

**CITY OF STORM LAKE
REGULAR COUNCIL MEETING, CITY HALL
COUNCIL CHAMBERS**

MAY 7, 2018

5:00 PM



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

AGENDA

- A. **Consideration of Changes in Agenda and Setting the Agenda**
- B. **Disclosure by City Council Members**
- 1. Hear the Public
- 2. Consent Agenda
 - A. **Resolution No. 84-R-2017-2018 Approve Consent Agenda**
 - B. **Buy Local Information**
 - C. **Resolution No. 84-R-2017-2018 Authorizing Requests Associated With the Re-Scheduled Fiesta Latina**
 - D. **Motion Authorizing a No Parking Zone Variance**
- 3. **Resolution No. 85-R-2017-2018 Approving 1st and Mae Sewer Lining Project Change Order No. 1**
- 4. **Resolution No. 86-R-2017-2018 to Approve Sunrise Pointe Golf Course Reciprocal Policy**
- 5. **Motion Setting Public Hearing On Fiscal Year 2017-2018 Budget Amendment**
- 6. **Motion to Approve Addition to Fiscal Year 2017-2018 CIP Budget**
- 7. **Motion to Accept Lab Testing Services Proposal**
- 8. **Resolution No. 87-R-2017-2018 to Approve Single Family Attached and Single Family Detached Dwelling New Construction Incentive**
- 9. **City Legislation**
- 10. **Worksession- Review of Nuisance Codes**
- 11. **Worksession- Garbage Storage and Collection**
- 12. **Worksession- Removal of Rental Inspections**
- 13. 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

5/7/2018

Agenda Item # A.



City of Storm Lake
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REPORT TO: Honorable Mayor and City Council

FROM:

SUBJECT: Consideration of Changes in Agenda and Setting the Agenda

BACKGROUND:

FISCAL IMPACT:

RECOMMENDATION:

Staff Summary

5/7/2018

Agenda Item # B.



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

FROM:

SUBJECT: Disclosure by City Council Members

BACKGROUND:

FISCAL IMPACT:

RECOMMENDATION:

Staff Summary

5/7/2018

Agenda Item # A.



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

FROM: Mayra Martinez, City Clerk

SUBJECT: **Resolution No. 84-R-2017-2018 Approve Consent Agenda**

BACKGROUND:

The Consent Agenda Includes:

- List of bills for approval
- King's Pointe and Sunrise Pointe disbursements for approval
- Approve the April 16, 2018 City Council Minutes
- Approve new owner liquor license for Loyal Order of Moose - Background was approved
- Approve renewal liquor license for Wal-Mart # 1526
- Approve correction of the City Council Minutes by adding the adjournment to the August 21, 2017 minutes and the date title on the March 5th, 2018 minutes to display as March 5th, 2018 instead of March 19, 2018
- Approve clarification of the City Council Minutes with the addition of check numbers and/or Ach batch numbers to the paid list of bills previously approved
 - City Council Minutes Date Approved check #'s and Ach batches
 - March 19, 2018 - Check # 57860 through 57976 and Ach Batch 2018.03.06 - 502, 2018.03.13 - 503, 2018.03.14 Pay, and 2018.03.19 - 504
 - April 2, 2018 - Check #57985 through 58068 and Ach Batch 2018.03.20 - 505, 2018.03.28 Pay, and 2018.03.27 - 506
- Approve acknowledgement/settlement agreement with Fareway Store, Inc. for a tobacco violation
- Approve requests associated with Re-Schedule for Fiesta Latina on May 19, 2018 at Frank Starr Park from 1:00 pm to 6:00 pm (see staff summary)
- Approve Authorizing a No Parking Zoning Variance on Saturday, June 30, 2018 between the hours of 8:00 am and

8:00 pm on the south side of West 10th Street from Vestal Street east to Ontario Street. (see staff summary)

FISCAL IMPACT:

The City will pay the following expenditures:

- List of Bills - \$856,902.41
- King's Pointe & Sunrise Pointe Golf Course Bills - \$194,064.38

The City will receive the following revenues:

- Liquor license renewal - \$300.00
- Cigarette Violation - \$300.00

RECOMMENDATION:

Adopt Resolution No. 84-R-2017-2018 Approving Consent Agenda

ATTACHMENTS:

