on December 7, 2020 at 5:00 pm **via teleconference by calling 1-408-418-9388 access 146 833 2644**. If you so desire, you yourself, an agent or an attorney may call in to join the hearing before the Commission, Council, or both in opposition to or support of the proposed change in the zoning ordinance to amend the zoning of this parcel from R-1 Low Density Residential to R-3 Medium Density Residential.

Respectfully submitted,

Scott Olesen
Zoning Administrator

Exhibit "A"

That part of the East Half of the Northwest Quarter ($E\frac{1}{2} NW\frac{1}{4}$), Section Two (2), Township Ninety North (T 90 N), Range Thirty-seven West (R 37 W) of the 5th P.M., Buena Vista County, Iowa, lying North of the right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad, more particularly described as follows: Commencing at a Point Six Hundred Thirty Six and Seventeen Hundredths Feet (636.17') East of the Northwest Corner of the Northeast Quarter, Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4}$) Section Two (2), Township Ninety North (T 90 N), Range Thirty Seven West (R 37 W) of the Fifth Principal Meridian (5th P.M.); thence North $90^{\circ}00'$ East along the North Line of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4}$) a distance of Six Hundred Eighty Three and Forty Six Hundredths Feet (683.46') to the Northeast Corner of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4}$); thence South $00^{\circ}13'$ West along the East Line of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4}$) a distance of Eight Hundred Twenty Five and nine Tenthths Feet (825.90'); thence South $00^{\circ}35'$ East along said East Line of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4}$) a distance of Nine Hundred Seven and Twenty Eight Hundredths Feet (907.28') to the Northerly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence Northwesterly along the Northerly right of way line of said railroad, said line being a part of a circular curve concave southwesterly with a radius of Two Thousand Nine Hundred Fourteen and Seventy Nine Hundredths Feet (2,914.79') a distance of Six Hundred Fifty Two and Thirty Four Hundredths Feet (652.34'); thence continuing along said railroad right of way line North $60^{\circ}01'20''$ West a distance of Three Hundred and Eighty Six Hundredths Feet (300.86') to the Southeast Corner of Lot Eight (8), Block Nine (9), Third Sunrise Park Addition to the City of Storm Lake, Iowa; thence North $30^{\circ}11'40''$ East along the East Line of said Lot Eight (8) a distance of One Hundred Seventy Nine and Seventy Five Hundredths Feet (179.75') to the Northeast Corner of said Lot Eight (8); thence North $45^{\circ}04'$ East a distance of Sixty Two and Nine Hundredths Feet (62.09') to the Southeast corner of Lot Ten (10), Block Five (5), Corrected Plat Block Five (5) Third Sunrise Park Addition to Storm Lake, Iowa; thence North $27^{\circ}47'$ East along the East Line of said Lot Ten (10) a distance of One Hundred Fourteen and Five Tenthths Feet (114.50') to the Northeast Corner of said Lot Ten (10), and the Southeast Corner of Lot Twelve (12) of said Block Five (5); thence North $15^{\circ}30'$ East along the East Line of said Lot Twelve (12) a distance of One Hundred Eight and Five Tenthths Feet (108.50') to the Northeast Corner of said Lot Twelve (12), and the Southeast Corner of Lot Thirteen (13) of said Block Five (5); thence North $08^{\circ}46'$ East along the East Line of said Lot Thirteen (13) a distance of Eighty Seven and Five Tenthths Feet (87.50') to the Northeast Corner of said Lot Thirteen (13), and the Southeast Corner of Lot Fourteen (14) of said Block Five (5); thence North $04^{\circ}13'$ East along the East Line of Lots Fourteen, Fifteen, Sixteen, and Seventeen (14, 15, 16, & 17) all in said Block Five (5) a distance of Three Hundred Twenty One and Eight Tenthths Feet (321.80') to the Northeast Corner of said Lot Seventeen (17) Block Five (5); thence North $03^{\circ}32'$ East a distance of Sixty and Eighty Five Hundredths Feet (60.85') to the North Line of East Seventh Street (E. 7th. St.) as dedicated; thence North $89^{\circ}59'$ West along the North Line of said East Seventh Street (E. 7th. St.) a distance of One Hundred Sixty Three and Twenty Five Hundredths Feet (163.25') to the Southeast Corner of Lot Nine (9), Block One (1) First Sunrise Park Addition to the City of

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EAST 4TH STREET

ENTRANCE

EAST MILWAUKEE STREET





FAQ's

Will there be a storm shelter? / These units do not have basements and it doesn't appear a storm shelter is planned?

