

**CITY OF STORM LAKE
REGULAR COUNCIL MEETING, DUE TO
COVID-19, THIS MEETING WILL BE A
TELEPHONIC MEETING AND ONLY IN
PERSON FOR PARTICIPANTS REGARDING
THE AGENDA ITEM ~ THE PUBLIC MAY
DIAL IN TO PARTICIPATE: 1-408-418-9388
ACCESS CODE: 146 833 2644
NOVEMBER 2, 2020
5:00 PM**



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

AGENDA

- 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. SLPD City Code Enforcement Summary
 - D. Motion to Approve Applications For Tax Abatement On Residential and Commercial Properties
- 3. Motion to Approve Donation of SLPD Radar Trailer to the City of Newell
- 4. Public Hearing On A Proposal To Amend The City Code By Updating The Referenced Electrical Code To The Most Recent Edition Is Re-scheduled For November 16th, 2020 Due To Additional Updates To The Code.
- 5. Resolution No. 23-R-2020-2021 Setting A Public Hearing On A Proposal To Amend The City Code By Updating The National Electrical Code To The 2020 Edition.
- 6. Motion Approving an Amendment to the Professional Services Agreement with Bolton & Menk for the Tulip Lane Stormwater Improvements Project
- 7. Motion to Approve Professional Engineering Services with ISG for a Full Water System Study Project.
- 8. Motion to Approve Outdoor Water Park Season Pass Special
- 9. Motion Approving an Amendment to the Professional Services Agreement with Bolton & Menk for the Oneida Street Reconstruction Project, Phase 1
- 10. Resolution No. 24-R-2020-2021 Approving Final Completion, Change Order No. 1, and Final Payment of the FEMA Lake Bank Restoration Project
- 11. Work Session – Urban Chicken Discussion II
- 12. Work Session – Amending City Code Chapter 5-10 Property Maintenance

13. **Resolution No. 25-R-2020-2021 Setting a Public Hearing to Amend City Code Chapter 5-10 Property Maintenance**
14. **City Council Requested Items**
15. **Closed Session Reference Iowa Code Chapter 21.5 (c) Matters of Litigation**
16. 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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Staff Summary

11/2/2020

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

11/2/2020

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

11/2/2020

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 October 19, 2020 City Council Minutes
- Approve Renewal Liquor License for Tequila Mexican Restaurant & Bar - pending dram shop approval
- Approve the following appointment:
 - Duane Miller to Planning & Zoning Board - 3 year term
 - David Walker to Planning & Zoning Board - 3 year term
- Acknowledge Library Board & Airport Commission Minutes
- Approve the Code Enforcement Summary (see staff summary).

FISCAL IMPACT: The City will pay the following expenditures:

- List of Bills - - \$770,423.42
- King's Pointe & Sunrise Pointe Golf Course Bills - \$207,980.71

The City will receive the following revenues:

- Liquor License Renewal - \$845.00

RECOMMENDATION: Approve Consent Agenda

ATTACHMENTS:

Description	Type
☐ List of Bills	List of Bills
☐ King's Pointe and Golf Course - List of Bills	List of Bills
☐ Minutes - October 19, 2020	Minutes
☐ Tequila Mexican Restaurant & Bar Liquor Application 2020	Application
☐ Duane Miller P&Z Board Application - 3 year term	Application
☐ Library Board September 2020 Minutes	Minutes

Storm Lake, IA

Payment Date Range: 10/22/2020 - 11/04/2020



Vendor Name	Vendor Number	Payable Description	Total Payments
BVC			
Buena Vista County Solid Waste	001035	Recycling	52.00
Control Systems Specialists, LLC	001013	Service Call	197.00
RR Electric LLC	001281	Beacon Light Repairs- Less Tax	1,708.32
		BVC Total:	1,957.32
Contract/Agreement			
Blacktop Service Company	001642	Pay #1 of Expansion Blvd Rehab Pavement	214,722.18
I & S Group, Inc	001103	Profession Services	31,894.50
Local Government Professionals Services, Inc	001346	16th Installment of 2nd Milestone- NRDG	2,500.00
Reding's Gravel & Excavating Co., Inc	001132	Pay #1 of Tulip Lane SW Improvements	162,540.64
		Contract/Agreement Total:	411,657.32
Local			
A & A Automotive	001022	Service	337.31
Arnold Motor Supply, LLP	001007	Supplies	622.47
Bomgaars Supply, Inc	001151	Supplies	1,887.41
Buena Vista County Public Health & Home Health	001511	FY2021 Flu Shots	1,525.00
Edwards Storm Lake	001114	Keys for Charger	328.00
Fastenal Company	001033	Wall Heater	136.69
Hy-Vee, Inc	001152	Supplies	83.74
Iowa Office Supply Inc	001037	Supplies	130.71
McCrea Enterprises	001176	Soccer Goal Paint	223.35
Michael P. Reinert	001079	Wire	626.80
Paxtons Jewelry	001143	Engraving	13.50
Plumbing & Heating Wholesale, Inc	001126	Pipe	24.04
Qwest Corporation	001070	Phone Service	219.07
Seiler Plumbing and Heating, Inc	001081	Pump	1,098.93
Siouxland Certified Testing Services, Inc	001190	Testing Services	1,010.00
Stickers and Posters.com	001922	Stickers	375.00
Storm Lake Hearing Aid Service, Inc	001364	Hearing Evaluation	45.00
Storm Lake Hydraulics Co, Inc	001089	Hyd Hose	25.34
Storm Lake Rotary	001433	2nd & 3rd Quarter 2020 Membership- Navrati	85.00
Vetter Equipment	001098	Bobcat	16,907.78
Visual Edge Inc	001063	Copier Maintenance	296.19
WalMart #01-1526	001153	Supplies	592.28
		Local Total:	26,593.61
Non-Local			
ABC Pest Control, Inc	001078	Pest Control Services	100.00
Amerigas	001014	Propane	631.52
Aurelia Lumber Company Inc	001827	Supplies	998.00
Bert Gurney & Associates	001769	Supplies	372.84
BlueTarp Financial, Inc	001338	Sprayer	99.98
Central Iowa Distributing, Inc	001026	Cleaning Supplies	263.20
Chem-Sult, Inc	001337	Sodium Chlorite	3,848.62
Cintas First Aid & Safety	001094	First Aid Supplies	35.50
Crysteel Truck Equipment, Inc	001343	Electric Vibrator	860.00
Dale Vitito	001061	Uniform- Lane	1,946.12
Davis Equipment Corporation	001113	Utility Vehicle	8,151.00
Des Moines Area Community College	001740	Training Registration- Beckman	625.00
Digital Ally Inc	001394	PD In-Car Computers	8,110.00
Ed M. Feld Equipment Company, Inc	001031	Repair Kit	30.00
Electric Pump Inc	001032	Sleeve Kit- UV Bulbs	5,835.79

Buy Local_v1

Vendor Name	Vendor Number	Payable Description	Total Payments
Engel Agri-Sales, Co	001366	Two Exmark Mowers	67,370.97
Fluid Technology Corporation	001952	Pump Services	2,846.78
Foundation Analytical Laboratory, Inc	001100	Testing Services	1,807.20
Hawkins, Inc	001112	Hydro	3,327.25
Highway Signing, Inc	001962	Speed Trailer	12,400.00
ICMA Membership Renewals	001399	FY2021 Membership- Navratil	1,788.50
Imagine the Possibilities, Inc	001883	Janitorial Services	800.00
International Code Council	001519	Code Books	676.00
Iowa Association of Municipal Utilities	001551	Workshop Registration (6)	150.00
Iowa Department of Public Safety	001782	3rd Quarter 2020 IOWA System Access	300.00
Iowa Law Enforcement Academy	001036	Fire Arms Shirt	64.00
Iowa Pump Works	001934	Pressure Switch	2,822.00
Iowa State Sheriffs & Deputys Association	001951	Training- Solem	25.00
John Schmit	001783	Sockets	44.50
Med-Tech Resources, Inc	001278	Gloves	292.94
Mercy Medical Services	001342	Shreck Physical	299.73
Midwest POS Solutions LLC	001965	Keyboard Cover	32.98
Mississippi Lime Company	001095	Lime	11,077.68
Morningside Plumbing	001958	Pump Repairs- Mittlestadt	817.34
Praxair Inc	001111	Carbon Dioxide	1,521.15
Qualified Presort Service, LLC	001145	Printing Services	2,552.72
Sprayer Specialties, Inc	001374	Solenoid	221.07
Steven A Beeck	001083	Window Cleaning Services	39.00
Underground Location Company	001194	Locate Services	159.70
US Peroxide, LLC	001122	Facility & Maintenance Agreement	750.00
Utility Supply of America, Inc	001336	Drying Rack & Supplies	414.06
Vessco, Inc	001458	Tank	11,929.00
WaterPro Supplies Inc	001204	Repair Clamp	184.00
Werner Sewer & Septic, LLC	001572	Urinal Repairs	149.59
		Non-Local Total:	156,770.73
Payroll/Refunds			
Raymond Arnold Eickholt	001713	FY2021 Uniform- Boots	56.69
		Payroll/Refunds Total:	56.69
		Grand Total:	597,035.67

King's Pointe Resort

Claims Publication

From 10/16/2020 to 10/28/2020

Vendor	Description	Amount
Alliant Energy	Utilities	\$69.08
BevSpot	Services	\$377.80
Bomgaars Supply Inc.	Supplies	\$15.49
Buena Vista Regional Medical Center	Services	\$276.00
Color-ize	Supplies	\$258.55
COUNSEL	Services	\$265.13
Dept of Revenue	Taxes	\$113,865.00
Doll Distribution	Beverages	\$545.50
Frigitec Inc.	Supplies	\$245.66
Garbage Hauling Service, Inc.	Utilities	\$1,047.60
Horwath Laundry Machinery Co.	Services	\$426.77
Hospitality Management Systems	Services	\$747.50
HyVee	Beverages	\$269.11
Jason Hoffman	Refund	\$220.69
Johnson Brothers	Beverages	\$93.95
Joyce's Greenhouse	Services	\$922.00
Long Lines LLC	Utilities	\$1,967.38
Mangold Environmental Testing, Inc.	Services	\$195.00
Mark Clossey	Reimbursement	\$137.71
Martin Brothers	Food	\$6,556.74
Mediacom	Utilities	\$472.90
Melanders	Supplies	\$899.99
MidAmerican Energy	Utilities	\$11,266.84
Mike's Lawn Service, Inc.	Services	\$58.25
National Utilities Refund LLC	Utilities	\$350.18
Office Elements	Supplies	\$1,058.37
Olsen Welding & Machine	Services	\$696.65
Rebnord Technologies, Inc.	Services	\$2,762.48
Sift4	Services	\$131.08
Sign Shed and Graphics LLC	Services	\$95.00
Spencer Radio Group	Supplies	\$84.00
Steve's Window Service	Services	\$214.00
Storm Lake Ace Hardware	Supplies	\$586.58
Verizon Wireless	Utilities	\$156.46
Weigand Omega Payroll 10/28/20	Payroll	\$60,645.27
		<u>\$207,980.71</u>

**REGULAR COUNCIL MEETING, CITY OF STORM LAKE, OCTOBER 19, 2020, 5:00 PM.
DUE TO COVID-19, THIS MEETING WILL BE A TELEPHONIC MEETING AND ONLY IN
PERSON FOR PARTICIPANTS REGARDING THE AGENDA ITEM ~ THE PUBLIC MAY
DIAL IN TO PARTICIPATE: 1-408-418-9388 ACCESS CODE: 146 170 5214**

Present: Mayor Michael Porsch, Council Members Jose Ibarra, Tyson Rice, Dan Smith, Kevin McKinney, and Maria Ramos. 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 (via telephone), Public Services Supervisor Scott Bonebrake, Assistant Public Services Supervisor Brandon Ripke, King's Pointe Manager Michael Chowdhury, and City Clerk Mayra Martinez.

Media Present: Tom Cullen – The Times, Dana Larson – the Pilot, Ryan Thompson - KAYL Radio.

Mayor Porsch called the meeting to order at 5:02 pm.

Pledge of Allegiance

Agenda - Moved by Council Member Smith to approve setting the Agenda as presented. Seconded by Council Member Ramos. Vote: All ayes: Motion carried.

Disclosure by City Council Members – None at this time.

Hear the Public – Mayor Porsch once again re-iterated the need to wear a mask, stay away from large groups if possible and wash your hands due to Covid-19 to help reduce the spread of the virus and to keep our community safe. He also reminded the public that when coming to City Hall we ask that people wear masks and we only allow four people inside the lobby at one time for everyone's safety. Mayor Porsch offered the following recommendations to ensure a safe and fun Halloween: Keep your family and kids in a group and do not mix with other families and kids. Maintain a 6-foot distance if waiting to approach a house. Candy should be handed out and not presented in a bowl for everyone to put their hand in and choose from. Masks and face coverings are encouraged when approaching houses to accept candy being handed out. They are also recommended for those handing out candy or when within 6 feet of those outside your family or social circle. Houses wishing to participate should turn their outdoor lights on. If anyone in your family or social circle have Covid-19, you should not participate in any Halloween activities to avoid exposing others to the virus. Department of Health has guidelines to follow also.

Mayor Porsch reminded the public to vote in the upcoming election. The public does not have to wait and vote on Election day, you can vote early by mailing in an absentee ballot or going to the Court House in person and voting before Election day.

Consent Agenda - Moved by Council Member Ibarra to approve the Consent Agenda which includes list of bills Check #'s 75853 through 75905, EFT #'s 1432 through 1478, DFT #'s 890 through 894, 896 through 907, 909, 910, 912, 915 through 926, 928, 929, 931, 934, 935, 937, 940, 941, 943, 945, and 958, King's Pointe and Sunrise Pointe disbursements, October 05, 2020 minutes, renew Liquor

License for Lake Avenue Lounge and Hy-Vee Fast & Fresh, approve the Code Enforcement Summary and adopt Resolution 17-R-2020-2021 amending Fee Resolution for Building Official and Roadway maintenance and approve the Farmer's Market Permit Amendment request . Seconded by Council Member McKinney. Roll call vote: All ayes. Motion carried.

RESOLUTION NO. 17-R-2020-2021

RESOLUTION SETTING FINES AND FEES

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA that the following schedule of fees are approved and effective as of the date of this resolution.