Description	Type
☐ Minutes - April 16, 2018	Minutes
☐ List of Bills	List of Bills
☐ King's Pointe and Golf Course - List of Bills	List of Bills
☐ Wal-Mart Application	Backup Material
☐ Wal-Mart Report	Backup Material
☐ Minutes - August 21,. 2018	Minutes
☐ Minutes - March 5, 2018	Minutes
☐ Minutes - March 19, 2018	Minutes
☐ Minutes - April 2, 2018	Minutes
☐ Fareway - Acknowledgement/Settlement	Backup Material
☐ Resolution No. 84-R-2017-2018	Resolution

**REGULAR COUNCIL MEETING, CITY OF STORM LAKE, IOWA, CITY HALL,
APRIL 16, 2018 5:00 P.M.**

Present: Mayor Michael Porsch, Council Members Jose Ibarra, Tyson Rice, Dan Smith, Bruce Carlson, and Bruce Engelmann .Absent: None.

Staff present: City Manager Keri Navratil, City Attorney Phil Havens, Public Safety Director Mark Prosser, Fire Chief Mike Jones, Building Official Scott Olesen, Library Director Elizabeth Huff, Water Plant Superintendent Mike Davis, Finance Director Brian Oakleaf, and City Clerk Mayra Martinez

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

No disclosures brought forward from any City Council Member.

Agenda – Moved by Council Member Rice to approve April 16, 2018 agenda as presented. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

Hear the Public – none

Consent Agenda – Moved by Council Member Rice to approve the consent agenda that included the list of bills check # 58069 through 58235 and Ach Batch #2018.04.03 -502, 2018.04.11 – Pay, 2018.04.16 - 504, King's Pointe and Sunrise Pointe disbursements, April 2, 2018 City Council minutes, liquor license renewal for Malarky's, new owner liquor license for Puffs and Loyal Order of Moose. Noise variance in Sunset Park at the Band Shell for Iglesia Bautista Sendero De Salvacion of Storm Lake on May 5th, 2018 from 4:00 pm until 8:00 pm. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

BVU Update – President Merchant from Buena Vista University gave the Council an update of current and upcoming events.

North Central Stormwater Phase II - Moved by Council Member Ibarra to authorize use of Storm Water and Capital funds as the alternate funding source for NC Phase II. Seconded by Council Member Engelmann. Vote: All ayes. Motion carried

Appraisal Services – Moved by Council Member Smith to adopt Resolution No. 81-R-2017-2018 approve contract for review appraisal services for 930 E 5th Street. Appraisal fee not to exceed \$700. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

RESOLUTION NO. 81-R-2017-2018

**RESOLUTION APPROVING THE CONTRACT FOR REVIEW APPRAISAL SERVICE
WITH URBAN APPRAISALS**

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

Section 1. That the City of Storm Lake enter into an Agreement with Urban Appraisals. Review Appraisal Fees Services not to exceed \$700.00

Review Appraisal Services for the address identified as follows:

Parcel No. 1402152003, Buena Vista County, IA

Owner: Storm Lake Community School

Site Address: 930 E 5th Street, Storm Lake, IA

Section 2. That the Mayor is hereby directed to sign the contract with the Appraiser for the appraisal services to the identified property.

PASSED AND APPROVED this 16th day of April, 2018

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Airport Project – Moved by Council Member Engelmann to adopt Resolution No. 82-R-2017-2018 approving Fehrner Asphalt Sealers lowest bid for Apron & Taxiway Rehab Project contingent upon FAA concurrence of award. Bid amount is \$79,353.50. Seconded by Council Member Ibarra . Vote: All ayes. Motion carried.

RESOLUTION NO. 82–R-2017-2018

RESOLUTION ACCEPTING AND AWARDING BID FOR THE CITY OF STORM LAKE AIRPORT REHABILITATION APRON & CONNECTOR TAXIWAY REHAB PROJECT

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

Section 1. That the following bid for the construction of certain public improvements described in general as the City of Storm Lake Airport Rehabilitation Apron & Connector Taxiway Rehab Project, described in the plans and specifications heretofore adopted by this Council on April 2, 2018 be and is hereby accepted, the same being the lowest responsible bid received for said work, as follows:

Contractor:	Fahrner Asphalt Sealers
Amount of bid:	\$79,353.50
Portion of bid:	All

Section 2. That the construction contract, bond executed and insurance coverage for the construction of the Rehabilitation Apron & Connector Taxiway Rehab Project, as described in detail in the plans and specifications heretofore approved, and can be signed contingent upon FAA concurrence of award by the Mayor and Clerk on behalf of the City be and the same hereby approved as follows:

Contractor: Fahrner Asphalt Sealers, Eau Claire, WI
Date of Contract: April 16, 2018

PASSED AND APPROVED this 16th day of April, 2018.