It is accurate that these units will be slab-on-grade. Residents are advised to seek shelter in an interior, ground floor room, such as a bathroom. This is the same procedure followed by students in schools, occupants of an office building, shoppers in a retail environment, and residents of apartment buildings.

Will the few streets be able to handle the traffic?

We discussed these concerns that were brought up with the city and understand they intend to request a traffic study for the nearby state road in question. There are no concerns with traffic through the development.

How will this affect water pressure?

It is our understanding that the adjacent neighborhood experiencing water pressure issues is serviced by a 4" line and the standard is now for service to be through an 8" line, which is likely what the current neighbors are experiencing what appears to be low water pressure. This development would be connecting to a separate 8" line, on a separate loop. There should be no impact to the water supply of the adjacent neighborhoods.

Is this low income or subsidized housing?

It is neither. It is market-rate housing, priced at a level that is meant to be affordable to the working class. We anticipate rents starting around \$900/mo for a 3-bedroom, 1-bathroom townhome, and households would be required to show proof of verifiable income of at least three times the monthly rent (in this case, \$36,000 annually).

Is the sale of the land contingent on the completion of this project, or could the project change once the land has been purchased?

The purchase of the land is contingent upon the approval of the rezoning application and the site plan, as well as a number of other due diligence items.

176 units could include between 500-700 individuals in a concentrated area.

The proposed development would result in a density of 8 units/acre. This is significantly lower than traditional apartment development.

176 units could easily involve 350 vehicles. The smaller units have a single car garage; the 10 larger units have a double car garage. The plan shows 30 additional parking spaces for overflow. Weekends, holidays, etc. seem like it could cause a problem.

Each unit will have a minimum of two parking spaces – one in the garage and one in the driveway. The units with a 2-car garage have four parking spaces per unit. The proposed concept mirrors a large number of developments Kading already has in operation. We have not experienced issues with insufficient parking available as a result of this typical design.

Streets would be considered private; therefore, not required to conform with City of Storm Lake specifications.

There are engineering construction standards and public safety standards that apply with regard to access by emergency personnel, etc. The best way to think of the private drives is as an extended driveway like you would find in a development with several apartment buildings. The benefit to the city of the drives being private is that Kading will be responsible for all repair, maintenance, snow removal, etc. whereas with public streets the city would be obligated to these expenses. Additionally, proactive management practices allow Kading to enforce a reduced speed limit, restrict parking to off-street spaces, etc.

There is very limited space for children to play.

There is a greenspace parkland planned for dedication to the city on the south end of the development. Additionally, there is ample green space around the buildings to allow for recreation. Again, the proposed concept mirrors many developments in existence, and this has not been an issue.

Storm Lake was under "water conservation" this past summer which causes concern. An additional 500-700 individuals in a small area would seem to put additional stress on the Storm Lake water system. Sewer problems also causes concern.

We are not aware of the specifics of the water conservation requirement this summer in Storm Lake, but many communities are forced to put in place some sort of water conservation efforts in times of drought. Many areas of Iowa did experience severe drought this summer. We have shared both of these concerns with the city, and they have assured us they do not foresee any issue with water supply, stormwater, or sanitary capacity issues as a result of the proposed development. The development of the land and resulting engineered water retention system would actually result in slower release of water into the stormwater system than currently exists. The city has shared with us that they see no capacity issues with the sanitary tie-in that would be utilized; my understanding is that this is not directly tied in to the adjacent neighborhood, but rather runs to the south.

Many times, a home "owner" takes more pride in the maintenance of the property than "renters", who are only obligated to a monthly payment and can move on at will.

The Site Specialist hired to oversee the property would be an employee of the owner. Our Site Specialists take meticulous care of our properties, and our management team appropriately funds replacement reserve accounts to plan for capital improvements and repairs to ensure the properties are maintained over time. Kading would be responsible for all lawn care, landscaping, snow removal, repairs, and maintenance, which results in more uniform care of the entire property than if there were individual homeowners. In order to serve all of its residents, a community needs a variety of housing options including both rental and owner-occupied homes. Many individuals either prefer the rental lifestyle in which they do not have to worry about yard work and maintenance, and others do not have the means to purchase a home, particularly a new construction home with costs that are continually rising. We are proud to offer a quality rental option.