<u>Administration</u>	<u>Fee</u>	<u>Code Section</u>
Administrative Fee	\$30.00	
City Code Subscription (yearly)	\$50.00	
Garbage Truck Permits (per business)	\$100.00	3-1-5
Insufficient Check Fee	\$30.00	
New Friends List	\$10.00	
Peddlers Transient Merchant Permit (1 Day)	\$25.00	4-3-6
Investigation Fee	\$25.00	4-3-4
Peddlers Transient Merchant Permit (1 Week)		\$75.00 4-3-6
Investigation Fee	\$25.00	4-3-4
Transient Merchant Permit (28 days)	\$150.00	
Investigation Fee	\$25.00	
Solicitors Permit (per person)	\$2.00	4-3-6
Solicitors Permit (principal) (1 day)	\$25.00	4-3-6
Investigation Fee (per organization)	\$25.00	4-3-4
Investigation Fee (per Individual soliciting)		\$5.00
Solicitors Permit (principal) (1 week)	\$75.00	4-3-6
Investigation Fee	\$25.00	4-3-4
Investigation Fee (per Individual soliciting)		\$5.00
Solicitors Permit (principal) (28 days)	\$150.00	
Investigation fee (per organization)	\$25.00	
Investigation Fee (per Individual soliciting)		\$5.00
Taxi Permit (Business)	\$100.00	4-5-3
Taxi Permit (per vehicle)	\$10.00	4-5-3
Cancel Permit Fee	\$25.00	
Freedom of Information Requests (FOIA Request)		
Single Sided Copy 8.5x11	\$.30/page	
Duplex copy 8.5x11	\$.40/page	
Single Sided Legal	\$.35/page	
Duplex Legal copy	\$.45/page	
Single Sided Ledger (11x17)	\$.70/page	
Single Sided Ledger with Color Print	\$.90/page	
Duplex Ledger (11x17)	\$.80/page	
Duplex Ledger with Color Print	\$1.00/page	
Large Format Prints (one side only and in color)	\$8.00/page	

CD Cost (for requests that ask for the files digitally on a CD)	\$10.00	
Research Hourly Rate – per hour/per person	\$25.00	
Mailing Costs – 3 pages	\$1.00	
Mailing Costs – 50 pages	\$5.00	
Mailing Costs – 100 pages	\$10.00	
Special City Council Meeting	\$250.00	
Downtown Parking Space Rental Fees (specific lots)		
Per quarter (paid quarterly)	\$75.00	
Per six months (paid bi-annually)	\$112.50	
Annually (paid annually)	\$150.00	

Airport Hangar Rent (monthly fees)

Hangar A	\$75.00	
12 Month Lease Discount Rate	\$65.00	
Hangar B	\$75.00	
12 Month Lease Discount Rate	\$65.00	
Hangar C (VT)	\$400.00	
Hangar D	\$92.00	
12 Month Lease Discount Rate	\$80.00	
Hangar E	\$110.00	
12 Month Lease Discount Rate	\$95.00	
Hangar F	\$156.00	
12 Month Lease Discount Rate	\$135.00	
FBO Stall	\$173.00	
12 Month Lease Discount Rate	\$150.00	
Daily Inside Storage/per night	\$30.00	

Building Official

Central Business District Bench & Flower Pot Permit	\$25.00		
Driveway (Curb) Cut, Inspection & Marking Residential	\$150.00		
Driveway (Curb) Cut, Inspection & Marking Commercial	\$200.00		
Driveway Cut Inspection & Marking Only	\$30.00		
Driveway Cut < 18'	\$80.00		
Driveway Cut 24'	\$95.00		
Driveway Cut 34'	\$120.00		
ROW Temp Closure Permit	\$25.00		
Building Moving Permit (Per Bldg)	\$100.00	5-1-1	
Demolition Permit	\$50.00		
Pool Inspection	\$20.00	8-8-11	
Re-inspection Fee (after 1 per inspection)	\$35.00		
No Show Fee (per event)	\$50.00		
Rental Registration Fee – Yearly (July 1st – June 30th)			
Base Registration Fee (Structure and 1 unit)	\$15.00	5-8-9	
Additional unit in excess of 1 (per unit)	\$7.00	5-8-9	

Late Registration Fee	\$50.00	5-8-9
Property Maintenance Ordinance Appeal	\$150.00	Zoning Ord.
Variance Request	\$150.00	Zoning Ord.
Zoning Request	\$200.00	Zoning Ord.
Conditional Use	\$300.00	Zoning Ord.
Sub-Division Application Fee	\$300.00	
Sidewalk Repair Permit Fee	\$0	
New Construction Incentive		
Single Family Attached and Single Family Detached Dwelling	\$1.00	
(only valid from March 2, 2020 to Decemeber 31, 2020 with Council approval)		

Building & Sign Permit Fees

Building & Sign Permit <\$1,200	\$22.02	5-2-2
Building & Sign Permit \$1,200-2,000		5-2-2
\$22.02 + \$2.88 for each additional \$100.00 over \$1,200		
Building & Sign Permit \$2,001-25,000		5-2-2
\$45.06+ \$9.16 for each additional \$1,000.00 over \$2,000		
Building & Sign Permit \$25,001-50,000		5-2-2
\$255.74 + \$6.22 for each additional \$1,000.00 over \$25,000		
Building & Sign Permit \$50,001-100,000		5-2-2
\$411.24+ \$4.15 for each additional \$1,000.00 over \$50,000		
Building & Sign Permit \$100,001 or more		5-2-2
\$618.74+ \$3.61 for each additional \$1,000.00 over \$100,000		
Portable Sign Permit (14 days)	\$30.00	Zoning Ord.

Electrical Fees

For New Residences		5-4-9
Single Dwelling	\$38.00	
Duplex Dwelling	\$56.75	
Triplex Dwelling	\$75.50	
4-Plex Dwelling	\$113.00	
Multi Units Between 5 and 12	\$156.75	
Over 12 Units	\$156.75 plus	
	\$38.00each over 12	
For New Commercial or Industrial Buildings		
First \$5,000.00 at \$8.00 per/\$1,000.00 of cost		
Second \$5,000.00 at \$6.75 per /\$1,000.00 of cost		
Third \$5,000.00 at \$5.50 per/\$1,000.00 of cost		
Fourth \$5,000.00 at \$4.25 per/\$1,000.00 of cost		
Fifth \$5,000.00 at \$3.00 per/\$1,000.00 of cost		
All over \$25,000.00 at \$1.50 per/\$1,000.00 of cost		
For Rewiring, Repairs or Alterations on Residence, Commercial and Industrial Buildings		
\$100.00 to \$150.00 electric contract	\$6.75	
\$151.00 to \$200.00 electric contract	\$8.00	
\$201.00 to \$250.00 electric contract	\$9.25	

\$251.00 to \$300.00 electric contract \$10.50
 \$301.00 to \$350.00 electric contract \$11.75
 \$351.00 to \$400.00 electric contract \$13.00
 \$401.00 to \$450.00 electric contract \$14.25
 \$451.00 to \$500.00 electric contract \$15.50
 \$501.00 to \$1,000.00 electric contract \$23.00
 \$1,001.00 to \$2,000.00 electric contract \$28.00
 All over \$2,001.00 \$28.00 plus \$1.50 per \$100.00

Plumbing Fees

For New Residences		5-3-10
Single Dwelling	\$38.00	
Duplex Dwelling	\$56.75	
Triplex Dwelling	\$75.50	
4-Plex Dwelling	\$113.00	
Multi Units Between 5 and 12	\$156.75	
Over 12 Units	\$156.75 plus \$38.00 each over 12	
For New Commercial or Industrial Buildings		
First \$5,000.00 at \$8.00 per/\$1,000.00 of cost		
Second \$5,000.00 at \$6.75 per /\$1,000.00 of cost		
Third \$5,000.00 at \$5.50 per/\$1,000.00 of cost		
Fourth \$5,000.00 at \$4.25 per/\$1,000.00 of cost		
Fifth \$5,000.00 at \$3.00 per/\$1,000.00 of cost		
All over \$25,000.00 at \$1.75 per/\$1,000.00 of cost		

For Repairs or Alterations on Residence, Commercial and Industrial Buildings

\$100.00 to \$150.00 plumbing contract \$6.75
 \$151.00 to \$200.00 plumbing contract \$8.00
 \$201.00 to \$250.00 plumbing contract \$9.25
 \$251.00 to \$300.00 plumbing contract \$10.50
 \$301.00 to \$350.00 plumbing contract \$11.75
 \$351.00 to \$400.00 plumbing contract \$13.00
 \$401.00 to \$450.00 plumbing contract \$14.25
 \$451.00 to \$500.00 plumbing contract \$15.50
 \$501.00 to \$1,000.00 plumbing contract \$23.00
 \$1,001.00 to \$2,000.00 plumbing contract \$28.00
 All over \$2,001.00 \$28.00 plus \$1.50 per \$100.00

Campground

Class A Site	\$27.00
(Lake View, Patio, Water, Sewer, Electric, Cable TV, Fire Pit)	
Class B Site	
(Patio, Water, Sewer, Electric, Cable TV, Fire Pit)	\$26.00
Class C Site	\$26.00

(Lake View, Patio, Water, Sewer, Electric, Fire Pit)	
Class D Site	\$23.00
(Patio, Water, Sewer, Electric, Fire Pit)	
Class E Site	\$22.00
(Water, Sewer, Electric)	
Class F Site	\$18.00
(Electric)	
Glass G Site	\$12.00
(Tent)	
Long Term Stay Rate	
Limited to Long Term Stay slots which include Water, Sewer, Electric	
Minimum 30 day stay paid in advance – 10% off	
Extra Vehicle Parking (if space available)	\$5.00
Non-Campers Dump Station (per event)	\$5.00
Non-Camper Shower (per shower)	\$5.00

Fire Department

False Alarm Fee (after 1)	\$150.00	4-7-16
Liquor License Inspection Fee	\$50.00	
Fireworks Display (Mortar sizes from 1-3 inches)	\$150.00	
Fireworks Display (Mortar size larger than 3 inches)	\$250.00	
Emergency Response and/or Cleanup of Material (per hour)		
Large Fire Apparatus	\$150.00	
Fire Commander Vehicle	\$75.00	

Golf Course

Single Season Pass	\$275.00
Family Season Pass - Family: Two or more persons (one of whom is the householder) related by birth, marriage, or adoption, living together and sharing common living, sleeping, cooking, and eating facilities within and individual housing unit as defined by the Storm Lake Zoning Code.)	\$550.00
College Season Pass	\$149.00
Junior Season Pass (12 and Under)	\$50.00
Electric Cart Storage	\$275.00
Gas Cart Storage	\$225.00
Locker Rent/yr	\$20.00
Golf Club Rental	\$10.00
Trail Fee (per day)	\$10.00

Pull Cart Rental	\$3.00
Trail Fee (year)	\$150.00
Discount Tickets – per 9 holes (sold in advance with minimum quantity of 50)	\$10.00
Weekday 9 Holes	\$15.00
Weekday 18 Holes	\$20.00
Weekend 9 Holes	\$20.00
Weekend 18 Holes	\$25.00
Cart Rental 9 Holes	\$10.00
Cart Rental 18 Holes	\$20.00
Yearly Cart Rental	\$325.00
Hall Rental – Off Season Rate	\$300.00
Hall Rental – Peak Season Rate (Memorial Day to Labor Day)	\$400.00
Bar Set-Up Fee	\$100.00
Hall Rental - Friday Setup Fee (Valid only after 5:00pm Friday with following Sat. rental)	\$100.00
Hall Rental (weekday 4hrs or less)	\$100.00
Group Golf Rates	As Set by the Following Table

# Rounds Per Event	9 Holes	18 Holes
0-25	Regular Rates	Regular Rates
26-50	\$12.00 / Round	\$15.00 / Round
51-99	\$9.00 / Round	\$10.00 / Round
100+	\$8.00 / Round	\$9.00 / Round

Police

Administrative Fee	\$30.00		
Alarm Business Permit Application	\$75.00	4-7-6	
Alarm Business Permit Renewal	\$75.00	4-7-9	
False Alarm Equip Malfunction (after 3)	\$75.00	4-7-16	
False Alarm	\$75.00	4-7-16	
Building Escorts (per car)	\$75.00	5-1-3	
Cat License – Not Neutered/Spayed (per year)		\$20.00	8-4-2
Neutered/Spayed (per year)	\$10.00		
Dog License – Not Neutered/Spayed (per year)		\$20.00	8-3-2
Neutered/Spayed (per year)	\$10.00		
Fingerprinting	\$10.00		
Impound/Storage Fee (per day)	\$30.00	8-6-5	
Impound Storage Fee – felony related (per day)		\$50.00	
Parking Fine	\$15.00	9-11-4	
Police Escort Fee – per hour, per unit	\$75.00	5-1-3	
Emergency Response and/or Cleanup of Material (per hour)			
Police Vehicle (per vehicle)	\$75.00		

King's Pointe Outdoor Aquatic Center

Family Season Pass	\$275.00
(up to 5 family members can be included on Pass, Children 4	

and under need not be on pass, as they are free.)
Up to 4 additions of children 5-12 years old @\$55 each

Single Season Pass (children and adults)	\$150.00
Adult BV Resident Daily Pass (Age 12+)	\$8.00
Child BV Resident Daily Pass (Age 5-11)	\$5.00
Children (Age 5-11) Standard Pricing	\$12.00
Adults (Age 12+) Standard Pricing	\$15.00
4 and under	free
Twilight Pricing (after 3:00)	
Age 12+	\$7.50
Age 5-11	\$6.00
Age 0-4	free
Land Lovers	\$5.00
Swim Lessons	\$40.00

Roadway Maintenance

Concrete Breaking (per sq ft)	\$2.50
Concrete Sawing (per ft)	\$3.75
Street Cuts (per sq yard of concrete)	\$37.00
Street Cuts & Replacement - Half Street	\$800.00
Street Cuts & Replacement Full Street	\$1600.00

Sewer

Sewer Svc Permit & Connection Fee	\$150.00	3-2-4
Private Wastewater System Permit	\$50.00	3-2-3

Shelter House

Rental Fee - Mon. – Thurs., per side	\$55.00
Rental Fee - Fri., Sat., & Sun., per side	\$80.00
Damage Deposit – per side	\$100.00
AWAYSIS Pavilions – per time slot (3 times available)	\$25.00
Frank Starr Park Open Shelter – per time slot (2 times available)	\$50.00
Campground Open Shelter – per time slot (2 time slots available)	\$50.00
AWAYSIS Great Lawn – per day	\$200.00
Band Shell – per day	\$25.00

Water

Door Tag Fee	\$20.00	3-5-3
Meter Testing Fee (within 2%)	\$50.00	3-4-20
Shut Off – 8 AM to 3 PM	\$50.00	3-4-19 & 3-5-3
Shut Off – After 3 PM	\$75.00	3-4-19 & 3-5-3
Water Svc Permit & Connect Fee	\$150.00	3-4-5
Water Tapping Fee (per inch)	\$65.00	3-4-5
Outside City Limits Hook-up Fee	\$1,500.00	3-4-6

Combined Utility Deposit
Bulk Water Sales Access Card

\$160.00
\$10.00

PASSED AND APPROVED this 19th day October, 2020.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Sanitary Sewer Cleaning & Televising Project - Mayor Porsch opened the public hearing for the 2020 Sewer Cleaning and Televising Plans, Specifications and Form of Contract stating this was the time and place for any comments. Hearing no comments from the public, Mayor Porsch closed the Public Hearing.

Moved by Council Member Smith to adopt Resolution No. 18-R-2020-2021 approving plans, specifications and form of contract and awarding the bid for the 2020 sanitary sewer cleaning and televising project. Awarded to Empire Pipe Services in the amount of \$21,992.80. Seconded by Council Member Ibarra. Roll call vote: All ayes. Motion carried.

RESOLUTION NO. 18 R-2020-2021

RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COST, BID AND AWARD CONTRACT FOR THE 2020 SANITARY SEWER CLEANING & TELEVISIONING PROJECT

WHEREAS, the plans, specifications, form of contract, estimate of cost, and award bid were filed with the CITY for the construction of certain public improvements described in general as the 2020 Sanitary Sewer Cleaning & Televising Project, and

WHEREAS, notice of hearing on plans, specifications, form of contract and estimate of cost for said public improvements was published as required by law:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA:

Section 1. That the said plans, specifications, form of contract and estimate of cost, are hereby approved, as described in the preamble of this Resolution.