Michael Porsch, Mayor

ATTEST:

Mayra A Martinez, City Clerk

Memorial Ballfield - Moved by Council Member Smith to approve agreement with St. Mary's Catholic School for Memorial Ballfield. Lease to terminate November 30, 2018. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

Moved by Council Member Ibarra to approving Sub-Lease Agreement for Memorial Ballfields. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

Library Board – Mayor Porsch opened the public hearing for the removal of Library Board Member Nathan Deters stating this was the time and place for any comments. Hearing no comments Mayor Porsch then closed the public hearing.

Moved by Council Member Rice to adopt Resolution No. 83-R-2017-2018 approving the removal of Nathan Deters from the Library Board Member. Seconded by Council Member Engelman. Seconded by Council Member Engelmann. Vote: All ayes. Motion carried.

RESOLUTION NO. 83-2017-2018

RESOLUTION FOR THE REMOVAL OF NATHAN DETERS FROM THE LIBRARY BOARD OF TRUSTEES

WHEREAS, Per City Code Section 2-12-5 of the Storm Lake, any member of a Board, Commission, or Agency may be removed for caused if they fail to attend three (3) or more meetings.;

WHEREAS, Nathan Deters whose term ends June 2018 has not been to any Library Board of Trustee meetings since 2017;

WHEREAS, a public hearing was held on April 16, 2018 for any public comments on this matter;

IT IS HEREBY RESOLVED by the City Council of Storm Lake Iowa to remove Nathan Deters, as of April 16, 2018 from the Storm Lake Library Board of Trustees.

PASSED AND APPROVED this 16th day of April, 2018.

Michael Porsch, Mayor

ATTEST

Mayra A. Martinez, City Clerk

CDBG Housing 2018 – Moved by Council Member Carlson to setting April 30, 2018 at noon a public hearing for a proposed Community Development Block Grant (CDBG) Application Housing 2018. Seconded by Council Member Smith. Vote: All ayes. Motion carried.

City Council Request -

Council Member Rice is requesting that the City Council set a work session for the reviewal of mandatory garbage collection. Council Member Carlson concurs with the request to be set for May 7th, 2018 meeting.

Council Member Rice is requesting that the City Council set a work session for the reviewal of the removal of rental inspections. Council Member Engelmann concurs with the request to be set for May 7th, 2018 meeting.

Council Member Rice is requesting that the City Council set a work session for the reviewal of nuisance abatement ordinance. Council Member Ibarra concurs with the request to be set for May 7th, 2018 meeting.

Previously requested for a Resolution regarding requesting a convention to the State of Iowa for regulating money in elections. No futher review for this item was agreed.

Recess – Moved by Council Member Engelmann to recess the council meeting council meeting at 5:43 pm and reconvene at the Storm Lake Library to attend a Library reception. Seconded by Council Member Ibarra. Vote: All ayes. Motion carried.

Reconvene – Moved by Council Member Engelmann at the Storm Lake Library at 6:05 pm. The following were present: Mayor Prosch, Council Members Carlson, Englamann, Smith,

These are draft minutes Subject to Final Council Approval

Ibarra, and Rice. The Council met with the Library Board and Friends of the Library for a brief Reception. There were no items of discussion.

Council Member Englemann left at 6:26 pm.