ORDINANCE NO. 04-O-2020-2021

ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF STORM LAKE, IOWA BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE

WHEREAS, after due notice of intended action as provided by law, the City Council of the City of Storm Lake, Iowa, has determined that the zoning ordinance of this City should be amended as set forth below; and

WHEREAS, said action has been recommended by the Planning and Zoning Commission of the City of Storm Lake, Iowa;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Storm Lake, Iowa, that, pursuant to Article IV, Section 406 of the Zoning Ordinance of the City of Storm Lake, Iowa, the official zoning map, as referred to therein, is hereby amended as follows:

The three real estate parcels legally described as:

Lot Seven (7), Block Nine (9), Third Sunrise Park Addition to the City of Storm Lake, Iowa;

and

Lot Eight (8), Block Nine (9), Third Sunrise Park Addition to the City of Storm Lake, Iowa;

and

That part of the East Half of the Northwest Quarter ($E\frac{1}{2}NW\frac{1}{4}$), Section Two (2), Township Ninety North (T90N), Range Thirty-Seven West (R37W) of the 5th P.M., Buena Vista County, Iowa, lying North of the right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad, more particularly described as follows: Commencing at a point Six Hundred Thirty Six and Seventeen Hundredths Feet (636.17') East of the Northwest Corner of the Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$), Section Two (2), Township Ninety North (T90N), Range Thirty-Seven West (R37W) of the Fifth Principal Meridian (5th P.M.); thence North 90°00' East along the North Line of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) a distance of Six Hundred Eighty Three and Forty Six Hundredths Feet (683.46') to the Northeast Corner of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$); thence South 00°13' West along the East line of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) a distance of Eight Hundred Twenty Five and Nine Tenths Feet (825.90'); thence South 00°35' East along said East line of said Northeast Quarter, Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) a distance of Nine Hundred Seven and Twenty Eight Hundredths Feet (907.28') to the Northerly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence Northwesterly along the Northerly right of way line of said railroad, said line being a part of a circular curve concave southwesterly with a radius of Two Thousand Nine Hundred Fourteen and Seventy Nine Hundredths Feet (2,914.79') a distance of Six Hundred Fifty Two and Thirty Four Hundredths Feet (652.34'); thence continuing along said railroad right of way line North 60°01'20" West a distance of Three Hundred and Eighty Six Hundredths Feet (300.86') to the Southeast corner of Lot Eight (8), Block Nine (9), Third Sunrise Park Addition to the City of Storm Lake, Iowa; thence North 30°11'40" East along the East line of said Lot Eight (8) a distance of One Hundred Seventy Nine and Seventy Five Hundredths Feet (179.75') to the Northeast

Corner of said Lot Eight (8); thence North 45.04' East a distance of Sixty Two and Nine Hundredths Feet (62.9') to the Southeast corner of Lot Ten (10), Block Five (5), Corrected Plat Block Five (5) Third Sunrise Park Addition to Storm Lake, Iowa; thence North 27°47' East along the East line of said Lot Ten (10) a distance of One Hundred Fourteen and Five Tenths Feet (114.50') to the Northeast Corner of said Lot Ten (10), and the Southeast Corner of Lot Twelve (12) of said Block Five (5); thence North 15°30' East along the East line of said Lot Twelve (12) a distance of One Hundred Eight and Five Tenths Feet (108.50') to the Northeast corner of said Lot Twelve (12), and the Southeast corner of Lot Thirteen (13) of said Block Five (5); thence North 08°46' East along the East line of said Lot Thirteen (13) a distance of Eighty Seven and Five Tenths Feet (87.50') to the Northeast Corner of said Lot Thirteen (13), and the Southeast corner of Lot Fourteen (14) of said Block Five (5); thence North 04°13' East along the East line of Lots Fourteen , Fifteen, Sixteen and Seventeen (14, 15, 16 & 17) all in said Block Five (5) a distance of Three Hundred Twenty One and Eight Tenths Feet (321.80') to the Northeast corner of said Lot Seventeen (17), Block Five (5); thence North 03°32' East a distance of Sixty and Eighty Five Hundredths Feet (60.85') to the North line of East Seventh Street (E.7th St.) as dedicated; thence North 89°59' West along the North line of said East Seventh Street (E. 7th St.) a distance of One Hundred Sixty Three and Twenty Five Hundredths Feet (163.25') to the Southeast corner of Lot Nine (9), Block One (1) First Sunrise Park Addition to the City of Storm Lake, Iowa; thence North 00°07' East along the East line of said Block One (1) a distance of Three Hundred Twenty Two Feet (322.00') to the Point of Beginning and containing an area of 21.60 acres of which 0.79 acres are existing highway

are hereby rezoned from a district classification of R-1 (Low Density Residential) to a district classification of R-3 (Medium Density Residential).