Section 2. That the following bid for the construction of certain public improvements described in general as the 2020 Sanitary Sewer Cleaning & Televising Project, is hereby accepted, the same being the lowest responsible bid received for said work, as follows:

Contractor: Empire Pipe Services
Amount of bid: \$21,992.80
Portion of bid: All

Section 3. That the Mayor and Clerk are hereby directed to execute contract with the contractor for the construction of said public improvements, said contract to be binding on the City, contingent to obtaining all the required concurrences and consents.

PASSED AND APPROVED this 19th day of October 2020.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Tulip Lane Storm Water Improvements Project - Moved by Council Member McKinney to adopt Resolution No. 19-R-2020-2021 approving change Order No. 1 of the Tulip Lane Storm Water improvements project. For an increase of \$95,251.50 to the contract Seconded by Council Member Ibarra. Roll call vote: All ayes. Motion carried.

RESOLUTION NO. 19-R-2020-2021

RESOLUTION ADOPTING CHANGE ORDER NO. 1 FOR THE TULIP LANE STORM WATER IMPROVEMENT PROJECT

WHEREAS, the plans, specifications, form of contract, estimate of cost, and award bid were filed with the CITY for the construction of certain public improvements described in general as the Tulip Lane Stormwater Improvement Project; and

WHEREAS, notice of hearing on plans, specifications, form of contract and estimate of cost for said public improvements was published as required by law; and

WHEREAS, a contract in the amount of \$292,995.50 was awarded to Reding's Gravel & Excavating Inc. for the project; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA;

Section 1. Change Order No. 1 increased the project cost in the amount of \$95,251.50 making the new contract amount \$388,247.00.

Section 2: That the Mayor and Clerk are hereby directed to execute this Change Order No. 1 with the contractor.

PASSED AND APPROVED this 19th day of October 19, 2020.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Early Elementary Water Main Extension Project - Moved by Council Member Ibarra to approve awarding a bid to Schoon Construction, LLC of Cherokee, Iowa for the Early Elementary water main extension project. Seconded by Council Member McKinney. Vote: All ayes. Motion carried.

City Code By Updating The National Electrical Code - Moved by Council Member Rice to adopt Resolution No. 20-R-2020-2021 approving setting a public hearing for November 2, 2020 at 5:00 pm in the City Hall Council Chambers for a proposal to amend the City Code by updating the National Electric Code to the 2020 Edition. Seconded by Council Member Ramos. Roll call vote: All ayes. Motion carried.

RESOLUTION NO. 20-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 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 2, 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 19th day of October, 2020.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Nutrient Reduction Project with DNR- Moved by Council Member Ibarra to approve a Memorandum of Understanding between the Iowa Department of Natural Resources and the City of Storm Lake for the WWTP Water Reclamation Facility Nutrient Reduction project. Seconded by Council Member Rice. Vote: All ayes. Motion carried.

Memorial Lift Station Improvements Project - Mayor Porsch opened the public hearing for the proposed plans and specifications, form of contract and estimate of cost for the construction of Memorial Lift Station improvements project stating this was the time and place for any comments. Hearing no comments from the public, Mayor Porsch closed the Public Hearing.

Moved by Council Member McKinney to adopt Resolution No. 21-R-2020-2021 approving the plans, specifications and form of contract and awarding the bid for the proposed plans and specifications, form of contract and estimate of cost for the construction of Memorial Lift improvements project. Seconded by Council Member Ibarra. Roll call vote: All ayes. Motion carried.

RESOLUTION NO. 21-R-2020-2021

**RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT,
ESTIMATE OF COST MEMORIAL LIFT STATION IMPROVEMENTS PROJECT**

WHEREAS, the plans, specifications, form of contract, estimate of cost were filed with the CITY for the construction of certain public improvements described in general as the Memorial Lift Station Improvements Project; and

WHEREAS, notice of hearing on plans, specifications, form of contract and estimate of cost for said public improvements was published as required by law:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA;

Section 1. That the said plans, specifications, form of contract and estimate of cost, are hereby approved, as described in the preamble of this Resolution.

PASSED AND APPROVED this 19th day of October 2020.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Condominium Entrance Road Project - Moved by Council Member Smith to adopt Resolution No. 22-R-2020-2021 approving Change Order No. 3 for the Condominium Entrance Road project. For a reduction of \$3,559.75 for a final amount of \$256,987.68 for the project. Seconded by Council Member Ibarra. Roll call vote: All ayes. Motion carried.

RESOLUTION NO. 22-R-2020-2021

RESOLUTION APPROVING CHANGE ORDER NO. THREE TO THE CONDOMINIUM ENTRANCE PROJECT

WHEREAS, the plans, specifications, form of contract, estimate of cost, and award bid were filed with the CITY for the construction of certain public improvements described in general as the Condominium Entrance Project; and

WHEREAS, notice of hearing on plans, specifications, form of contract and estimate of cost for said public improvements was published as required by law; and

WHEREAS, a contract in the amount of \$255,132.30 was awarded to Healy Excavating for the project; and

WHEREAS, Change Order No. 1 increased the project cost in the amount of \$5,415.13. FB Storm Lake II, LLC responsible for the balance of construction costs which will include Change Order No. 1 in the amount of \$5,415.13. No change to the City's responsible portion of \$100,000.00 of the total construction cost. For a total contract amount of \$260,547.43.

WHEREAS, Change Order No. 2 extends the date of concrete work to start after March 1, 2020. Extends the date of substantial completion to May 31, 2020 and the date of final payment to June 30, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA:

Section 1. To approve Change Order No. 3 to the contract with Healy, of Lake View, Iowa for the Condominium Entrance Project. Change order No. 3 decreases the cost by \$3,559.75 finalizes quantities to final out the project and to change the date of final payment from June 30, 2020 to October 19th, 2020.

FB Storm Lake II, LLC responsible for the balance of construction costs which will include Change Order No. 3 in the amount of \$3,559.75. No change to the City's responsible portion of \$100,000.00 of the total construction cost.

The total cost of the contract including Change Order No. 3 is \$256,987.68.

Section 2. That the Mayor and Clerk are hereby directed to execute this Change Order No. 3.

PASSED AND APPROVED this 19th day of October, 2020.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Ordinance Amending Chapter 3-1 Garbage Storage and Collection - Moved by Council Member Ramos to approve the 3rd Reading to adopt Ordinance No. 01-O-2020-2021 amending Chapter 3-1 of Title III of the city code of the City of Storm Lake, Iowa, titled “Garbage, Storage and Collection,” to revise requirements relating to the collection of garbage and its storage out of doors.. Seconded by Council Member Ibarra. Roll call vote: All ayes. Motion carried.

ORDINANCE NO. 01-O-2020-2021

ORDINANCE AMENDING CHAPTER 3-1 OF TITLE III OF THE CITY CODE OF THE CITY OF STORM LAKE, IOWA, TITLED “GARBAGE STORAGE AND COLLECTION,” TO REVISE REQUIREMENTS RELATING TO THE COLLECTION OF GARBAGE AND ITS STORAGE OUT OF DOORS

WHEREAS, the City Council of the City of Storm Lake, Iowa, has determined that Chapter 3-1 of Title III of the City Code of the City of Storm Lake, Iowa should be amended to revise some requirements relating to the collection of garbage and its storage out of doors;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Storm Lake, Iowa, as follows:

Section 1. Chapter 3-1 of Title III of the City Code of the City of Storm Lake, Iowa, is hereby amended as follows:

a. Section 3-1-2, captioned, “Definitions,” is deleted and, in lieu thereof, the following new Section 3-1-2, captioned, “Definitions,” is inserted:

Section 3-1-2 Definitions

For use within this Chapter the following terms are hereby defined:

(A) "CAN": A container for the storage of garbage or recyclable materials which is provided with a handle and tight-fitting cover; is watertight; is substantially made of galvanized iron, plastic or rubber or other non-rusting material, when feasible; and of a size that may be conveniently handled by the collector.

(B) "COLLECTOR": Any person, specifically including the City of Storm Lake, that picks up and removes garbage, recyclable materials, or yard waste for a fee.

(C) “COMMERCIAL CUSTOMER”: Any person owning, controlling, or occupying commercial property

(D) “COMMERCIAL PROPERTY”: Property (1) on which garbage is stored or from which garbage is collected by a collector and (2) on which commercial, business, charitable,

institutional, industrial, or other non-residential activities are conducted or on which four or more residential units are situated.

(E) "GARBAGE": All animal, fruit, vegetable and other waste material resulting from the preparation of food and drink together with other discarded items that do not fall into the category of recyclable material or yard waste.

(F) "PERSON": Any individual, firm, company, corporation, business entity, private contractor, trust, or other organized group, or any governmental unit.

(G) "RECYCLABLE MATERIAL": Materials which may be designated as recyclable by the Sanitary Disposal Project for Buena Vista County such as cardboard, clean newspapers, magazines, number one and two plastic, tin cans, clear and amber glass; subject to such additional items or deletions of items that the Sanitary Disposal Project for Buena Vista County may make from time to time.

(H) "RESIDENTIAL CUSTOMER": Any person owning, controlling, or occupying residential property.

(I) "RESIDENTIAL PROPERTY": Property on which garbage is stored or from which garbage is collected by a collector and on which three or fewer residential units are situated.

(J) "SHREDDED PAPER": Paper that has been shredded or cross-shredded by a machine designed for such purposes.

(K) "YARD WASTE": Yard waste shall have such definition as is given to it by the Iowa Department of Natural Resources, but, in any case, shall include grass clippings, leaves, garden waste and branches from trees and shrubs.

b. Section 3-1-3, captioned, "Duty to Provide Cans," is deleted and, in lieu thereof, the following new Section 3-1-3, captioned "Duty to Provide Cans or Commercial Containers," is inserted:

Section 3-1-3 Duty To Provide Cans or Commercial Containers

Except as otherwise provided in this Section 3-1-3, each residential customer and commercial customer who shall store garbage or recyclable materials out of doors on residential property or commercial property or who places garbage out of doors in a place readily accessible to the collector for collection shall provide and use cans suitable in capacity for the storage of garbage and recyclable materials accumulating in a normal collection period of seven days. The foregoing shall not be construed as requiring a can of sufficient capacity for the occasional discarded item which is too large for a can if discards of this type are not regularly recurring. All garbage or recyclable materials stored out of doors or placed out of doors for collection, except for the occasional discarded item too large for a can, shall be stored or placed in cans that have a capacity of at least thirty-two (32) gallons. The collector may limit the maximum size of the can provided the limit is not less than thirty-two (32) gallons.

All cans provided shall be kept covered and reasonably clean at all times. They shall be placed in a position readily accessible to the collector outside of buildings but not in alleys or streets; provided, however, that a commercial customer may store garbage and recyclable materials discretely on such commercial property or in an adjoining alley in cans or commercial containers such as dumpsters if such cans or containers are stored immediately adjacent to the adjoining building or, if no building on the commercial property adjoins the alley, stored as close as practical to the lot line of the commercial property adjoining the alley.

If commercial containers such as dumpsters are used by commercial customers for the storage of garbage and recyclable materials, such containers shall be suitable in capacity for the storage of garbage and recyclable materials accumulating in a normal collection period of seven days. If a commercial customer's commercial containers do not have the capacity to store garbage and recyclable materials accumulating in a normal collection period of seven days, the commercial customer shall arrange with a collector for a shorter collection period so that the storage capacity of the commercial customer's commercial containers is adequate to contain the garbage and recyclable materials. Commercial customers shall employ commercial or industrial balers for the compression of recyclable materials if needed to prevent the blowing and scattering of cardboard and other recyclables and to allow for the storage of such materials as required by this Chapter. Commercial containers used by commercial customers shall (1) be equipped with closeable lids and kept covered; (2) be properly maintained and kept in good repair to ensure fitness for use and prevent garbage or recyclable materials from falling or blowing out, (3) prominently display the name of the owner of the commercial container, and 4) be marked or labeled in such a way as to inform the collector whether the contents of the container are garbage or recyclable materials.

A person who places a can in any city-owned street right-of-way adjacent to a public street, for the purpose of garbage collection, shall not do so earlier than 7:00 a.m. on the day preceding the day scheduled for garbage collection for such person's residence and shall cause the can to be removed from such location by 7:00 a.m. on the day following the day scheduled for garbage collection for such person's residence.

c. Section 3-1-11, captioned, "Collection Equipment," is deleted and, in lieu thereof, the following new Section 3-1-11, captioned "Collection Equipment," is inserted:

Section 3-1-11 Collection Equipment

When transported by collectors, all garbage and recyclable materials as well as yard waste shall be transported in factory-made compaction equipment as recognized by the waste industry. Equipment used in such transport operations shall clearly and prominently display the collector's name and telephone number.

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 January 1, 2021, following its passage, approval, and publication as provided by law.

PASSED AND APPROVED this 19th day of October, 2020.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Work Session Amending City Code Chapter 5-10 Property Maintenance -

City Council and Staff reviews the possibility of amending the City Code Chapter 5-10 property maintenance after receiving a request from the owner of 1118 Lake Avenue to allow for alternative paving material at the back of the building and eventually into concrete. The Council advised City Staff to draft a revised ordinance for the November 2, 2020 City Council meeting to begin the process for the ordinance change with the suggested recommendations.

City Council Requested Items - None at this time.

Adjourn - Moved by Council Member Ramos to adjourn at 6:08 pm. Seconded by Council Member Ibarra. Vote: All Ayes. Motion carried.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Applicant License Application (LC0046016)

Name of Applicant: <u>Clarictza Sanchez</u>		
Name of Business (DBA): <u>Tequila Mexican Restaurant and Bar</u>		
Address of Premises: <u>613 Flindt Dr.</u>		
City <u>Storm Lake</u>	County: <u>Buena Vista</u>	Zip: <u>50588</u>
Business <u>(712) 363-7702</u>		
Mailing <u>613 Flindt Dr.</u>		
City <u>Storm Lake</u>	State <u>IA</u>	Zip: <u>50588</u>

Contact Person

Name <u>Clarictza Sanchez</u>	
Phone: <u>(254) 230-7010</u>	Email <u>clarictzasanchez08@gmail.com</u>

Classification Class C Liquor License (LC) (Commercial)

Term:12 months

Effective Date: 11/07/2019

Expiration Date: 11/06/2020

Privileges:

Class C Liquor License (LC) (Commercial)

Sunday Sales

Status of Business

BusinessType: <u>Sole Proprietorship</u>	
Corporate ID Number: <u>XXXXXXXXXX</u>	Federal Employer ID <u>XXXXXXXXXX</u>

Ownership

Clarictza Sanchez

First Name: <u>Clarictza</u>	Last Name: <u>Sanchez</u>	
City:	State: <u>Iowa</u>	Zip: <u>51301</u>
Position: <u>Owner</u>		
% of Ownership: <u>100.00%</u>	U.S. Citizen: <u>Yes</u>	

Eduardo Sanchez

First Name: <u>Eduardo</u>	Last Name: <u>Sanchez</u>	
City:	State: <u>Iowa</u>	Zip: <u>51301</u>
Position: <u>General Manager</u>		
% of Ownership: <u>0.00%</u>	U.S. Citizen: <u>No</u>	

Insurance Company Information

Insurance Company: <u>United States Liability Insurance Company</u>
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Policy Effective Date: 11/07/2019

Policy Expiration 11/07/2020

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:



**APPLICATION FOR APPOINTMENTS
TO STORM LAKE BOARDS & COMMISSIONS**

City of Storm Lake
P.O. Box 1086, 620 Erie Street
Storm Lake, IA 50588
Phone #712-732-8000
Fax #712-732-4114
www.stormlake.org

PERSONAL DATA

Miller	Duane, Jr	E
Last Name	First Name	Middle Initial
804 Meadow Lane	Storm Lake	IA
Address	City	State
N/A	N/A (Retired)	515-720-2930
Home Phone #	Business Phone #	Cell Phone #
N/A (Retired from Rosene CPA firm)	Retired CPA	
Employer	Occupation	

How long have you lived in Storm Lake? 40 years

List any volunteer/civic/community activity in which you have been involved in:

Board of Directors (BVRMC Foundation; BVU Foundation; Faith Hope & Charity; St. Mary's Church; Buena Vista

Industrial Commission - now Storm Lake United); youth sports coach for BB, BskB, soccer; RAGBRA; ALWAYSIS.