Adjournment – Moved by Council Member Rice to adjourn the meeting at 6:41 pm. Seconded by Council Member Ibarra Vote: All ayes with Council Member Englemann absent. Motion carried.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

City of Storm Lake
620 Erie Street PO Box 1086
Storm Lake IA, 505881086

Checks for Approval Report

From: 04/17/18 To 05/07/18
User: tyler.gibbins

UNAVAILABLE

ACCURATE APPLIANCE	Refund Check	20.00
ACCURATE APPLIANCE	Refund Check	32.22
ACCURATE APPLIANCE	Refund Check	17.02
ACCURATE APPLIANCE	Refund Check	4.10
ACCURATE APPLIANCE	Refund Check	6.20
AFLAC	PR Batch 00552.04.2018 Aflac Pretax	488.29
AFLAC	PR Batch 00552.04.2018 Aflac After tax	37.63
AUNG KYAW	Refund Check	25.16
AUNG KYAW	Refund Check	43.35
AUNG KYAW	Refund Check	11.55
AUNG KYAW	Refund Check	1.77
AUNG KYAW	Refund Check	5.43
BEZUGLOV ANTON	Refund Check	9.37
BEZUGLOV ANTON	Refund Check	17.57
BEZUGLOV ANTON	Refund Check	4.58
BEZUGLOV ANTON	Refund Check	0.66
BEZUGLOV ANTON	Refund Check	2.15
CHECK N' GO MAIL STOP #7	Refund Check	95.76
City of Storm Lake	PR Batch 00552.04.2018 Dental employee/child	3.00
City of Storm Lake	PR Batch 00552.04.2018 Dental insurance employee c	23.92
City of Storm Lake	PR Batch 00552.04.2018 Dental employee/spouse	31.95
City of Storm Lake	PR Batch 00552.04.2018 Dental insurance family	90.20
City of Storm Lake	PR Batch 00552.04.2018 125 Flexible Benefits	1,101.71
City of Storm Lake	PR Batch 00552.04.2018 Flex- Child Care	38.46
City of Storm Lake	PR Batch 00552.04.2018 Health Insurance Family	2,604.00
City of Storm Lake	PR Batch 00552.04.2018 Health Insurance Single	471.39
Collection Services Center	PR Batch 00552.04.2018 Child Support Payments to I	596.76
CRUZ CYNTHIA	Refund Check	23.05
CRUZ CYNTHIA	Refund Check	35.07
CRUZ CYNTHIA	Refund Check	7.39
CRUZ CYNTHIA	Refund Check	1.61
CRUZ CYNTHIA	Refund Check	3.47
DANIEL AKRIHNA	Refund Check	57.49
EFTPS	PR Batch 00552.04.2018 Federal Income Tax	11,313.09
EFTPS	PR Batch 00552.04.2018 FICA Employee Portion	5,487.07
EFTPS	PR Batch 00552.04.2018 FICA Employer Portion	5,487.07
EFTPS	PR Batch 00552.04.2018 Medicare Employee Portion	1,901.45
EFTPS	PR Batch 00552.04.2018 Medicare Employer Portion	1,901.45
EKCHAN JR PEDRO	Refund Check	9.05
EKCHAN JR PEDRO	Refund Check	16.67
EKCHAN JR PEDRO	Refund Check	4.62
EKCHAN JR PEDRO	Refund Check	0.64
EKCHAN JR PEDRO	Refund Check	2.17
FIGUEROA JOEL	Refund Check	84.31
FISSAHAIE TEFAMARIAM	Refund Check	20.00
FISSAHAIE TEFAMARIAM	Refund Check	33.37
FISSAHAIE TEFAMARIAM	Refund Check	9.34
FISSAHAIE TEFAMARIAM	Refund Check	1.40
FISSAHAIE TEFAMARIAM	Refund Check	4.39
FLORES DANIEL	Refund Check	139.73
GARCIA GOMEZ or ALFREDO	Refund Check	67.18
HYLAND KATHY	Refund Check	14.75
HYLAND KATHY	Refund Check	27.80
HYLAND KATHY	Refund Check	9.70
HYLAND KATHY	Refund Check	1.03
HYLAND KATHY	Refund Check	4.57
ICMA Retirement Trust 457	PR Batch 00552.04.2018 ICMA	1,780.00