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2020.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Dear Mr. Olesen and Members of the Planning and Zoning Commission:

Kading Properties of Urbandale, Iowa proposes to build 176 rental units in the field between Milwaukee Ave. and 4th Street. This would require changing the zoning from R-1 to R-3. I oppose the change in zoning for the following reasons:

- 1) The neighborhood on the east side of the property has 77 homes and two apartment houses with 24 units. The neighborhood on the west side of the property has 50 homes and 8 apartment units. The proposed units would more than double population, traffic, and use of utilities. The request to change zoning from R-1 which allows about 4 houses/acre to R-3 which would allow 8 units/acre would **double density**.
- 2) The proposed plan has exits onto 4th Street and East Milwaukee. If each unit has two cars, an **additional 352 vehicles** would travel those two streets. There is no stop light on either street. There are **no sidewalks**. Congestion and accidents would likely increase.
- 3) More than doubling the households would **stress water and sewer for all three neighborhoods**. The existing neighborhoods already experience problems with water backup and inadequate water pressure. According to a recent newspaper article, the water aquifers available to Storm Lake are running out of water.
- 4) **Storm water drainage** is an issue throughout Storm Lake. Several locations in the existing neighborhoods flood. The water table is high. The neighborhood on the east side of the proposed housing is finally receiving some attention to address this issue. An additional 176 housing units will undoubtedly increase storm water issues.
- 5) Kading is renting all 176 units. The **rental dollars will end up in Urbandale** not Storm Lake.
- 6) Kading expects that units will be rented by people living in Storm Lake and small towns around Storm Lake. If people already live within Storm Lake, this **will not increase local businesses revenues**. The small towns around Storm Lake do not have grocery stores or other businesses. They already shop in Storm Lake so will not increase business significantly. **Existing rentals will be emptied**, negatively impacting their owners and communities.
- 7) Renters do not pay property taxes. According to Kading, the City of Storm Lake will not charge them taxes for 10 years. That means that **my neighbors and I will be paying Kading's taxes**.
- 8) The Storm Lake School District is building a new school in phases. As those phases proceed, we are likely to see a tax increase.
- 9) The City of Storm Lake is discussing new water and wastewater systems which are needed for expansion of business and residential areas. These systems will be very costly and will be paid by community members paying higher water rates.
- 10) Kading intends to bring in its own crew to build the properties. They do not intend to employ any local residents.

11) Streets will not be built to City standards. They will be narrower and there will be no sidewalks. When asked, Kading said that kids could walk and play in the streets. Will these streets be wide enough for emergency vehicles? What if someone parks in the street?

I welcome responsible building that would keep benefits in the Storm Lake community. I would welcome City Council working with our local builders to fill the field with a variety of housing: houses, condominiums, and duplexes for sale, and some rental properties. This approach would be in keeping with the existing neighborhoods, would benefit the community as a whole, and would keep the building money and tax dollars in the community.

I would like to see Storm Lake take a regional approach to growth. The small towns around Storm Lake contribute homes for many people. Some people prefer to live in smaller communities. The housing may be more affordable. Other communities have figured out how to provide transportation to bring workers to their industry. Storm Lake could do that and develop a neighborly relationship with these communities rather than an adversarial relationship.

Changing the zoning of this piece of land is not in keeping with the best use of this land. The original intent was to build homes for purchase. While it may be valuable to consider mixed housing, the plan to fill this piece of real estate with all rentals owned by an out of town corporation will harm the existing communities as well as cost existing home owners whose existing street, water, and sewer needs are not met as it is. I urge you not to change the zoning of this property.

Sincerely,

Kathryn McKinley¹

1208 E. Milwaukee Ave.

Storm Lake, IA 50588

Members of the Planning and Zoning Commission:

Thank you for taking the time to read this correspondence.