Please check the following City boards or commissions to which you would like to be appointed:

- | | | |
|---|--|--|
| ☐ Airport Commission | ☐ 911 Board | ☐ ADA Committee |
| ☐ Airport Board of Adjustment | ☐ Board of Appeals | Mayor's Committee on |
| ☐ Band Trustees | ☐ Library Board (6 yrs) | ☒ Parks, Trails, and Urban |
| ☐ Board of Adjustment (5 yrs) | ☐ Landfill Commission | Forest |
| ☐ Cemetery Board | ☒ Planning & Zoning Commission | |
| ☐ Civil Service Commission (4 yrs) | ☐ Storm Water Advisory | |

All of the above boards & commissions have a 3-year term unless otherwise stated.

Why do you want to serve on this board or commission?

I have an interest in the parks and trails, and there appear to be vacancies. I may also be interested in other

boards/commissions depending on the need and the fit for me. I am recently retired and have more time available

now.

Please complete back side of this form.

In accordance with Iowa Code Chapter 362 the City must determine what relationships or transactions you may have or potentially have with the City of Storm Lake prior to your appointment to a Board or Commission. In order to do this we must ask you to answer the following questions.

Do you or any immediate family member own or are part owners of a business doing business with the City of Storm Lake?

☐ Yes ☒ No

If so, name of the business and the percentage you or immediate family member own?

Are you employed by any business doing business with the City of Storm Lake? ☐ Yes ☒ No

If Yes:

What is the name of the Business:

Is your salary/bonus determined by financial performance of the company or do you receive a commission?

☐ Yes ☒ No

I certify that the above answers are correct and true.

Duane Miller

Signature

August 15, 2020

Date

"Appointments to City Boards and Commissions are made by the Storm Lake Mayor and confirmed by the City Council."

Please return the completed form to:

City Clerk
City of Storm Lake
P.O. Box 1086
Storm Lake, IA 50588

If you should have any questions, feel free to contact City Administration at 732-8000.



Library Board Meeting, City of Storm Lake, September 14, 2020, 4:00 p.m. by telephonic conference, 1-408-219-9388

Present: Board President Mary Kay Hudspeth, Jim Eliason, Sarah Freking, John Hughes, and Barb Wells. Also present, Elizabeth Huff, Library Director.

Board President Hudspeth called the meeting to order at 4:01 p.m.

Disclosure by Library Board Members – none.

Minutes – Moved by Board Member Eliason to approve August Minutes. Seconded by Board Member Wells. Vote by roll call, all ayes. Motion carried.

Director's Report – An employee may have been exposed to COVID and another employee will retire on October 7, 2020. Board Member Eliason asked about the Annual Survey and he was satisfied that it is a State Library report which is mandated by Iowa Code. Memorial donations in honor of a former patron came to a total of \$800. The library will continue to provide virtual programs and beginning October, patrons make check out a Chromebook to participate. The new magazine service is a company in Florida. Book orders have been submitted to Baker and Taylor since Brodart has pandemic problems. A self-checkout system will be set-up with our current Apollo software. Spanish language DVDs were bought from the Guadalajara book jobber. The Director will be attending the virtual Barcelona book fair to assess new materials. The Middle School will continue to partner with the library for Student Accounts. The Public Copier will be available before the end of the month. The Board Members may register for the October virtual state library conference if interested.

Bills – Moved by Board Member Freking to approve September Bills. Seconded by Board Member Wells. Vote by roll call, all ayes. Motion carried.

Board Member Hughes Study Session on Front Parking – Board President Hudspeth and Board Members acknowledged Board Member Hughes' concern for library patron only parking slots. Board President will report back after consulting the City Manager and the County.

Adjourn – Moved by Board Member Hughes to adjourn meeting at 4:31 p.m. Seconded by Board Member Eliason. Vote by roll call, all ayes. Motion carried.

Elizabeth Huff, Library Director. Please note the above is an unapproved draft of minutes and will be approved by the Board of Trustees on October 12, 2020.

Storm Lake Airport Commission
Due to Covid-19, This Meeting Will
Be A Telephonic Meeting Only ~ Dial
In To Participate: 1-408-418-9388
Access Code: 24583600
Monday, September 14, 2020 4:00 PM

Present: Commission Members Bob Ansorge, Dan Richardson and Doug White. Absent: Commissioner Sarah Huddleston. Others Present: Jim Bartholomew, Tyler Gibbins and Greg Broussard with Bolton & Menk.

Chairman Bob Ansorge called the meeting to order at 4:08 pm.

Hear the Public – No comments.

Minutes – Moved by Commissioner Richardson to approve the August 10, 2020 Airport Commission Minutes. Seconded by Commissioner White. Vote: All ayes with Commissioner Huddleston absent. Motion carried.

Financial Report – Moved by Commissioner Richardson to approve the financial reports for August 2020. Seconded by Commissioner White. Vote: All ayes with Commissioner Huddleston absent. Motion carried.

Fuel Report – Moved by Commissioner White to approve the August 2020 Fuel Report. Seconded by Commissioner Richardson. Vote: All ayes with Commissioner Huddleston absent. Motion carried.

Airport Manager's Monthly Report – C&B Equipment used the airport the week of August 17, 2020 to train their employees on their sprayer tractors. V.T. Industries called on August 24, 2020 at 6:00 am to report a power outage in the terminal and fuel pumps. A call was made to Mid American and they found an outside circuit breaker that had been tripped. The air conditioner quit working and a call was made to Control System Specialists. They found a capacitor had exploded in the unit causing a circuit breaker to pop and also discovered that the compressor had blown out. This has been reported to City Hall staff.

Courtesy Car Usage: 4 67 Miles
Fuel Meter Reading: Jet A – 501,308
AV Gas – 120642.9

Administration Report – The FAA provided a copy of the proposed Airport Capital Plan with the entitlement summary for review prior to the completion of the next ACIP. The Commissioners were provided a draft of last year's ACIP to review the projects listed and to consider any changes for next year's ACIP. A draft will be prepared for the October meeting with changes or additions from the commission and final approval of the ACIP will be conducted at the November meeting.

Adjourn – Moved by Commissioner Richardson to adjourn the meeting at 4:31 pm. Seconded by Commissioner White. Vote: All ayes with Commissioner Huddleston absent. Motion carried

Mayra Martinez, City Clerk

Staff Summary

11/2/2020

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	\$ 1,957.32
Contract/Agreement	\$ 411,657.32
Local	\$ 26,593.61
Non- Local	\$ 156,770.73
Payroll/Refunds/Pyrl Tax & Ins	\$ 173,444.44
Total Expenses	\$ 770,423.42
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	34,139.79	574,071.26	6,605.35	580,676.61	615,012.39
01112-0020	10th & Ontario StormWater Improvem...	1,753,754.21	0.00	1,751,662.45	0.00	1,751,662.45	2,091.76
01112-0021	4th & Oats StormWater Improvements	837,480.15	0.00	138,885.32	5,629.90	144,515.22	692,964.93
16-19284	4th & Bartion Storm Water Improvemen...	717,582.60	14,428.84	77,913.37	0.00	77,913.37	639,669.23
18-CF-004	United Community Health Service Center	600,000.00	30,000.00	419,251.60	0.00	419,251.60	180,748.40
19-22797	Memorial Lift Station Improvements	404,755.00	20,237.75	234,455.00	10,000.00	244,455.00	160,300.00
35665	1st & Mae Street	796,373.28	-1,744.13	761,987.66	0.00	761,987.66	34,385.62
8406	7th & Geneseo St Sanitary Sewer Impro...	410,306.35	0.00	408,234.48	0.00	408,234.48	2,071.87
A21.117315	Casino Lift Station Ordor Control Impro...	258,654.58	0.00	258,748.64	0.00	258,748.64	-94.06
New	2020 W 7th Street Sanitary Sewer Impr...	7,500.00	7,500.00	0.00	0.00	0.00	7,500.00
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	1,852,522.38	0.00	1,852,522.38	23,069.62
P11.115917	Memorial Park Water Quality	48,076.03	1,657.80	48,388.53	0.00	48,388.53	-312.50
P11.117908	Michigan Street Parking Lot Reconstruct...	409,297.00	25,581.07	432,497.90	150.00	432,647.90	-23,350.90
P11.118940	Oneida Street Reconstruction from RR t...	388,300.00	13,867.86	193,858.59	0.00	193,858.59	194,441.41
P11.119679	FEMA Lake Bank Restoration	124,296.50	8,286.43	27,848.00	8,442.00	36,290.00	88,006.50
P11.120411	Highway 7/110 Traffic Lane/Signalization	1,258,050.00	44,222.68	29,178.00	11,144.00	40,322.00	1,217,728.00
P11.120478	Tulip Lane SW Improvements	52,402.50	988.73	7,442.82	5,805.00	13,247.82	39,154.68
P11.120650	2020 Expansion Blvd Improvements	100,400.00	4,016.00	10,089.00	16,815.00	26,904.00	73,496.00
T51.119823	Runway 13/31 & Taxiway Lighting	97,900.00	6,992.86	47,058.00	3,542.00	50,600.00	47,300.00
Report Total:		11,885,558.50	210,175.68	7,814,315.55	68,133.25	7,882,448.80	4,003,109.70

Group Summary

Group	Total Budget	Date Range Budget	Beginning Balance	Total Activity	Ending Balance	Budget Remaining
Airport Projects	97,900.00	6,992.86	47,058.00	3,542.00	50,600.00	47,300.00
Economic Development	724,296.50	38,286.43	447,099.60	8,442.00	455,541.60	268,754.90
National Resiliency Disaster Grant Proje...	7,694,756.12	56,971.03	5,621,108.27	18,040.25	5,639,148.52	2,055,607.60
Sanitary Sewer Projects	663,409.58	20,237.75	493,203.64	10,000.00	503,203.64	160,205.94
Street Construction	2,705,196.30	87,687.61	1,205,846.04	28,109.00	1,233,955.04	1,471,241.26
Report Total:	11,885,558.50	210,175.68	7,814,315.55	68,133.25	7,882,448.80	4,003,109.70

Type Summary

Group	Total Budget	Date Range Budget	Beginning Balance	Total Activity	Ending Balance	Budget Remaining
Construction	3,474,005.88	122,418.22	1,746,107.68	41,651.00	1,787,758.68	1,686,247.20
Federal/State Grant	7,811,552.62	57,757.46	5,648,956.27	26,482.25	5,675,438.52	2,136,114.10
Grant	600,000.00	30,000.00	419,251.60	0.00	419,251.60	180,748.40
Report Total:	11,885,558.50	210,175.68	7,814,315.55	68,133.25	7,882,448.80	4,003,109.70

Staff Summary

11/2/2020

Agenda Item # C.



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: 10/13/2020 TO 10/27/2020

Total: 57

Accumulate Junk – 33
Accumulate Trash – 7
Junk Vehicles – 9
Used Tires – 2
Parking Restricted to hard surfaces – 2
Tall Grass and Weeds – 3
Sidewalk not cleared – 1

2 Citations

FISCAL IMPACT: None

RECOMMENDATION: None

Staff Summary

11/2/2020

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: 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 and one residential abatement requests included in this Consent Agenda item requesting tax abatements. They are located at the following addresses: 211 E. Milwaukee Ave (Business Remodel) and 1208 Kelvin Road (New Home),

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 applications for tax abatement under the urban revitalization plan for the properties located at 211 E. Milwaukee Avenue and 1208 Kelvin Road.

ATTACHMENTS:

Description		Type
☐	211 E Milwaukee Tax Abatement Application & Permit	Application
☐	1208 Kelvin Road Tax Abatement Application & Permit	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:

211 E. Milwaukee Ave Storm Lake, IA 50588

Legal
Description:

~~That part of~~ - See attached title opinion - Don't put in this space

Property ID Number (PIN):

Owner E-mail:

tvantol@wirelessworld.com

Property Owner Name:

Husker World Properties

Phone Number:

605-357-8177

Owner Address (If different than above):

745 10th Street Suite B Rock Valley, IA 51247

☐ 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:

Gutted interior & created a retail selling place for Wireless World / Verizon
Painted Exterior & replaced portions

Estimated or Actual Date of Completion:

10/1/19

Estimated or Actual costs of Improvements:

\$167,041.86

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



Building Improvements Permit

Permit #: BP19-0224

Date: 10/1/2019

211 E MILWAUKEE

Address of Property

TACO JOHN'S

211 EAST MILWAUKEE

STORM LAKE, IA 50588-1856

Name & Address of Property Owner

Zoning District

Contractor Name

COMM REMODEL

Permit Type

Permission To:

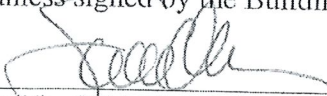
Remodel of exisiting commercial building from restaurant to retail store. Efficient Construction is the General Contractor.

Total Cost of Project: \$150000

Cost of Permit: \$799.24

☐ 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.

KLEIN AND KLEIN

ATTORNEYS AT LAW
1433 MAIN STREET
ROCK VALLEY, IA 51247

Donald F. Klein
(1914 - 2002)

Don R. Klein

Telephone/Fax 712-476-2527
E-Mail: kleinlaw@mtcnet.net

OPINION OF TITLE

June 13, 2019

Husker World Properties, LLC
Attention: Todd Van Tol
PO Box 68
Rock Valley, IA 51247

Peoples Bank
Attention: Elsie Grevengoed
1230 Valley Drive, PO Box 158
Rock Valley, IA 51247

Dear Friends:

Re: A PART OF THE FORMER STATION GROUNDS OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY IN PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4 SE1/4) OF SECTION 34, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, WITHIN THE CORPORATE LIMITS OF THE CITY OF STORM LAKE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at an iron pin found to monument the intersection of the West line of North Erie Street and the North line of East Milwaukee Avenue; thence on a previously recorded bearing of North 90°00'00" East, along the North line of said East Milwaukee Avenue, 353.79 feet to the Point of Beginning. Thence North 00°07'15" West, 198.32 feet to the South line of Windsor Addition; Thence North 89°42'59" East, along said South line, 130.00 feet; Thence South 00°07'15" East, 198.96 feet to the North line of said East Milwaukee Avenue; Thence South 90°00'00" West, along said North line, 130.00 feet to the Point of Beginning. Tract contains 0.59 Acres and is subject to all easements of record.

ALSO DESCRIBED AS

That part of the former station grounds of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company in the SW1/4 SE1/4 of Section 34, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, within the corporate limits of the City Of Storm Lake, designated Parcel No. 3 as shown by Plat of Survey recorded on May 13, 1997 as Document No. 971187.