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From: 04/17/18 To 05/07/18
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ICMA Retirement Trust 457	PR Batch 00552.04.2018 ICMA City Paid	370.94
ICMA Retirement Trust 457	PR Batch 00552.04.2018 ICMA City paid for Police	425.34
Iowa Public Employees	PR Batch 00552.04.2018 IPERS	4,966.16
Iowa Public Employees	PR Batch 00552.04.2018 IPERS City Share	7,453.24
ITT Hartford AMS RPVA	PR Batch 00552.04.2018 457 Hartford	500.00
KANE JORDAN	Refund Check	86.93
KING KYLE	Refund Check	16.67
KING KYLE	Refund Check	31.01
KING KYLE	Refund Check	10.97
KING KYLE	Refund Check	1.16
KING KYLE	Refund Check	5.16
LOREDO DOMINIKUE	Refund Check	23.27
LOREDO DOMINIKUE	Refund Check	43.79
LOREDO DOMINIKUE	Refund Check	13.90
LOREDO DOMINIKUE	Refund Check	1.63
LOREDO DOMINIKUE	Refund Check	6.54
MANYANG JAMES	Refund Check	16.66
MANYANG JAMES	Refund Check	34.15
MANYANG JAMES	Refund Check	10.99
MANYANG JAMES	Refund Check	1.16
MANYANG JAMES	Refund Check	15.50
MARRERO ESCOBAR or ABNIEL	Refund Check	24.69
MARRERO ESCOBAR or ABNIEL	Refund Check	39.64
MARRERO ESCOBAR or ABNIEL	Refund Check	9.28
MARRERO ESCOBAR or ABNIEL	Refund Check	1.73
MARRERO ESCOBAR or ABNIEL	Refund Check	4.37
MARRERO MATOS CARLOS	Refund Check	57.67
MESTRIL FONSECA YOHANKI	Refund Check	117.76
Muni Fire/Police Retire	PR Batch 00552.04.2018 Muni Police/Fire Pension	3,583.29
Muni Fire/Police Retire	PR Batch 00552.04.2018 Muni Police/Fire Pension Ci	9,789.19
PAPE ALLEN	Refund Check	6.78
PETERS VIRGIL	Refund Check	82.15
PLASENCIA SALGADO LEIDYS	Refund Check	160.00
RAMIREZ NARANJO LUIS	Refund Check	79.55
SANCHEZ CABADA LESTER	Refund Check	81.87
SANTANA ARIAS YOSMIL	Refund Check	37.28
SANTANA ARIAS YOSMIL	Refund Check	84.04
SANTANA ARIAS YOSMIL	Refund Check	24.54
SANTANA ARIAS YOSMIL	Refund Check	2.60
SANTANA ARIAS YOSMIL	Refund Check	11.54
SMITH DALEE	Refund Check	10.87
TANG NYAKHOR	Refund Check	36.70
Teamsters Local Union 554	PR Batch 00552.04.2018 Union Dues	283.50
Treasurer State Of Iowa	PR Batch 00552.04.2018 State Income Tax	5,674.61
VALLE MARIA	Refund Check	24.19
VALLE MARIA	Refund Check	41.60
VALLE MARIA	Refund Check	11.30
VALLE MARIA	Refund Check	1.70
VALLE MARIA	Refund Check	5.32
VENEGAS CORTEZ JESUS RIGOBERTO	Refund Check	160.00
VIDEL SANCHEZ DAVID	Refund Check	102.40
ZAR THU	Refund Check	8.61
ZAR THU	Refund Check	17.89
ZAR THU	Refund Check	5.68
ZAR THU	Refund Check	0.60
ZAR THU	Refund Check	2.67

UNAVAILABLE

Department Total = 68,853.91

City of Storm Lake
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Checks for Approval Report