I am aware that rental housing is a priority for Storm Lake in light of the need for a stable work force. I do take issue, however, with the shoebox or sardine-can approach to this residential rental proposal. It reminds me very much of military base and university married housing. When I occupied university housing, there were sidewalks, though, for the children and the disabled. Will there be pedestrian and bike access through East 7th or Poplar Lane? There is no pedestrian sidewalk on E. Milwaukee. The students who walk to school from this proposed addition will not have a safe route. Green space, as a percentage of the total land, is rather misleading when the sixteen feet between the rental units is included.

City tax abatement on rental units which will produce income of \$176,000 per month does not seem all that fair to the people who reside in this community. Kading is an entity that will require our police and firefighter departments to help maintain safety and security of their rental property. Obligations that need to be met by The City Beautiful such as street lights, water, and sewer will not be remunerated in kind for ten years. And what of Kading's obligations five years down the road?

Maintaining the zoning as R1, would be a way to build mixed housing which could include rental property. This would lead to a much better sense of community. A more measured and thoughtful approach to this proposal, might keep the community from regarding this as merely an enclave for transient workers.

Mark Fikkert

806 Geisinger Road

between East Milwaukee and 4th Street for the construction of 176 units (town homes) for the following reasons:

1. 176 units could include between 500-700 individuals in a concentrated area
2. 176 units could easily involve 350 vehicles. The smaller units have a single car garage; the 10 larger units have a double car garage. The plan shows 30 additional parking spaces for overflow. Weekends, holidays, etc seem like it could cause a problem.
3. Streets would be considered private; therefore, not required to conform with City of Storm Lake specifications.
4. There is very limited space for children to play.
5. Storm Lake was under "water conservation" this past summer which causes concern. An additional 500-700 individuals in a small area would seem to put additional stress on the Storm Lake water system. Sewer problems also causes concern.
6. These units do not have basements and it doesn't appear a storm shelter is planned.

We understand Storm Lake has a housing shortage and we embrace change that will benefit residents of the city; we do not believe that the passage of this proposal is a positive step towards the betterment of Storm Lake.

Many times a home "owner" takes more pride in the maintenance of the property than "renters", who are only obligated to a monthly payment and can move on at will. Many present residents near the proposed development would like to see good quality homes built by local contractors.

We hope you will take time and consideration to the concerns of Storm Lake residents who will be highly affected by the proposed plan between East Milwaukee and 4th Street.

Sincerely,

Jim and Fern Bjorklund

1308 Poplar Lane

Storm Lake, IA

Staff Summary

12/21/2020

Agenda Item # 13.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Keri Navratil, City Manager

SUBJECT: **Fiscal Year 2022-2026 Proposed Capital Improvement Plan Workshop**

BACKGROUND: Staff will present the Fiscal Year 2022-2026 Capital Improvement Plan for the Enterprise Fund.

- King's Pointe
- Water Fund
- Wastewater Fund
- Stormwater Fund
- General Fund Review

FISCAL IMPACT: N/A

RECOMMENDATION: Review and discuss the proposed Capital Improvement Plan for 2022-2026.

ATTACHMENTS:

Description	Type
☐ CIP 2022-2026 By Dept Fund	Financial Report
☐ CIP 2022-2026 By Source Fund	Financial Report