Tax Abatement Application Form - Submission #116

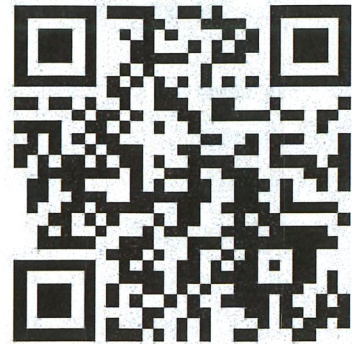
Date Submitted: 9/4/2020

**TAX ABATEMENT
APPLICATION FORM**

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



Need more information?
Scan this QR Code!



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.

For more information visit:

www.stormlake.org/taxabatement

- ☐ Prior Approval for intended improvements
- ☐ Approval of improvements completed

Property Address: *

1208 Kelvin road

Street, City, State, Zip Code

**Property ID Number
(PIN):**

Legal Description:

Property Owner Name:*

Timothy James Larson

Owner Email:

svhaze56@gmail.com

Phone Number:*

6058814975

Owner Address (if different than above):

Street, City, State, Zip Code

Will this property be a rental?*

- ☐ Yes
☒ No

Is 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?*

- ☐ Yes
☒ No

What is the existing use of the property? *

(Choose One)

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

What is the PROPOSED use of the property? *

(Choose one)

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

What is the nature of the improvements being completed?*

- ☒ New Construction ☐ Addition ☐ General Improvements

Describe Improvements:*

New construction Home

Estimated or actual date of completion:*

11/14/2018

2:00 PM

Estimated cost of improvements:*

250,000

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*

Tim Larson

Date*

9/4/2020

Title

Owner

Company

City of Storm Lake Building Official ~ 620 Erie Street ~ Storm Lake, IA 50588 ~
712-732-8002

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 #:

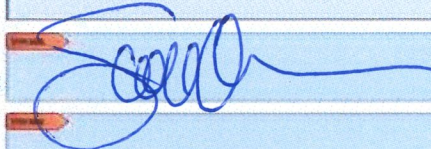
☐ For Rental Properties - Verified that property is on rental inspection registration list

☒ Check Box if application is approved

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

Disapproval Reason:

Authorized by Building Official:



Date: 10-22-2020

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 #: BP17-0275

Date: 12/19/2017

1208 KELVIN ROAD

Address of Property

Dale Schumann

5735 230th Street

Albert City, IA 50510

Name & Address of Property Owner

Zoning District

FAMDWELLING

Contractor Name

Permit Type

Permission To:

New 48'-6" x 57' single family dwelling, no basement. General Contractor is Healthy Efficient Homes.

Electrical is Alan Chicoine, Plumbing is Greene Plumbing. No charge applied for driveway on permit, TBD if it will be cut or ground. Cost of meter is included.

Total Cost of Project: \$134620

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.

Staff Summary

11/2/2020

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: Chris Cole, Police Chief

SUBJECT: **Motion to Approve Donation of SLPD Radar Trailer to the City of Newell**

BACKGROUND: The City recently replaced it's 17 year old radar trailer. The City of Storm Lake respectfully requests City Council to donate the radar trailer to the City of Newell. The estimated value of the trailer is \$500.

FISCAL IMPACT: None

RECOMMENDATION: Approve donation request.

Staff Summary

11/2/2020

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: 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 Is Re-scheduled For November 16th, 2020 Due To Additional Updates To The Code.**

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.

Staff Summary

11/2/2020

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: Scott Olesen, Building Official

SUBJECT: **Resolution No. 23-R-2020-2021 Setting A Public Hearing On A Proposal To Amend The City Code By Updating The National Electrical Code To The 2020 Edition.**

BACKGROUND: The City Code adopts by reference the National Electrical Code.

This code is produced by the National Fire Protection Association. This organization updates their 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 version.

Updating to the current code editions will bring the City into line with the electrical code adopted by the State of Iowa. 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.

Council must hold a Public Hearing on the proposed amendments to the current City Code. The Hearing will be held at the regular Council meeting at 5:00 PM Monday, November 16th, 2020 at City Hall.

FISCAL IMPACT: Legal fees and publication are estimated to be \$500.00

RECOMMENDATION: Approve Resolution No. 23-R-2020-2021 to Set the Public Hearing for Monday, November 16th, 2020 at 5:00 PM

ATTACHMENTS:

Description

Type

- Resolution No. 23-R-2020-2021
- Ordinance NO. 02-O-2020-2021

Resolution
Ordinance

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

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 AELECTRICAL 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

11/2/2020

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: Scott Olesen, Building Official

SUBJECT: **Motion Approving an Amendment to the Professional Services Agreement with Bolton & Menk for the Tulip Lane Stormwater Improvements Project**

BACKGROUND: The Tulip Lane neighborhood has been subjected to numerous flooding impacts in recent years. In March 2019, rainfall and rapid snowmelt resulted in considerable ponding west of Expansion Boulevard. The proposed improvements include installation of new storm sewer intakes and 15" to 24" mains, water quality infrastructure, and related improvements.

The project is one of nine NRDC-HUD funded projects with federal funding entailing 75% and local match 25%.

Based on favorable pricing provided by the contractor and combined with the 75% grant component, additional pavement reconstruction and installation of drainage infrastructure was authorized as part of Change Order No. 1 at the October 19, 2020 meeting. This Change Order changed the scope of the project from storm sewer installation with select roadway patching to full street reconstruction of Tulip Lane from Expansion Boulevard to the west.

This amendment to the professional services agreement will provide engineering services associated with the design of the street reconstruction. The amendment also provides construction engineering services for the lengthened construction timeframe of an estimated 7 weeks. Additionally, the terms of the non-design engineering components have been changed from an hourly estimated to hourly not-to-exceed to be in harmony with the grant requirements (the design engineering terms are acceptable).

FISCAL IMPACT: Estimated \$72,400; \$30,500 fixed fee for supplemental design

engineering services, \$41,300 hourly not-to-exceed fee for supplemental construction engineering services, and \$600 hourly not-to-exceed fee for supplemental CDBG administration assistance services. The project is federally funded 75% with 25% local match.

RECOMMENDATION: Approve the amendment to the agreement with Bolton & Menk for engineering services for the Tulip Lane Stormwater Improvements project

ATTACHMENTS:

Description		Type
	Contract Amendment	Contract

**CITY OF STORM LAKE, IOWA AND BOLTON & MENK, INC.
AMENDMENT TO TASK ORDER FOR PROFESSIONAL SERVICES**

TASK ORDER NO: 5 – 2020 Tulip Lane Stormwater Improvements

AMENDMENT NO: 1 – Supplemental Design and Construction Engineering Services

CLIENT: City of Storm Lake, Iowa

CONSULTANT: Bolton & Menk, Inc.

DATE OF THIS AMENDMENT: November 2, 2020

DATE OF TASK ORDER: January 6, 2020

DATE OF MASTER AGREEMENT FOR PROFESSIONAL SERVICES: November 5, 2018

Whereas, CLIENT and CONSULTANT entered into a Master Agreement for Professional Services (“Master Agreement”) and a Task Order Agreement for Professional Services (“Task Order”) as dated above; and CONSULTANT agrees to perform and complete the following Services for CLIENT in accordance with this Amendment and the terms and conditions of the Master Agreement and Task Order. CLIENT and CONSULTANT agree as follows:

1.0 Scope of Services:

CONSULTANT shall perform the Services listed below. All terms and conditions of the Master Agreement are incorporated by reference in this Task Order, except as explicitly modified in writing herein.

- Supplemental Design Engineering Services associated with the scope modification from storm sewer installation with select roadway patching to full street reconstruction of Tulip Lane from Expansion Boulevard to the western terminus, including
 - Roadway grading
 - Roadway vertical and horizontal alignments
 - Storm sewer and drainage infrastructure
 - Hydrologic and hydraulic analysis
 - Removal plan
 - Erosion control plan
 - Cross Sections
- Supplemental Construction Engineering Services associated with the scope modification from storm sewer installation with select roadway patching to full street reconstruction of Tulip Lane from Expansion Boulevard to the western terminus, including
 - Construction Contract Administration of Change Order No. 1
 - Construction Staking of storm sewer & drainage infrastructure, roadway grading, and roadway horizontal & vertical alignments
 - Full time Construction Observation and lengthened construction timeframe of 7 weeks (9 weeks total)
- Supplemental CDBG Administration Services associated with the scope modification to full street reconstruction of Tulip Lane from Expansion Boulevard to the western terminus

2.0 Fees:

CLIENT shall pay CONSULTANT in accordance with Section III of the Master Agreement and as follows.

TASK	DESCRIPTION	Amendment No. 1	Total Cost
1	Field Data Collection, Design Engineering, and Bidding Services	\$30,500	\$48,350
2	Construction Engineering Services	\$41,300	\$66,630
3	CDBG Administration Assistance	\$600	\$5,120
4	Construction Materials Testing	\$0	\$1,265
TOTALS		\$72,400	\$121,365

Task 1 compensation structure is unchanged from the Task Order. This amendment represents an additional 240 hours of design engineering services.

Task 2 compensation structure is amended to an hourly not-to-exceed basis. This amendment represents an additional 330 hours of construction observation and 30 hours of combined construction administration and construction staking.

Task 3 compensation structure is amended to an hourly not-to-exceed basis. This amendment represents an additional 4 hours associated with CDBG grant administration.

Task 4 compensation structure is amended to an hourly not-to-exceed basis.

3.0 Schedule:

Schedule for performance of Services is unchanged from the Task Order.

4.0 Deliverables

Amended deliverables include revised final plans and specifications associated with the scope modification.

5.0 Term

The term is unchanged from the Task Order.

6.0 Other Matters

CONSULTANT will perform its services in compliance with Exhibit II of the Task Order.

7.0 Project Managers

Project managers and contact information are unchanged from the Task Order.

CITY OF STORM LAKE, IOWA

BOLTON & MENK, INC.

By: _____

By: Wesley W. Brown

Printed Name: Michael Porsch

Printed Name: Wesley W. Brown, P.E.

Title: Mayor

Title: Principal-in-Charge

ATTACHMENTS TO THIS TASK ORDER:

None

Staff Summary

11/2/2020

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: Scott Olesen, Building Official

SUBJECT: **Motion to Approve Professional Engineering Services with ISG for a Full Water System Study Project.**

BACKGROUND: This project will provide an Engineering services agreement for full review of the entire City water system. This is an in depth study that is broken up into four main parts that provide analysis on the water distribution, water storage, water supply, and water treatment portions of the system.

All portions of the system must be analyzed since they are intertwined and any proposed changes must be reviewed in the context of the effect it will have on the other parts of the system.

Subsequent to the completion of the study, a list of priorities will be developed for changes or updates to the system and will be put into the CIP.

I have attached a copy of the proposed agreement for the Councils review.

FISCAL IMPACT: The total cost of engineering services is \$223,850. That amount is broken up into four parts as outlined below.

- Review & finalize the water system model with the Distribution preliminary engineering report.- \$67,800
- Prepare water storage preliminary engineering report- \$19,300
- Prepare water storage preliminary engineering report- \$27,500
- Prepare water treatment preliminary engineering report- \$109,250

RECOMMENDATION: Approve agreement with ISG for Storm Lake water system study.

ATTACHMENTS:

Description		Type
	Agreement With ISG For Water System Improvements	Contract

SHORT FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES

THIS IS AN AGREEMENT effective as of **October 19, 2020** ("Effective Date") between the City of Storm Lake ("Owner") and I&S Group, Inc. ("Engineer").

Owner's Project, of which Engineer's services under this Agreement are a part, is generally identified as follows: **Water System Improvements** ("Project").

Engineer's services under this Agreement are generally identified as follows:

- A. Review, Calibrate, & Finalize entirety of water system model in Infowater and prepare Preliminary Engineering Report (PER) for review of water distribution system**
 - Review existing water model and water demand projections
 - Confirm accuracy of existing model
 - Import & review in updated software
 - Review existing information
 - Analyze historical water use and projections
 - Calibrate model
 - Hydrant test the water system
 - Add missing, modified, and/or removed water mains
 - Adjust pipe roughness, connectivity, and facility operational characteristics
 - Finalize model to represent current system
 - Substantiate model to accurately represent current system
 - Utilize model for any future improvements to support water storage and distribution improvement designs
 - Model planned CIP distribution improvements for system accuracy and value
 - Evaluate existing West Lakes Estates Tower to optimize operation
 - Prepare PER with recommended improvements to distribution system
 - Summarize modeling procedures and analysis
 - Provide cost opinions for current planned CIP distribution improvements
 - Present to Council for approval by March 1, 2021 (delivery will be dependent on weather & availability of water for hydrant testing)
 - Submit to Iowa DNR for review and approval
- B. Prepare Preliminary Engineering Report (PER) for review of elevated water storage needs**
 - Review existing elevated storage tanks for capacity, deficiencies, safety, and improvement needs
 - Provide cost estimates for improvements to existing elevated storage
 - Complete cost/benefit analysis of improvements vs. replacement of existing elevated storage
 - Analyze entire water system for present and projected future storage demands
 - Work with City to estimate future demands based on economic development projections
 - Prepare PER with recommendations for existing and proposed elevated storage needs

- Provide cost estimates and improvement options to bring elevated water storage into full compliance with regulatory agencies and water storage needs
 - Analyze improvement options in water system model for location and sizing accuracy
 - Provide final recommendation from improvement options with grant and funding analysis
 - Present to Council for approval by April 15, 2021 (delivery will be dependent on water model completion)
 - Submit to Iowa DNR for review and approval
- C. Prepare Preliminary Engineering Report (PER) for review of water supply source needs
- Review existing water supply for deficiencies and improvement needs
 - Provide cost estimates for improvements to existing wells
 - Complete cost/benefit analysis of improvements vs. replacement
 - Evaluate previous well maintenance records and provide an O&M schedule for future maintenance
 - Analyze water system for present and projected future supply quality and quantity demands
 - Work with City to estimate future demands based on economic development projections
 - Prepare PER with recommendations for existing and proposed water supply needs
 - Evaluate aquifer availability and provide recommendations for options
 - Provide cost estimates and improvement options to bring water supply into full compliance with regulatory agencies and water demand needs
 - Analyze improvement options in water system model for accuracy
 - Provide final recommendation from improvement options with grant and funding analysis
 - Present to Council for approval by April 15, 2021 (delivery will be dependent on water model completion)
 - Submit to Iowa DNR for review and approval
- D. Prepare Preliminary Engineering Report (PER) for water treatment needs
- Review existing water treatment plant for deficiencies and improvement needs
 - Provide cost estimates for proposed improvements
 - Analyze entire water treatment plant for present and projected future quality and quantity demands
 - Review infrastructure, chemical feed system, and electrical services/controls
 - Work with City to estimate future demands based on economic development projections
 - Work with Operators to optimize treatment and daily operations
 - Prepare PER with recommendations for existing and proposed water treatment needs
 - Provide cost estimates and improvement options to bring water treatment into full compliance with regulatory agencies and water demand needs
 - Analyze improvement options in water system model for accuracy
 - Provide final recommendation from improvement options with grant and funding analysis
 - Present to Council for approval by July 15, 2021
 - Submit to Iowa DNR for review and approval

Owner and Engineer further agree as follows:

1.01 Basic Agreement and Period of Service

- A. Engineer shall provide or furnish the Services set forth in this Agreement. If authorized by Owner, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above ("Additional Services").
- B. Engineer shall complete its Services within a reasonable period of time **as noted above**;
- C. If, through no fault of Engineer, such periods of time or dates are changed, or the orderly and continuous progress of Engineer's Services is impaired, or Engineer's Services are delayed or suspended, then the time for completion of Engineer's Services, and the rates and amounts of Engineer's compensation, shall be adjusted equitably.