From: 04/17/18 To 05/07/18
User: tyler.gibbins

Police Department

Alta Body Shop	4/18/2018 Towing Services	70.00
Bomgaars Supply, Inc	Snap Bolt Swivel & Key Ring	77.06
Central Iowa Distributing, Inc	Cleaning Supplies	124.20
Central Iowa Distributing, Inc	Soap	68.90
Central Iowa Distributing, Inc	Inverted Paint	59.00
City of Storm Lake	Serviced P-14	43.59
City of Storm Lake	Serviced P-8	43.59
City of Storm Lake	Serviced P-5	42.43
City of Storm Lake	Serviced P-9	41.91
City of Storm Lake	Serviced P-6	41.91
City of Storm Lake	Serviced P-4	49.74
City of Storm Lake	Serviced P-19	57.53
City of Storm Lake	Serviced P-13	41.91
City of Storm Lake	Serviced P-12	41.91
City of Storm Lake	Serviced P-11	41.41
City of Storm Lake	Serviced P-10	41.03
Color-ize Inc	Letterhead Paper	276.00
Edwards Storm Lake	Light Replacement	78.85
Edwards Storm Lake	Shifter Cable	189.91
Haakinson Robert	Towing Fee Refund	30.00
Iowa County Attny Assn	Law Updates- Altoona- Bauer	65.00
Iowa Law Enforcement Academy	Open Site Rifle Training Registration- Hartwell	500.00
Martinez Topiltzin	Towing Refund	135.00
MidAmerican Energy Company	Electric Service Feb/Mar 2018	829.90
Pepperball/ATO Systems	2 Day Certification Registration- Hartwell	395.00
Prime Media Acquisition Corp	Heavy Weight Bags	157.04
Principal Life Ins Co	Insurance Premium May 2018	2,260.87
Rasmussen's	Light Bulb	67.08
Reserve Account	Postage Apr 25, 2018	156.64
Rohr Manufacturing Services, Ltd	Fire Extinguisher Inspection	231.30
Secretary of State	Notary Renewal- Lundberg	30.00
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	26,675.20
The Sign Shed & Graphics	Sign	42.00
Ultramax Ammunition	Ammo	333.00
Wal Mart #01-1526	Supplies	23.36
Wal Mart #01-1526	Receipt Books & Office Supplies	38.70
Wal Mart #01-1526	Supplies	4.97
Wal Mart #01-1526	Supplies	5.88
Wal Mart #01-1526	Supplies	2.63
Wal Mart #01-1526	Washer Fluid	5.57

Police Department

Department Total = 33,420.02

Emergency Management

Blue Valley Public Safety Inc	Siren Maintenance Services	595.00
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Emergency Management

Department Total = 595.00

Fire Department

Cintas First Aid & Safety	First Aid Supplies	24.55
Hy-Vee, Inc	Meeting Supplies	48.00
Hy-Vee, Inc	Meeting Supplies- Less Tax	25.84
Jones Mike	Fire Chief's Conference- Ames- Jones	368.72
Jones Mike	Fire Rescue Conference Registration Reimb	535.00
Mangold Environmental Testing	Shipping	6.66

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Nomad Travel Agency	Flight for Fire Rescue Conference- Jones	260.00
Principal Life Ins Co	Insurance Premium May 2018	185.78
Rohr Manufacturing Services, Ltd	Fire Extinguisher Inspection	255.55
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	42,253.89

Fire Department	Department Total =	43,963.99
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Building Official

Principal Life Ins Co	Insurance Premium May 2018	66.31
Reserve Account	Postage Apr 25, 2018	23.34
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	716.35

Building Official	Department Total =	806.00
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Law Enforcement

Allerdings Andrew	Drone Test- Estherville- Allerdings	150.00
Molina Matt	Drone Test Registration- Estherville- Molina	150.00
Phalanx International	Ballistic Helmet	433.94
Rebnord Technologies Inc	Monitors (3)	599.85

Law Enforcement	Department Total =	1,333.79
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Crime Prevention

Better Day Cafe	Coffee with a Cop- Less Tax	50.44
Foremost Promotions	Vinyl Key Tag	458.36

Crime Prevention	Department Total =	508.80
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Roadway Maintenance

Buena Vista Regional Medical Center	Pre Employment Testing- Stille	30.00
Cintas First Aid & Safety	First Aid Supplies	86.02
City of Storm Lake	Back Rest Assembly	11.00
Fastenal Company	Supplies	28.26
Hunzelman Putzier Company	Professional Services through 1/29/2018	503.12
L & G Products, Inc	Tree Protectors	175.00
MidAmerican Energy Company	Electric Service Feb/Mar 2018	696.75
Principal Life Ins Co	Insurance Premium May 2018	368.58
Reding Gravel & Excavating Co., Inc	Rock	210.21
Reding Gravel & Excavating Co., Inc	Rock	372.94
Rohr Manufacturing Services, Ltd	Fire Extinguisher Inspection	438.55
Stille Pierce & Pertzborn	FY2019 Insurance Renewal	4,468.13
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	8,204.82
Storm Lake Ace Hardware Inc	Gloves & Supplies	25.39
Telvent DTN, Inc	Services from 5/15/2018 to 8/14/2018	720.00

Roadway Maintenance	Department Total =	16,338.77
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Street Lighting

MidAmerican Energy Company	Electric Service Feb/Mar 2018	13,582.93
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Street Lighting	Department Total =	13,582.93
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Snow Removal

City of Storm Lake
620 Erie Street PO Box 1086
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User: tyler.gibbins