City of Storm Lake, Iowa
Capital Improvement Plan

2022 thru 2026

PROJECTS BY DEPARTMENT

Department	Project #	Priority	2022	2023	2024	2025	2026	Total
Kings Pointe								
Resort Remodel and Refresh	KP-17-04	n/a	186,250	186,250	186,250	186,250	186,250	931,250
Kings Pointe Total			186,250	186,250	186,250	186,250	186,250	931,250
Outdoor Water Park								
Slide Renovation	OWP-20-01	1			109,000			109,000
OWP Circulation Pump	OWP-20-02	1	5,000	5,000	5,000	5,000	5,000	25,000
Paint OWP Slides	OWP-22-01	1	50,000					50,000
Outdoor Water Park Total			55,000	5,000	114,000	5,000	5,000	184,000
Sewer Collection								
Sewer Line Camera & Trailer	SEWCL-19-01	1		100,000				100,000
Sewer Line Installation on Radio Road	SEWCL-22-01	n/a	180,000					180,000
Push Camera	SEWCL-22-03	2	10,000					10,000
Jet/Vac Truck	SEWCL-22-04	n/a		450,000				450,000
Sewer Rehab	SEWCL-C2	1	100,000	35,000	35,000	35,000	35,000	240,000
Sewer Collection Total			290,000	585,000	35,000	35,000	35,000	980,000
Storm Water								
Project Set-Aside	STW-17-01	n/a	30,000					30,000
1 Ton Truck	STW-22-01	1		60,000				60,000
Aux Engines	STW-22-02	n/a	12,000			15,000		27,000
Storm Water Total			42,000	60,000		15,000		117,000
Wastewater Treatment Facility								
Lab and Office Addition	WWTP-18-03	3				214,000		214,000
1st Street Lift Station Replacement	WWTP-18-05	1	295,000					295,000
Blowers	WWTP-19-01	1	200,000				200,000	400,000
UV Bulb Bank Replacement	WWTP-20-05	2		40,000	40,000		40,000	120,000
Mower	WWTP-21-01	3	50,000					50,000
End Loader	WWTP-21-05	1	180,000					180,000
Thickener Tanks (2)	WWTP-21-06	1			300,000			300,000
SCADA Panel View Replacement	WWTP-21-08	1	20,000	20,000	20,000	20,000	20,000	100,000
Storage Building Updates	WWTP-22-08	1	45,000					45,000
Fencing & Gate Security System	WWTP-22-09	1	30,000					30,000
Pick-Up Truck (#86 replace)	WWTP-22-10	1	50,000					50,000
Lift Station Concrete Driveways	WWTP-22-11	2	15,000	15,000				30,000
VFD Compressor	WWTP-23-02	2		40,000				40,000
A-Basin Diffusers	WWTP-23-05	2		50,000				50,000
Skid Loader	WWTP-23-06	3		130,000				130,000
Lift Station Pumps/Reconstruction	WWTP-23-07	1	300,000					300,000
WWTP New Permit Requirements	WWTP-23-09	n/a			7,500,000	7,500,000		15,000,000
Project Set-A-Side	WWTP-23-10	n/a		700,000				700,000

Department	Project #	Priority	2022	2023	2024	2025	2026	Total
Pickup Truck (#128 Replacement)	WWTP-24-01	2			60,000			60,000
Sludge Press Scraper Blades	WWTP-24-02	3			20,000		20,000	40,000
Lift Station Pumps, Motors, Equip Replacement	WWTP-25-01	1				50,000		50,000
Lime Truck Replacement	WWTP-25-02	3				100,000		100,000
Storage/Vehicle Building	WWTP-26-01	3					300,000	300,000
Wastewater Treatment Facility Total			1,185,000	995,000	7,940,000	7,884,000	580,000	18,584,000
Water Distribution								
Water Line Replacement	WD-17-01	n/a	180,000	180,000	180,000	180,000	180,000	900,000
New Pickup	WD-21-01	2	60,000					60,000
4th Street Watermain Replacement	WD-22-04	n/a	1,149,500					1,149,500
Air Compressor	WD-23-01	1			40,000			40,000
18" Bypass Water Line	WD-24-01	2	1,000,000					1,000,000
Water Distribution Total			2,389,500	180,000	220,000	180,000	180,000	3,149,500
Water Meters								
Smart Point Readers	WM-17-01	2	45,000	45,000	50,000	50,000	50,000	240,000
Meter Replacement	WM-17-02	2	57,000	55,000	55,000	60,000	60,000	287,000
Towers for Auto Reading of Meters	WM-21-02	1		60,000				60,000
Meter Reader	WM-22-01	2	10,000					10,000
Water Meters Total			112,000	160,000	105,000	110,000	110,000	597,000
Water Plant								
Well House Rehab	WP-17-04	2	30,000	30,000				60,000
Water Storage Prodi. Set Aside Funds	WP-17-08	2	100,000	100,000	100,000	100,000	100,000	500,000
Project Set A-side	WP-17-10	2	75,000	75,000	75,000	75,000	75,000	375,000
Pump Replacement	WP-19-C1	2	100,000	30,000				130,000
Slaker Rebuild	WP-20-01	2			50,000	50,000		100,000
Clear Well Mixer	WP-20-03	2			50,000			50,000
Plant Expansion Set A-Side	WP-20-04	n/a	100,000					100,000
Water Tower/Clear Well Inspection	WP-20-06	1			25,000			25,000
Lime Sludge Press & Building with Storage	WP-21-01	n/a			150,000	1,000,000		1,150,000
SCADA Panel View Replacement	WP-21-05	1	20,000	20,000	20,000	20,000	20,000	100,000
Mower/Trailer	WP-22-01	n/a	24,000					24,000
Water Tower	WP-22-04	n/a	350,000	1,500,000				1,850,000
Filter Valves & Actuators	WP-22-05	1	40,000	40,000				80,000
Recarb Baffle Curtains	WP-22-06	1	40,000					40,000
Chlorite Building	WP-22-07	1	40,000					40,000
Utility Tractor	WP-22-08	2	30,000					30,000
Garage/Shop/Storage	WP-23-02	1				75,000		75,000
Pressure Washer	WP-23-06	5		5,000				5,000
Lime Silo Valve	WP-23-07	2		55,000				55,000
Dust Collecting Baghouses	WP-23-10	1		10,000				10,000
Backwash Pump	WP-23-11	2		15,000				15,000
Motor for Lime Thickener	WP-23-12	2		9,500				9,500
Fluoride Tank Replacement	WP-23-13	2		15,000				15,000
Water Plant Total			949,000	1,904,500	470,000	1,320,000	195,000	4,838,500
GRAND TOTAL			5,208,750	4,075,750	9,070,250	9,735,250	1,291,250	29,381,250