2.01 Payment Procedures

- A. *Invoices:* Engineer shall prepare invoices in accordance with its standard invoicing practices and submit the invoices to Owner on a monthly basis. Invoices are due and payable within 30 days of receipt. If Owner fails to make any payment due Engineer for Services, Additional Services, and expenses within 30 days after receipt of Engineer's invoice, then (1) the amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day, and (2) in addition Engineer may, after giving seven days written notice to Owner, suspend Services under this Agreement until Engineer has been paid in full all amounts due for Services, Additional Services, expenses, and other related charges. Owner waives any and all claims against Engineer for any such suspension.
- B. *Payment:* As compensation for Engineer providing or furnishing Services and Additional Services, Owner shall pay Engineer as set forth in Paragraphs 2.01, and 2.02 (Services). If Owner disputes an invoice, either as to amount or entitlement, then Owner shall promptly advise Engineer in writing of the specific basis for doing so, may withhold only that portion so disputed, and must pay the undisputed portion.

2.02 Basis of Payment—Lump Sum and Hourly Rates

- A. Owner shall pay Engineer for Services as follows:

- 1. A Lump Sum amount of **\$223,850**.

- a. The Lump Sum Phases as included in the Proposal are subdivided as follows:

Review, Calibrate, & Finalize water system model with Distribution PER	<u>\$67,800</u>
Prepare Water Storage PER	<u>\$19,300</u>
Prepare Water Supply PER	<u>\$27,500</u>
Prepare Water Treatment PER	<u>\$109,250</u>

2.03 *Additional Services:* For Additional Services, Owner shall pay Engineer an amount equal to the cumulative hours charged in providing the Additional Services by each class of Engineer's employees, times standard hourly rates for each applicable billing class; plus reimbursement of expenses incurred in connection with providing the Additional Services and Engineer's consultants' charges, if any.

3.01 *Termination*

A. The obligation to continue performance under this Agreement may be terminated:

1. For cause,

a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party. Failure to pay Engineer for its services is a substantial failure to perform and a basis for termination.

b. By Engineer:

1) upon seven days written notice if Owner demands that Engineer furnish or perform services contrary to Engineer's responsibilities as a licensed professional; or

2) upon seven days written notice if the Engineer's Services are delayed for more than 90 days for reasons beyond Engineer's control, or as the result of the presence at the Site of undisclosed Constituents of Concern, as set forth in Paragraph 5.01.I.

c. Engineer shall have no liability to Owner on account of a termination for cause by Engineer.

d. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under Paragraph 3.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its substantial failure to perform and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.

2. For convenience, by Owner effective upon Engineer's receipt of written notice from Owner.

B. In the event of any termination under Paragraph 3.01, Engineer will be entitled to invoice Owner and to receive full payment for all Services and Additional Services performed or furnished in accordance with this Agreement, plus reimbursement of expenses incurred through the effective date of termination in connection with providing the Services and Additional Services, and Engineer's consultants' charges, if any.

4.01 *Successors, Assigns, and Beneficiaries*

- A. Owner and Engineer are hereby bound and the successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by Paragraph 4.01.B the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.
- B. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, money that is due or may become due) in this Agreement without the written consent of the other party, except to the extent that any assignment, subletting, or transfer is mandated by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.
- C. Unless expressly provided otherwise, nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Owner or Engineer to any Constructor, other third-party individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and Engineer and not for the benefit of any other party.

5.01 *General Considerations*

- A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with any services performed or furnished by Engineer. Subject to the foregoing standard of care, Engineer and its consultants may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.
- B. Engineer shall not at any time supervise, direct, control, or have authority over any Constructor's work, nor shall Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, or the safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a Constructor to comply with laws and regulations applicable to such Constructor's furnishing and performing of its work. Engineer shall not be responsible for the acts or omissions of any Constructor.
- C. Engineer neither guarantees the performance of any Constructor nor assumes responsibility for any Constructor's failure to furnish and perform its work.
- D. **Owner agrees that Engineer shall not be responsible for damages arising directly from any delays for causes beyond Engineer's control. For purposes of this Agreement, such causes include, but are not limited to, strikes or other labor disputes, severe weather disruptions or other natural disasters; fires, riots, war, epidemics, other emergencies or acts of God (*Force Majeure*); failure of any government agency to act in a timely manner; failure of performance by**

the Owner or the Owner's contractors or consultants; or discovery of any hazardous substances or differing site conditions. In addition, if delays resulting from any such causes increase the cost or time required by Engineer to perform its services in an orderly and efficient manner, Engineer shall be entitled to an equitable adjustment in schedule and/or compensation.

- E. Engineer's opinions (if any) of probable construction cost are to be made on the basis of Engineer's experience, qualifications, and general familiarity with the construction industry. However, because Engineer has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Engineer cannot and does not guarantee that proposals, bids, or actual construction cost will not vary from opinions of probable construction cost prepared by Engineer. If Owner requires greater assurance as to probable construction cost, then Owner agrees to obtain an independent cost estimate.
- F. Engineer shall not be responsible for any decision made regarding the construction contract requirements, or any application, interpretation, clarification, or modification of the construction contract documents other than those made by Engineer or its consultants.
- G. All documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. Owner shall have a limited license to use the documents on the Project, extensions of the Project, and for related uses of the Owner, subject to receipt by Engineer of full payment due and owing for all Services and Additional Services relating to preparation of the documents and subject to the following limitations:
 - 1. Owner acknowledges that such documents are not intended or represented to be suitable for use on the Project unless completed by Engineer, or for use or reuse by Owner or others on extensions of the Project, on any other project, or for any other use or purpose, without written verification or adaptation by Engineer;
 - 2. any such use or reuse, or any modification of the documents, without written verification, completion, or adaptation by Engineer, as appropriate for the specific purpose intended, will be at Owner's sole risk and without liability or legal exposure to Engineer or to its officers, directors, members, partners, agents, employees, and consultants;
 - 3. Owner shall indemnify and hold harmless Engineer and its officers, directors, members, partners, agents, employees, and consultants from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from any use, reuse, or modification of the documents without written verification, completion, or adaptation by Engineer; and
 - 4. such limited license to Owner shall not create any rights in third parties.
- H. Owner and Engineer may transmit, and shall accept, Project-related correspondence, documents, text, data, drawings, information, and graphics, in electronic media or digital format, either directly, or through access to a secure Project website, in accordance with a mutually agreeable protocol.
- I. Engineer shall procure and maintain Professional Liability Insurance in the Annual Aggregate amount of \$2,000,000 excluding fees, cost and expenses of investigation, claims adjustment,

defense, and appeal. Notwithstanding any other provisions of this Agreement, and to the fullest extent permitted by law, the total liability, in the aggregate, of Engineer and Engineer's officers, directors, members, partners, agents, employees, and consultants to Owner and anyone claiming by, through, or under Owner for any and all claims, losses, costs, or damages whatsoever arising out of, resulting from the negligence, and professional errors or omissions, of Engineer or Engineer's officers, directors, members, partners, agents, employees, or consultants in the performance of this Agreement (hereafter "Owner's Claims"), shall not exceed the total insurance proceeds paid on behalf of or to Engineer by Engineer's Professional Liability insurers in settlement or satisfaction of Owner's Claims under the terms and condition of Engineer's insurance policies applicable thereto (excluding fees, costs and expenses of investigation, claims adjustment, defense, and appeal). Certificates of insurance will be provided to Owner upon request.

- J. The parties acknowledge that Engineer's Services do not include any services related to unknown or undisclosed Constituents of Concern. If Engineer or any other party encounters, uncovers, or reveals an unknown or undisclosed Constituent of Concern, then Engineer may, at its option and without liability for consequential or any other damages, suspend performance of Services on the portion of the Project affected thereby until such portion of the Project is no longer affected, or terminate this Agreement for cause if it is not practical to continue providing Services.
- K. Owner and Engineer agree to negotiate each dispute between them in good faith during the 30 days after notice of dispute. If negotiations are unsuccessful in resolving the dispute, then the dispute shall be mediated. If mediation is unsuccessful, then the parties may exercise their rights at law.
- L. This Agreement is to be governed by the law of the state in which the Project is located.
- M. Engineer's Services and Additional Services do not include: (1) serving as a "municipal advisor" for purposes of the registration requirements of Section 975 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) or the municipal advisor registration rules issued by the Securities and Exchange Commission; (2) advising Owner, or any municipal entity or other person or entity, regarding municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, or other similar matters concerning such products or issuances; (3) providing surety bonding or insurance-related advice, recommendations, counseling, or research, or enforcement of construction insurance or surety bonding requirements; or (4) providing legal advice or representation.

6.01 *Total Agreement*

- A. This Agreement (including any expressly incorporated attachments), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

7.01 *Definitions*

- A. *Constructor*—Any person or entity (not including the Engineer, its employees, agents, representatives, and consultants), performing or supporting construction activities relating to the Project, including but not limited to contractors, subcontractors, suppliers, Owner's work forces,

utility companies, construction managers, testing firms, shippers, and truckers, and the employees, agents, and representatives of any or all of them.

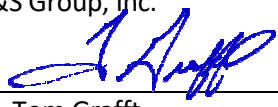
- B. *Constituent of Concern*—Asbestos, petroleum, radioactive material, polychlorinated biphenyls (PCBs), hazardous waste, and any substance, product, waste, or other material of any nature whatsoever that is or becomes listed, regulated, or addressed pursuant to (a) the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§9601 et seq. (“CERCLA”); (b) the Hazardous Materials Transportation Act, 49 U.S.C. §§5101 et seq.; (c) the Resource Conservation and Recovery Act, 42 U.S.C. §§6901 et seq. (“RCRA”); (d) the Toxic Substances Control Act, 15 U.S.C. §§2601 et seq.; (e) the Clean Water Act, 33 U.S.C. §§1251 et seq.; (f) the Clean Air Act, 42 U.S.C. §§7401 et seq.; or (g) any other federal, State, or local statute, law, rule, regulation, ordinance, resolution, code, order, or decree regulating, relating to, or imposing liability or standards of conduct concerning, any hazardous, toxic, or dangerous waste, substance, or material.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

Owner: City of Storm Lake

Engineer: I&S Group, Inc.

By: _____

By:  _____

Print name: _____

Print name: Tom Grafft

Title: _____

Title: Associate Principal

Date Signed: _____

Date Signed: October 8, 2020

Engineer License or Firm's Certificate No. (if required):

State of: Iowa

Address for Owner's receipt of notices:

City of Storm Lake

620 Erie Street

Storm Lake, IA 50588

Address for Engineer's receipt of notices:

I&S Group, Inc.

1725 N. Lake Ave

Storm Lake, IA 50588

Staff Summary

11/2/2020

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: Brian Oakleaf, Finance Director

SUBJECT: **Motion to Approve Outdoor Water Park Season Pass Special**

BACKGROUND: Michael Chowdhury, General Manager of King's Pointe Resort, will present a Black Friday Sale for Season Passes at the Outdoor Waterpark. As the Outdoor Waterpark serves as the Municipal Pool, any rate change must be approved by City Council.

FISCAL IMPACT: As discussed.

RECOMMENDATION: Approve Motion.

Staff Summary

11/2/2020

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: David Derragon, Assistant City Manager

SUBJECT: **Motion Approving an Amendment to the Professional Services Agreement with Bolton & Menk for the Oneida Street Reconstruction Project, Phase 1**

BACKGROUND: The project provides for the reconstruction of Oneida Street from Highway 7 (East Milwaukee Avenue) to East Railroad Street and includes the removal of a 70+ year old collector road and replacement with new 31-foot-wide concrete surfacing and associated subdrains. Bids for the project were initially let in April 2020 and the two received bids were nearly \$500,000 over the engineer's estimate. Bids were rejected at the May 4, 2020 meeting and it was determined the project scope be analyzed and ultimately reduced to become aligned with the project budget.

In addition, the DOT has established a construction timeframe of 130 working days for the construction of the effort. The initial engineering agreement is based on 85 working days and the extended timeframe will naturally entail more engineering support during construction.

This amendment to the professional services agreement will provide engineering services associated with the analysis and implementation of the construction scope modifications and rebidding through the DOT process. Additionally, the amendment provides construction engineering services for the 130 working day construction timeframe.

FISCAL IMPACT: Estimated \$146,570; \$45,185 hourly not-to-exceed for supplementary design engineering and bidding services, \$101,385 estimated fee for supplemental construction engineering services.

RECOMMENDATION: Approve the amendment to the agreement with Bolton & Menk for

engineering services for the Oneida Street Reconstruction
Project, Phase 1.

ATTACHMENTS:

Description		Type
	Contract Amendment	Contract

**CITY OF STORM LAKE, IOWA AND BOLTON & MENK, INC.
AMENDMENT TO TASK ORDER FOR PROFESSIONAL SERVICES**

TASK ORDER NO: 1 – 2020 Street & Utility Improvements

AMENDMENT NO: 1 – Supplemental Design and Construction Engineering Services

CLIENT: City of Storm Lake, Iowa

CONSULTANT: Bolton & Menk, Inc.

DATE OF THIS AMENDMENT: November 2, 2020

DATE OF TASK ORDER: May 20, 2019

DATE OF MASTER AGREEMENT FOR PROFESSIONAL SERVICES: November 5, 2018

Whereas, CLIENT and CONSULTANT entered into a Master Agreement for Professional Services (“Master Agreement”) and a Task Order Agreement for Professional Services (“Task Order”) as dated above; and CONSULTANT agrees to perform and complete the following Services for CLIENT in accordance with this Amendment and the terms and conditions of the Master Agreement and Task Order. CLIENT and CONSULTANT agree as follows:

1.0 Scope of Services:

CONSULTANT shall perform the Services listed below. All terms and conditions of the Master Agreement are incorporated by reference in this Task Order, except as explicitly modified in writing herein.

- Supplemental Design Engineering Services associated with the analysis & implementation of construction scope modifications and resubmission through the DOT bid letting procedure. Impacted construction plan sections include
 - Typical Sections/Construction Details
 - General Layout
 - Statement of Estimated Quantities
 - Tabulations
 - Erosion Control and Stormwater Pollution Prevention Plans
 - Roadway Construction Plan and Profile
 - Intersection and Jointing Details
 - Stormwater and Watermain Construction Plan and Profile
 - Removal Plan
 - Sidewalk Construction Plan and Profile
 - Cross Sections
- Supplemental Construction Engineering Services associated with the increase from the estimated 85 working days to 130 working days established by the DOT. Impacted Construction Engineering Services include
 - Construction Contract Administration
 - Construction meeting coordination and attendance
 - Record keeping
 - Preparation of contractor’s monthly pay applications
 - Construction Observation
 - Lengthened construction timeframe of 45 working days (estimated 11 weeks)

2.0 Fees:

CLIENT shall pay CONSULTANT in accordance with Section III of the Master Agreement and as follows.

TASK	DESCRIPTION	Amendment No. 1	Total Cost
1	DOT Development Progress	\$0	\$189,700
2	Construction Engineering Services	\$101,385	\$287,105
3	Geotechnical Exploration and Materials Testing	\$0	\$12,880
4	Value Engineering and Supplemental DOT Development Progress	\$45,185	\$45,185
TOTALS		\$146,570	\$534,870

Task 1 compensation and compensation structure is unchanged from the Task Order.

Task 2 compensation structure is unchanged from the Task Order. This amendment represents an additional 550 hours of construction observation and 85 hours of construction administration.

Task 3 compensation and compensation structure is unchanged from the Task Order.