Deere Credit Inc	Bracket	241.29
Graham Tire	Tire Repairs	94.64
Hallett Materials	Cold Mix	406.56
Principal Life Ins Co	Insurance Premium May 2018	92.74
Sta-Mel Enterprises, Inc	Deicing Salt	1,824.00
Sta-Mel Enterprises, Inc	Deicing Salt	1,705.60
Sta-Mel Enterprises, Inc	Deicing Salt	912.60
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	2,984.99

Snow Removal

Department Total = 8,262.42

Airport

Amerigas	Propane	949.42
Bart's Flying Service	April 2018 Airport Contract	5,138.98
Culligan	Water Supplies	15.90
Eastern Aviation Fuels, Inc	Jet A Fuel	19,696.38
Iowa Dept of Agriculture & Land Stewardship	FY2019 Meter License	9.00
Iowa Lakes Regional Water	March 2018 Water Service	63.49
K&W Electric Inc	REIL Repairs	1,440.00
MidAmerican Energy Company	Electric Service Feb/Mar 2018	657.62
Reserve Account	Postage Apr 25, 2018	11.75
Rohr Manufacturing Services, Ltd	Fire Extinguisher Inspection	70.30

Airport

Department Total = 28,052.84

Transit

Regional Transit Authority	3rd Quarter FY 2018 Coupons	240.00
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Transit

Department Total = 240.00

Library

Huff Elizabeth	IPTV Flight Change Fee	615.00
Hy-Vee, Inc	IPTV Club Snacks	55.13
MidAmerican Energy Company	Electric Service Feb/Mar 2018	757.32
Principal Life Ins Co	Insurance Premium May 2018	159.73
Reserve Account	Postage Apr 25, 2018	17.13
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	221.04

Library

Department Total = 1,825.35

Band

Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	20.04
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Band

Department Total = 20.04

Parks Department

Bomgaars Supply, Inc	Supplies	8.64
Bomgaars Supply, Inc	Trailer Winch	42.99
Bomgaars Supply, Inc	Supplies	19.98
Central Iowa Distributing, Inc	Cleaning Supplies	544.60
L & G Products, Inc	Weed Killer	191.60
L & G Products, Inc	Seed	620.00
MidAmerican Energy Company	Electric Service Feb/Mar 2018	284.15
Plumbing & Heating Wholesale, Inc	Supplies for Parks Restrooms	156.02

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Principal Life Ins Co	Insurance Premium May 2018	200.62
Rohr Manufacturing Services, Ltd	Fire Extinguisher Inspection	248.30
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	3,893.58

Parks Department

Department Total = 6,210.48

Golf Course

A & A Automotive	Lawn Mower Repairs	30.78
Bomgaars Supply, Inc	Spray Point	9.98
Bomgaars Supply, Inc	Spray Point & Drain Stopper	12.37
Bomgaars Supply, Inc	Spray Point & Supplies	15.97
Bomgaars Supply, Inc	Spray Point & Supplies	19.76
Central Iowa Distributing, Inc	Cleaning Supplies	197.10
L & G Products, Inc	Seed	1,555.00
L & G Products, Inc	Weed Killer	47.90
MidAmerican Energy Company	Electric Service Feb/Mar 2018	167.18
Principal Life Ins Co	Insurance Premium May 2018	72.99
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	691.93

Golf Course

Department Total = 2,820.96

Campgrounds

Bomgaars Supply, Inc	Cleaner	12.99
Bomgaars Supply, Inc	Receptacles & Roundup Spray	55.97
Bomgaars Supply, Inc	Cleaner & Paint Brushes	50.93
Bomgaars Supply, Inc	Supplies	35.94
Bomgaars Supply, Inc	Pump & Supplies	57.09
Bomgaars Supply, Inc	Crack Fill & Stove Brush	37.98
Bomgaars Supply, Inc	Catch Bag	15.99
Bomgaars Supply, Inc	Radios, Batteries, & Supplies	107.07
Bomgaars Supply, Inc	Stove Brush Returned	-15.99
Bomgaars Supply, Inc	Metal & Aluminum Foil	5.08
Central Iowa Distributing, Inc	Cleaning Supplies	112.20
MidAmerican Energy Company	Electric Service Feb/Mar 2018	197.40
Principal Life Ins Co	Insurance Premium May 2018	24.33
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	900.44
Storm Lake Ace Hardware Inc	Supplies	59.98
Storm Lake Ace Hardware Inc	Supplies	27.97
Storm Lake Ace Hardware Inc	Dryer Vent	9.59
Storm Lake Ace Hardware Inc	Paint & Supplies	70.93
Storm Lake Ace Hardware Inc	Chain Coil, Safety Supplies, & Supplies	64.81
Twin Rivers Media, LLC	Advertising	300.00