City of Storm Lake, Iowa
Capital Improvement Plan
 2022 thru 2026

PROJECTS BY FUNDING SOURCE

Source	Project #	Priority	2022	2023	2024	2025	2026	Total
Federal Grant- Other								
18" Bypass Water Line	WD-24-01	2	750,000					750,000
Federal Grant- Other Total			750,000					750,000
Hotel/Motel								
Slide Renovation	OWP-20-01	1			109,000			109,000
OWP Circulation Pump	OWP-20-02	1	5,000	5,000	5,000	5,000	5,000	25,000
Paint OWP Slides	OWP-22-01	1	50,000					50,000
Hotel/Motel Total			55,000	5,000	114,000	5,000	5,000	184,000
LOST								
Resort Remodel and Refresh	KP-17-04	n/a	186,250	186,250	186,250	186,250	186,250	931,250
LOST Total			186,250	186,250	186,250	186,250	186,250	931,250
Revenue Bond								
WWTP New Permit Requirements	WWTP-23-09	n/a			7,500,000	7,500,000		15,000,000
Revenue Bond Total					7,500,000	7,500,000		15,000,000
RUT								
4th Street Watermain Replacement	WD-22-04	n/a	692,100					692,100
RUT Total			692,100					692,100
Sewer Fund								
Sewer Line Camera & Trailer	SEWCL-19-01	1		100,000				100,000
Sewer Line Installation on Radio Road	SEWCL-22-01	n/a	180,000					180,000
Push Camera	SEWCL-22-03	2	10,000					10,000
Jet/Vac Truck	SEWCL-22-04	n/a		450,000				450,000
Sewer Rehab	SEWCL-C2	1	100,000	35,000	35,000	35,000	35,000	240,000
Lab and Office Addition	WWTP-18-03	3				214,000		214,000
1st Street Lift Station Replacement	WWTP-18-05	1	295,000					295,000
Blowers	WWTP-19-01	1	200,000				200,000	400,000
UV Bulb Bank Replacement	WWTP-20-05	2		40,000	40,000		40,000	120,000
Mower	WWTP-21-01	3	50,000					50,000
End Loader	WWTP-21-05	1	180,000					180,000
Thickener Tanks (2)	WWTP-21-06	1			300,000			300,000
SCADA Panel View Replacement	WWTP-21-08	1	20,000	20,000	20,000	20,000	20,000	100,000
Storage Building Updates	WWTP-22-08	1	45,000					45,000
Fencing & Gate Security System	WWTP-22-09	1	30,000					30,000