Task 4 compensation entails an hourly not-to-exceed basis. Actual costs will be invoiced in accordance with Section III.A.1 of the Master Agreement. This amendment represents 365 hours associated with the analysis of scope modifications, redesign, construction permitting, and resubmission through the DOT Development Progress procedure.

3.0 Schedule:

Schedule for performance of Services is amended to the following, such that all services will be completed by June 30, 2022.

May – July 2020	• Scope modification analysis
August – December 2020	• Final design tasks and DOT Development Progress resubmittal
December 2020	• Construction permit applications submitted
January 2021	• DOT bid letting
February 2020	• Award project and construction agreement
May – November 2021	• Construction
Winter 2021/Spring 2022	• Final project closeout & DOT audit

4.0 Deliverables

Amended deliverables include scope modification analysis summary, revised final plans and specifications, and construction permit applications associated with the scope modification.

5.0 Term

In the event that the Schedule for this Task Order Amendment extends beyond the term of the Master Agreement, either intentionally or unintentionally by Task Order Amendment Scope or by Task Order Amendment extension, then this Task Order Amendment shall operate to extend the Master Agreement through the completion of CONSULTANT'S obligations under this Task Order Amendment or until a new Master Agreement is executed incorporating this Task Order Amendment.

6.0 Other Matters

None.

7.0 Project Managers

Project managers and contact information for the CLIENT and CONSULTANT for this Task Order Amendment, are as follows:

CITY OF STORM LAKE, IOWA

David Derragon
620 Erie Street
Storm Lake, Iowa 50588
Office Phone: 712-732-8000
Email: derragon@stormlake.org

BOLTON & MENK, INC.

Josh Pope, P.E.
218 11th Street SW Plaza
Spencer, Iowa 51301
Office Phone: 712-580-5075
Email: Joshua.Pope@bolton-menk.com

CITY OF STORM LAKE, IOWA

By: _____

Printed Name: Michael Porsch

Title: Mayor

BOLTON & MENK, INC.

By: Wesley W. Brown

Printed Name: Wesley W. Brown, P.E.

Title: Principal-in-Charge

ATTACHMENTS TO THIS TASK ORDER:

None

Staff Summary

11/2/2020

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: David Derragon, Assistant City Manager

SUBJECT: **Resolution No. 24-R-2020-2021 Approving Final Completion, Change Order No. 1, and Final Payment of the FEMA Lake Bank Restoration Project**

BACKGROUND: In 2019, the lake bank along Lighthouse Drive near Scout Park was pushed up, likely by ice. This project will restore approximately 300 LF of lake bank along Lighthouse Drive between Barton and Terrence Streets near Scout Park. To satisfy FEMA requirements and eliminate the need for environmental analysis/reporting, the project incorporates bioengineering. Included with this is the inclusion of fabric-encapsulated soil and live stake plantings to restore/stabilize the lake bank.

The construction was completed May 28, 2020. The contractor will be responsible for ongoing maintenance for the next 2 years and the contractor has provided a maintenance bond for this effort.

FISCAL IMPACT: The value of the contract with Reding Gravel and Excavating, Inc. is \$76,606.50 with 0 previous change orders. This change order will result in a \$6,465.49 decrease to the contract for a final contract value of \$69,141.01. The project is partially funded with FEMA funding.

RECOMMENDATION: Approve Resolution 24-R-2020-2021 Approving Final Completion, Change Order No. 1, and Final Payment of \$69,141.01

ATTACHMENTS:

Description	Type
☐ Certificate of Completion	Backup Material
☐ Change Order No.1	Change Order
☐ Resolution No. 24-R-2020-2021	Resolution



Real People. Real Solutions.

218 11th Street SW Plaza
Spencer, IA 51301

Ph: (712) 580-5075
Bolton-Menk.com

October 27, 2020

David Derragon
Assistant City Manager
City of Storm Lake
620 Erie Street; PO Box 1086
Storm Lake, IA 50588

RE: FEMA Bank Restoration Project
City of Storm Lake
Project No.: P11.119679

Dear Mr. Derragon,

Attached is Pay Request No. 1 – FINAL in the amount of \$69,141.01, Change Order 1, and the Certificate of Final Substantial Completion.

If everything is satisfactory and approved, please secure the appropriate signatures in the spaces indicated on the Pay Request and the Change Order via DocuSign. You will receive a fully executed copy of all documents once all signatures are in place. Please send two copies of the signed documents to the contractor with payment.

Upon approval, please remit payment to the contractor in the amount of \$65,683.96. In accordance with Iowa Code, please wait 30 days to pay the remaining 5% of the contract, or \$3,457.05.

If you have any questions, please feel free to call.

Sincerely,

Bolton & Menk, Inc.

DocuSigned by:

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Josh Pope P.E. LEED AP BD+C

City Infrastructure Engineer

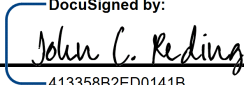
JAP/jk
Enclosures

CONTRACTOR'S PAY REQUEST FEMA BANK RESTORATION PROJECT CITY OF STORM LAKE, IA BMI PROJECT NO. P12.119679	DISTRIBUTION: CONTRACTOR (1) OWNER (1) ENGINEER (1) BONDING CO. (1)
TOTAL AMOUNT BID PLUS APPROVED CHANGE ORDERS	\$69,141.01
TOTAL, COMPLETED WORK TO DATE	\$69,141.01
TOTAL, STORED MATERIALS TO DATE	\$0.00
DEDUCTION FOR STORED MATERIALS USED IN WORK COMPLETED	\$0.00
TOTAL, COMPLETED WORK & STORED MATERIALS	\$69,141.01
RETAINED PERCENTAGE (0%)	\$0.00
TOTAL AMOUNT OF OTHER PAYMENTS OR (DEDUCTIONS)	\$0.00
NET AMOUNT DUE TO CONTRACTOR TO DATE	\$69,141.01
TOTAL AMOUNT PAID ON PREVIOUS ESTIMATES	\$0.00
PAY CONTRACTOR AS ESTIMATE NO. 1 - FINAL	\$69,141.01

Certificate for Final Payment

I hereby certify that, to the best of my knowledge and belief, all items quantities and prices of work and material shown on this Estimate are correct and that all work has been performed in full accordance with the terms and conditions of the Contract for this project between the Owner and the undersigned Contractor, and as amended by any authorized changes, and that the foregoing is a true and correct statement of the amount for the Final Estimate, that applicable provisions of the Iowa Administrative Code have been complied with and that all claims against me by reason of the Contract have been paid or satisfactorily secured.

Contractor: Reding's Gravel & Excavating, Inc.
 1420 East Richland Street
 Storm Lake, IA 50588

By  _____

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Name

Secretary

Title

Date October 23, 2020

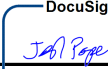


Approved _____

Contractor's Surety

CHECKED AND APPROVED AS TO QUANTITIES AND AMOUNT:

ENGINEER: BOLTON & MENK, INC., 218 11th STREET SW PLAZA, SPENCER, IA 51301

By  _____

DocuSigned by: 7367BB09A51D4F7...

CITY INFRASTRUCTURE ENGINEER

Date October 22, 2020

APPROVED FOR PAYMENT:

OWNER:

By _____

Michael Porsch

Mayor

Date

And _____

Mayra Martinez

City Clerk

Date

Partial Pay Estimate No.:

1-FINAL

FEMA BANK RESTORATION PROJECT
CITY OF STORM LAKE, IA
BMI PROJECT NO. P12.119679

WORK COMPLETED THROUGH JUNE 15, 2020

ITEM NO.	ITEM	UNIT PRICE	APPROVED CONTRACT AMOUNT			PREVIOUS ESTIMATE		COMPLETED TO DATE	
			ESTIMATED QUANTITY		ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT
1	EXCAVATION, CLASS 13	\$25.00	390	CY	\$9,750.00	CY	\$0.00	390.00	CY \$9,750.00
2	EXPLORATORY EXCAVATION	\$175.00	1	HR	\$175.00	HR	\$0.00	1.00	HR \$175.00
3	STORM SEWER, TRENCHED, RCP, 12", CLASS V	\$88.00	13	LF	\$1,144.00	LF	\$0.00	13.00	LF \$1,144.00
4	REMOVAL OF STORM SEWER PIPE	\$30.00	21	LF	\$630.00	LF	\$0.00	21.00	LF \$630.00
5	PIPE APRON, RCP, 12"	\$725.00	2	EA	\$1,450.00	EA	\$0.00	2.00	EA \$1,450.00
6	INTAKE ADJUSTMENT, MINOR	\$1,000.00	0	EA	\$0.00	EA	\$0.00	0.00	EA \$0.00
7	FULL DEPTH PATCHES	\$130.00	0	SY	\$0.00	SY	\$0.00	0.00	SY \$0.00
8	ENGINEERING FABRIC	\$6.00	80	SY	\$480.00	SY	\$0.00	80.00	SY \$480.00
9	SALVAGE AND REINSTALL SIGNS	\$125.00	5	EA	\$625.00	EA	\$0.00	5.00	EA \$625.00
10	TEMPORARY TRAFFIC CONTROL	\$850.00	1	LS	\$850.00	LS	\$0.00	1.00	LS \$850.00
11	CONVENTIONAL SEEDING, SEEDING, FERTILIZING, AND MULCHING (SUDAS TYPE 2)	\$3.75	100	SY	\$375.00	SY	\$0.00	100.00	SY \$375.00
12	CONVENTIONAL SEEDING, SEEDING, FERTILIZING, AND MULCHING (IOWA CRP NATIVE)	\$2.75	330	SY	\$907.50	SY	\$0.00	330.00	SY \$907.50
13	ESTABLISHMENT & EXTENDED WARRANTY	\$2,000.00	1	LS	\$2,000.00	LS	\$0.00	1.00	LS \$2,000.00
14	LIVE STAKE	\$5.50	442	EA	\$2,431.00	EA	\$0.00	442.00	EA \$2,431.00
15	SWPPP MANAGEMENT	\$1,000.00	1	LS	\$1,000.00	LS	\$0.00	1.00	LS \$1,000.00
16	EROSION CONTROL STONE	\$105.00	109.79	TON	\$11,527.95	TON	\$0.00	109.79	TON \$11,527.95
17	RIP RAP, TYPE E	\$48.50	345.96	TON	\$16,779.06	TON	\$0.00	345.96	TON \$16,779.06
18	FLOATING SILT CURTAIN	\$25.00	350	LF	\$8,750.00	LF	\$0.00	350.00	LF \$8,750.00
19	FABRIC ENCAPSULATED SOIL LIFT (FESL)	\$37.50	225	SY	\$8,437.50	SY	\$0.00	225.00	SY \$8,437.50
20	MOBILIZATION	\$5,000.00	1	LS	\$5,000.00	LS	\$0.00	1.00	LS \$5,000.00
21	CONSTRUCTION ALLOWANCE	\$2,500.00	0	LS	\$0.00	LS	\$0.00	0.00	LS \$0.00
22	SWEEPING	\$125.00	5	HR	\$625.00	HR	\$0.00	5.00	HR \$625.00
23	LIQUIDATED DAMAGES	-\$3,796.00	1	LS	-\$3,796.00	LS	\$0.00	1.00	LS -\$3,796.00
	TOTAL AMOUNT:				\$69,141.01		\$0.00		\$69,141.01

**CONSENT OF SURETY
TO FINAL PAYMENT***AIA Document G707*

Bond No. IAC590091

OWNER ☐ARCHITECT ☐CONTRACTOR ☐SURETY ☐OTHER ☐**TO OWNER:***(Name and address)*

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

ARCHITECT'S PROJECT NO.:**CONTRACT FOR:** FEMA Bank Restoration Project**PROJECT:***(Name and address)***CONTRACT DATED:** February 17, 2020

FEMA Bank Restoration Project, Storm Lake, IA

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Merchants Bonding Company (Mutual)
P.O. Box 14498
Des Moines, IA 50306-3498

, SURETY,

on bond of

(Insert name and address of Contractor)

Reding Gravel & Excavating Company
2001 East Oak Street
Algona, IA 50511

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of
any of its obligations to

(Insert name and address of Owner)

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

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: **October 22, 2020***(Insert in writing the month followed by the numeric date and year.)*

Merchants Bonding Company (Mutual)

*(Surety)**(Signature of authorized representative)*

Dione R. Young, Attorney-in-Fact

(Printed name and title)

Attest:

(Seal):

Stacie Christensen, Witness as to Surety

MERCHANTS BONDING COMPANY™ POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Dione R. Young

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 5th day of March, 2020.



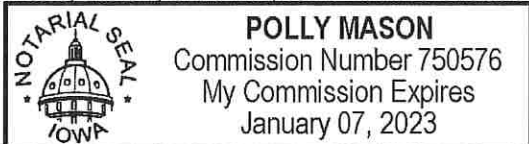
MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By

Larry Taylor
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 5th day of March, 2020, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Polly Mason

Notary Public

(Expiration of notary's commission
does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 22nd day of October, 2020.



William Warner Jr.
Secretary

CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner: City of Storm Lake Owner's Project No.:
Engineer: Joshua Pope, P.E. Engineer's Project No.: P11.119679
Contractor: Reding's Gravel & Excavating, Inc. Contractor's Project No.:
Project: FEMA Bank Restoration Project
Contract Name:

This ☐ Preliminary ☒ Final Certificate of Substantial Completion applies to:

☒ All Work ☐ The following specified portions of the Work:

Date of Substantial Completion: **May 28, 2020**

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Work or portion thereof designated above is hereby established, subject to the provisions of the Contract pertaining to Substantial Completion. The date of Substantial Completion in the final Certificate of Substantial Completion marks the commencement of the contractual correction period and applicable warranties required by the Contract.

A punch list of items to be completed or corrected is attached to this Certificate. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

The responsibilities between Owner and Contractor for security, operation, safety, maintenance, utilities, insurance, and warranties upon Owner's use or occupancy of the Work must be as provided in the Contract, except as amended as follows:

Amendments to Owner's Responsibilities: ☒ None ☐ As follows:

Amendments to Contractor's Responsibilities: ☒ None ☐ As follows:

The following documents are attached to and made a part of this Certificate:

Punch List Dated: 06/16/2020

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents, nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

Engineer

By (signature):



Name (printed): Joshua Pope, P.E.

Title: Infrastructure Engineer



Real People. Real Solutions.

PUNCH LIST**Owner:** City of Storm Lake **Date of Current Issue:** 06/16/2020**Project:** FEMA Bank Restoration Project **Date of Original Issue:** 05/21/2020**Owner Project No.:** _____ **Comp. Date:** **Substantial** 05/19/2020 **Final** 05/28/2020**Contractor:** Reding's Gravel & Excavating, Inc. **BMI Project No.:** P11.119679**Date(s) of Inspection(s):** 05/21/2020

Below is a partial list of items, which must be completed or corrected prior to final acceptance of the subject project. This list may not be final, additional items may be added at a later date.

Item No.	Contract Reference	Item Description	Current Status	Accepted	
				By	Date
1	8020-108-X-X	Re-install remaining dock signs and discharge signs. Coordinate with Engineer prior to installation to confirm location.	Complete	WDB	5/28/2020
2	9040-108-A-2	Provide storm water inspection reports as described in Pollution Prevention Plan within the plans. Continue to manage SWPPP until turf is 70% established.	Complete	WDB	6/1/2020
3	SUDAS Section 9030.3.12	Furnish and provide a landscape and seeding maintenance bond as stipulated within the "Establishment and Extended Warranty Period" section on Sheet L1.02 of the plans.	Complete	WDB	6/15/2020

CHANGE ORDER NO.: 1

Owner: City of Storm Lake, Iowa Owner's Project No.:
 Engineer: Reding's Gravel & Excavating, Inc. Engineer's Project No.: P11.119679
 Contractor: Bolton & Menk, Inc. Contractor's Project No.:
 Project: FEMA Bank Restoration Project
 Contract Name:
 Date Issued: September 21, 2020 Effective Date of Change Order: September 18, 2020

The Contract is modified as follows upon execution of this Change Order:

Description:

- 1) Change in unit price for Item No. 16 Erosion Stone. Unit price increased from \$40/Ton to \$105/Ton. DNR requirements stipulated that a different erosion stone shall be used.
- 2) Change in Quantity reconciliation to reflect actual work incorporated into the project.
- 3) Application of Liquidated Damages according to contract documents.

Attachments:

Change Order No. 1 – Schedule of Unit Prices

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ 75,606.50	Original Contract Times: Substantial Completion: May 15, 2020 Ready for final payment: May 29, 2020
[Increase] [Decrease] from previously approved Change Orders No. 1 to No. : \$ 0.00	[Increase] [Decrease] from previously approved Change Orders No.1 to No. : Substantial Completion: None Ready for final payment: None
Contract Price prior to this Change Order: \$ 75,606.50	Contract Times prior to this Change Order: Substantial Completion: May 15, 2020 Ready for final payment: May 29, 2020
Decrease this Change Order: \$ -\$6,465.49	[Increase] [Decrease] this Change Order: Substantial Completion: None Ready for final payment: None
Contract Price incorporating this Change Order: \$ \$69,141.01	Contract Times with all approved Change Orders: Substantial Completion: May 15, 2020 Ready for final payment: May 29, 2020

By: Recommended by Engineer (if required)
DocuSigned by:

John C. Reding
7367BB09A51D4F7...
 Title: City Infrastructure Engineer
 Date: October 22, 2020

Authorized by Owner

By: _____
 Title: Mayor
 Date: _____

By: Accepted by Contractor
DocuSigned by:

John C. Reding
413358B2ED0141B...
 Date: October 23, 2020

Approved by Funding Agency (if applicable)

CHANGE ORDER #1 - SCHEDULE OF UNIT PRICES
 FEMA BANK RESTORATION PROJECT
 CITY OF STORM LAKE, IOWA
 BMI PROJECT NO. P12.119679



Real People. Real Solutions.

Date: 09/21/2020

Item No.	Item	Unit	As-Bid Quantity	Change Quantity	Unit Price	Amount
2	EXPLORATORY EXCAVATION	HR	3	-2	\$175.00	-\$350.00
3	STORM SEWER, TRENCHED, RCP, 12", CLASS V	LF	33	-20	\$88.00	-\$1,760.00
4	REMOVAL OF STORM SEWER PIPE	LF	31	-10	\$30.00	-\$300.00
6	INTAKE ADJUSTMENT, MINOR	EA	1	-1	\$1,000.00	-\$1,000.00
7	FULL DEPTH PATCHES	SY	22	-22	\$130.00	-\$2,860.00
8	ENGINEERING FABRIC	SY	60	20	\$6.00	\$120.00
12	CONVENTIONAL SEEDING, SEEDING, FERTILIZING, AND MULCHING (IOWA CRP NATIVE)	SY	440	-110	\$2.75	-\$302.50
14	LIVE STAKE	EA	560	-118	\$5.50	-\$649.00
16	EROSION CONTROL STONE UNIT PRICE INCREASE	TON	106	106	\$65.00	\$6,890.00
16	EROSION CONTROL STONE QUANTITY RECONCILIATION	TON	106	3.79	\$105.00	\$397.95
17	RIP RAP, TYPE E	TON	310	35.96	\$48.50	\$1,744.06
19	FABRIC ENCAPSULATED SOIL LIFT (FESL)	SY	281	-56	\$37.50	-\$2,100.00
21	CONSTRUCTION ALLOWANCE	LS	1	-1	\$2,500.00	-\$2,500.00
23	LIQUIDATED DAMAGES	LS		1	-\$3,796.00	-\$3,796.00
BASE TOTAL:						<u>-\$6,465.49</u>

RESOLUTION NO. 24-R-2020-2021

RESOLUTION APPROVING FINAL PAYMENT, CHANGE ORDER NO. 1 AND CLOSE
OUT OF THE FEMA LAKE BANK RESTORATION PROJECT

Whereas, in 2019 a storm event caused damage to the lake bank along Lighthouse Drive near Scout Park; and

Whereas, with FEMA funding assistance, Reding Gravel and Excavating, Inc. was selected to perform repairs to the lake bank by City Council on February 17, 2020; and

Whereas, repairs of the lake bank were completed on May 28, 2020.

NOW, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE,
IOWA:

Section 1. To approve Certificate of Completion as submitted by Bolton & Menk for the FEMA Lake Bank Restoration Project pursuant to the contract with Reding Gravel & Excavation, Inc. for work performed in the amount of \$76,606.50

Section 2. To acknowledge that the final amount of the contract for work performed by Reding Gravel & Excavation, Inc. is \$69,141.01 as noted in Change Order No. 1, a reduction of \$6,465.49.

Section 3. Final payment will be made to Reding Gravel & Excavation in the amount of \$69,141.01.

PASSED AND APPROVED this 2nd day of November 2020.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

11/2/2020

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: David Derragon, Assistant City Manager

SUBJECT: **Work Session – Urban Chicken Discussion II**

BACKGROUND: At a City Council meeting in March 2020, a former resident requested that the City Council consider allowing 4 chickens per lot, especially as it relates to 4H participants. Following that request, a telephone discussion was held with the requestor regarding the request. Written confirmation was also received.

During Work Session II, information will be presented updating Council as to the results of the public forums held on September 24, 2020 and email comments received from the public.

Staff will proceed as directed by Council following the work session.

FISCAL IMPACT: N/A

RECOMMENDATION: Hold Work Session

ATTACHMENTS:

Description	Type
Urban Chickens	Backup Material

Urban Chickens Update
City Council Work Session
November 2, 2020

Purpose

This work session will update the information gathered through email comments and from the attendees at the Public Forums on September 24, 2020. The purpose of seeking comments from residents was to determine the general feeling on whether or not to amend current city code to allow for more chickens on a residential lot. The topic was posed to City Council as follows:

At a City Council meeting in March 2020, a former resident requested that the City Council consider allowing 4 chickens per lot, especially as it relates to 4H participants. Following that request, a telephone discussion was held with the requestor regarding the request. Written confirmation was also received.

Background

To be clear, current city code **does allow** for chickens based on the regulation in Article 6 of the zoning code. An excerpt of the code follows:

ARTICLE SIX – SUPPLEMENTAL USE REGULATIONS

602 Supplemental Use Regulations: Agricultural Uses

Nothing in these provisions shall relieve any property owner or user from satisfying any condition or requirement associated with a previous approval, special permit, variance, development permit, or other permit issued under any local, State, or Federal ordinance or statute.

b. Animal Production or Urban Animal Husbandry

1. *Any building housing urban animals shall be at least 20 feet from any property line and 25 feet from any dwelling unit on the site.*
2. *0.5 animal units shall be allowed for each acre of land. Fractions that are less than 0.5 shall be rounded down to the nearest whole number. Fractions greater than 0.5 shall be rounded up to the nearest whole number.*

One animal unit is defined as equal to the following:

1 – large hoofed animals (i.e. horse, mule, cow, llama or similar)

4 – small hoofed animals (i.e. sheep, goats, swine, or other similar)

6 – large fowl (i.e. geese, turkeys, or other similar)

10 – small animals and fowl – (i.e. rabbits, **chickens**, ducks, or other similar)

Formula: lot size in square feet, divided by 43,560, times 0.5 = allowable animal units (round up or down to the nearest whole)

Example: **10,000 square foot lot** is calculated as follows:

10,000, divided by 43,560, times 0.5 = **.1147 allowable animal units**

1 animal unit is 10 chickens, so .1147 times 10 = 1.147 or **1 chicken allowed**

3. *The Zoning Administrator may determine a unit number for animals not listed.*
4. *Animals shall not be allowed to roam free and shall be kept within fences, corrals, barns, stables, pens, etc.*
5. *Any building housing animals shall be located no closer than 20 feet to an adjacent property line and 25 feet from any habitable residence. A property is limited to no more than one enclosed structure per animal unit type without a conditional use permit.*
6. *Fences, corrals, and similar structures must adhere to setback regulations for the applicable zoning district.*
7. *All feed shall be stored in rodent proof containers.*
8. *All litter and animal waste shall be removed on a regular basis and disposed of*

Public Input from Residents

Public Forums:

Two public forums were held on September 24, 2020 at King's Pointe. One forum was at 7:30 AM and the other at 6:00 PM.

Four (4) residents were present at the morning forum and all comments made were generally opposed to chickens in the city. Eleven (11) residents attended the evening session with three (3) comments in favor of chickens and four (4) comments opposed to chickens.

Email Comments:

Emails have been received from seven (7) separate households regarding chickens. One (1) favorable comment was received and six (6) unfavorable comments were received.

Summary of Comments:

The total summary indicates a four (4) favorable comments and fourteen (14) unfavorable comments.

Moving Forward

While the majority of comments appear unfavorable, current code may reflect the desired management of chickens in the community by residents and changes are not desired. On the other hand, Council members may have been directly contacted by residents that would like to see the code allow for more chickens on a residential lot.

Staff will proceed as directed by Council.

Staff Summary

11/2/2020

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: Keri Navratil, City Manager

SUBJECT: **Work Session – Amending City Code Chapter 5-10 Property Maintenance**

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:

Definitions added of Hard-surfaced parking area and Alternate material

Alternate paving material must follow the Iowa Statewide Urban Design and Specifications

8 conditions must be met in order to obtain a permit

Hard surface paving in concrete or asphalt will need to occur three years after a permit is issued.

A daily fine/penalty in the amount of \$250 per day will occur if hard surface paving is not complete after three years of permit being issued

Staff will proceed as directed by Council following the work session.

FISCAL IMPACT: N/A

RECOMMENDATION: Hold work session

ATTACHMENTS:

Description

Type

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 APROPERTY 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

11/2/2020

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: **Resolution No. 25-R-2020-2021 Setting a Public Hearing to Amend City Code Chapter 5-10 Property Maintenance**

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: Approve Resolution No. 25-R-2020-2021 setting a Public Hearing for 5:00 p.m. November 16 in City Council Chambers.

ATTACHMENTS:

Description	Type
☐ Resolution No. 25-R-2020-2021	Resolution
☐ Public Hearing Notice	Backup Material

RESOLUTION NO. 25-R-2020-2021

RESOLUTION PROPOSING AN ORDINANCE AMENDING CHAPTER 5-10 OF TITLE V OF THE CITY CODE TO PROVIDE FOR A LIMITED EXCEPTION TO THE REQUIREMENT THAT ALL OFF-STREET PARKING AREAS BE HARD SURFACED; AND PROVIDING FOR A HEARING ON THE ADOPTION OF SUCH ORDINANCE

WHEREAS, the City Council of the City of Storm Lake, Iowa, is considering an ordinance to amend Section 5-10-7 of Chapter 5-10 in Title V of the City Code of the City of Storm Lake, Iowa to provide for a limited exception to the requirement that all off-street vehicular parking areas be hard surfaced, which exception would be applicable to certain properties located in Community Commercial zoning districts (the “Ordinance” below); and

WHEREAS, the City Council wishes to give members of the public the opportunity to be heard regarding the Ordinance under consideration.

NOW, THEREFORE, be it hereby resolved that the Ordinance is 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 further directed to have a copy of this Resolution, a copy of the proposed ordinance, and general notice of such public hearing published in the Storm Lake Times on a date not less than four (4) days prior to said meeting.

Passed and approved this 2nd day of November, 2020.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

NOTICE TO THE PUBLIC

Notice is hereby given to all residents of the City of Storm Lake, Iowa that the City Council will hold a hearing during its regular meeting commencing at 5:00 p.m. on November 16, 2020, at the Council Chambers in Storm Lake, Iowa, for the purpose of considering an ordinance to amend Section 5-10-7 of Chapter 5-10 in Title V of the City Code of the City of Storm Lake, Iowa to provide for a limited exception to the requirement that all off-street vehicular parking areas be hard surfaced, which exception would be applicable to certain properties located in Community Commercial zoning districts (the “Ordinance” below). The text of the Council’s resolution setting such hearing and the text of the proposed Ordinance follow:

RESOLUTION PROPOSING AN ORDINANCE AMENDING CHAPTER 5-10 OF TITLE V OF THE CITY CODE TO PROVIDE FOR A LIMITED EXCEPTION TO THE REQUIREMENT THAT ALL OFF-STREET PARKING AREAS BE HARD SURFACED; AND PROVIDING FOR A HEARING ON THE ADOPTION OF SUCH ORDINANCE

WHEREAS, the City Council of the City of Storm Lake, Iowa, is considering an ordinance to amend Section 5-10-7 of Chapter 5-10 in Title V of the City Code of the City of Storm Lake, Iowa to provide for a limited exception to the requirement that all off-street vehicular parking areas be hard surfaced, which exception would be applicable to certain properties located in Community Commercial zoning districts (the “Ordinance” below); and

WHEREAS, the City Council wishes to give members of the public the opportunity to be heard regarding the Ordinance under consideration.

NOW, THEREFORE, be it hereby resolved that the Ordinance is 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 further directed to have a copy of this Resolution, a copy of the proposed ordinance, and general notice of such public hearing published in the Storm Lake Times on a date not less than four (4) days prior to said meeting.

Passed and approved this 2nd day of November, 2020.

/s/ Michael Porsch

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez
Mayra A. Martinez, City Clerk

ORDINANCE AMENDING CHAPTER 5-10 OF TITLE V OF THE CITY CODE OF THE CITY OF STORM LAKE, IOWA, TITLED APROPERTY 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

You are hereby advised of your Right to be present at the Council meeting at 5:00 p.m., November 16, 2020, at the City Hall in Storm Lake, Iowa to speak in favor of or in opposition to the proposal to adopt the Ordinance. The first reading and formal consideration of the Ordinance will follow the hearing at the November 16, 2020 City Council meeting.

/s/ Mayra A. Martinez

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

Staff Summary

11/2/2020

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

Staff Summary

11/2/2020

Agenda Item # 15.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
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REPORT TO: Honorable Mayor and City Council

FROM: Keri Navratil, City Manager

SUBJECT: **Closed Session Reference Iowa Code Chapter 21.5 (c)
Matters of Litigation**

BACKGROUND: Iowa Code allows for cities to have a closed session of the City Council for matters regarding litigation where matters that are either currently in litigation or where litigation is imminent and the disclosure of the issues would enable prejudice or disadvantage the position of the governmental body in that litigation. (Iowa Code Chapter 21.5 (c))

City Council, by roll call vote should vote to go into Closed Session, and then by roll call vote vote to come back into Open Session once they have conducted the discussion allowed by the Iowa Code.

Topics other than those that are specifically allowed to be in closed session are not allowed to be discussed. The City Council may **NOT** make any motions or take any action during the closed session, as all action must be done in open session.

FISCAL IMPACT: No Fiscal Impact is Anticipated

RECOMMENDATION: Motion to go into Closed Session Reference Iowa Code Chapter 21.5 (c) - Roll Call Vote

Motion to return to Open Session - Roll Call Vote