Source	Project #	Priority	2022	2023	2024	2025	2026	Total
Pick-Up Truck (#86 replace)	WWTP-22-10	1	50,000					50,000
Lift Station Concrete Driveways	WWTP-22-11	2	15,000	15,000				30,000
VFD Compressor	WWTP-23-02	2		40,000				40,000
A-Basin Diffusers	WWTP-23-05	2		50,000				50,000
Skid Loader	WWTP-23-06	3		130,000				130,000
Lift Station Pumps/Reconstruction	WWTP-23-07	1	300,000					300,000
Project Set-A-Side	WWTP-23-10	n/a		700,000				700,000
Pickup Truck (#128 Replacement)	WWTP-24-01	2			60,000			60,000
Sludge Press Scraper Blades	WWTP-24-02	3			20,000		20,000	40,000
Lift Station Pumps, Motors, Equip Replacement	WWTP-25-01	1				50,000		50,000
Lime Truck Replacement	WWTP-25-02	3				100,000		100,000
Storage/Vehicle Building	WWTP-26-01	3					300,000	300,000
Sewer Fund Total			1,475,000	1,580,000	475,000	419,000	615,000	4,564,000

Storm Water

Project Set-Aside	STW-17-01	n/a	30,000					30,000
1 Ton Truck	STW-22-01	1		60,000				60,000
Aux Engines	STW-22-02	n/a	12,000			15,000		27,000
4th Street Watermain Replacement	WD-22-04	n/a	11,900					11,900
Storm Water Total			53,900	60,000		15,000		128,900

Water Fund

Water Line Replacement	WD-17-01	n/a	180,000	180,000	180,000	180,000	180,000	900,000
New Pickup	WD-21-01	2	60,000					60,000
4th Street Watermain Replacement	WD-22-04	n/a	445,500					445,500
Air Compressor	WD-23-01	1			40,000			40,000
18" Bypass Water Line	WD-24-01	2	250,000					250,000
Smart Point Readers	WM-17-01	2	45,000	45,000	50,000	50,000	50,000	240,000
Meter Replacement	WM-17-02	2	57,000	55,000	55,000	60,000	60,000	287,000
Towers for Auto Reading of Meters	WM-21-02	1		60,000				60,000
Meter Reader	WM-22-01	2	10,000					10,000
Well House Rehab	WP-17-04	2	30,000	30,000				60,000
Water Storage Prodi. Set Aside Funds	WP-17-08	2	100,000	100,000	100,000	100,000	100,000	500,000
Project Set A-side	WP-17-10	2	75,000	75,000	75,000	75,000	75,000	375,000
Pump Replacement	WP-19-C1	2	100,000	30,000				130,000
Slaker Rebuild	WP-20-01	2			50,000	50,000		100,000
Clear Well Mixer	WP-20-03	2			50,000			50,000
Plant Expansion Set A-Side	WP-20-04	n/a	100,000					100,000
Water Tower/Clear Well Inspection	WP-20-06	1			25,000			25,000
Lime Sludge Press & Building with Storage	WP-21-01	n/a			150,000	1,000,000		1,150,000
SCADA Panel View Replacement	WP-21-05	1	20,000	20,000	20,000	20,000	20,000	100,000
Mower/Trailer	WP-22-01	n/a	24,000					24,000
Water Tower	WP-22-04	n/a	350,000	1,500,000				1,850,000
Filter Valves & Actuators	WP-22-05	1	40,000	40,000				80,000
Recarb Baffle Curtains	WP-22-06	1	40,000					40,000
Chlorite Building	WP-22-07	1	40,000					40,000
Utility Tractor	WP-22-08	2	30,000					30,000
Garage/Shop/Storage	WP-23-02	1				75,000		75,000
Pressure Washer	WP-23-06	5		5,000				5,000
Lime Silo Valve	WP-23-07	2		55,000				55,000
Dust Collecting Baghouses	WP-23-10	1		10,000				10,000
Backwash Pump	WP-23-11	2		15,000				15,000

Source	Project #	Priority	2022	2023	2024	2025	2026	Total
Motor for Lime Thickener	WP-23-12	2		9,500				9,500
Fluoride Tank Replacement	WP-23-13	2		15,000				15,000
Water Fund Total			1,996,500	2,244,500	795,000	1,610,000	485,000	7,131,000
GRAND TOTAL			5,208,750	4,075,750	9,070,250	9,735,250	1,291,250	29,381,250

Staff Summary

12/21/2020

Agenda Item # 14.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM:

SUBJECT: **City Council Requested Items**

BACKGROUND: Future City Council Work Sessions:
1. None at this time

FISCAL IMPACT: No Fiscal Impact at this time.

RECOMMENDATION: Concurrence for each item to be considered for a specified City Council Meeting work session or deny work session consideration for the following items:
1. None at this time