Campgrounds

Department Total = 2,130.70

UNAVAILABLE

Efficient Construction LLC	Bathroom Remodel for all 4 Cabins	14,499.00
Efficient Construction LLC	Bathroom Remodel for all 4 Cabins	12,221.00
Grieme Paul	Interior Painting of Cottages	8,100.00
King's Pointe Resort	Maintenance/Management Fees 4/1/2017 to 3/31/2018	14,125.94
King's Pointe Resort	1st Half Sofa Cost- PO#2018-038	6,382.00
Melander's	Appliances for Cottage Renovations	20,739.60
MidAmerican Energy Company	Electric Service Feb/Mar 2018	1,118.58
Stille Pierce & Pertzborn	FY2019 Insurance Renewal	3,744.24

UNAVAILABLE

Department Total = 80,930.36

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UNAVAILABLE

MidAmerican Energy Company	Electric Service Dec 2017 to March 2018	66.39
MidAmerican Energy Company	Electric Service Dec 2017 to March 2018	656.74
Stille Pierce & Pertzborn	FY2019 Insurance Renewal	3,744.24

UNAVAILABLE

Department Total = 4,467.37

Shelter House

Iowa Office Supply Inc	Shelter House Key Envelopes	25.34
MidAmerican Energy Company	Electric Service Feb/Mar 2018	126.86

Shelter House

Department Total = 152.20

Hotel Operations

Stille Pierce & Pertzborn	FY2019 Insurance Renewal	27,072.16
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Hotel Operations

Department Total = 27,072.16

TIF

MidAmerican Energy Company	Electric Service Feb/Mar 2018	10.00
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TIF

Department Total = 10.00

Dredging

Principal Life Ins Co	Insurance Premium May 2018	11.77
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	152.79

Dredging

Department Total = 164.56

Mayor, Council, Manager

Principal Life Ins Co	Insurance Premium May 2018	51.45
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	55.10

Mayor, Council, Manager

Department Total = 106.55

Policy & Administration

Principal Life Ins Co	Insurance Premium May 2018	99.32
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	123.36

Policy & Administration

Department Total = 222.68

City Hall Building

Bomgaars Supply, Inc	Landscape Markers	6.58
Central Iowa Distributing, Inc	Cleaning Supplies	156.06
Central Iowa Distributing, Inc	Cleaning Supplies	140.42
MidAmerican Energy Company	Electric Service Feb/Mar 2018	444.29
Steve's Window Svc	Window Cleaning Services	37.00

City Hall Building

Department Total = 784.35

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Tort Liability

Stille Pierce & Pertzborn	FY2019 Insurance Renewal	114,166.53
Stille Pierce & Pertzborn	FY2018 Cyber Insurance Renewal	6,413.50

Tort Liability

Department Total = 120,580.03

Other Policy & Administration

Buena Vista Co Recorder	February 2018 Recording Fees	195.00
Gibbins Tyler	2018 IMFOA Spring Conference- Des Moines- Gibbir	67.53
Hill Jane	2018 Iowa Employment Training- Des Moines- Hill	75.77
Holiday Inn Des Moines Airport	IMFOA Conference Hotel- Oakleaf	67.20
Holiday Inn Des Moines Airport	IMFOA Conference Hotel- Gibbins	67.20
Hunzelman Putzier Company	Professional Serivces through 1/29/2018	503.13
Oakleaf Brian	2018 IMFOA Spring Conference- Des Moines- Oakle	67.58
Prairie Meadows Racetrack & Casino	Hotel Charge- Hill	85.12
Reserve Account	Postage Apr 25, 2018	203.21
Rohr Manufacturing Services, Ltd	Fire Extinguisher Inspection	83.10
Storm Lake Ace Hardware Inc	Key	5.67
Storm Lake Rotary Club	1st Quarter FY2019 Membership	125.00
Wal Mart #01-1526	Supplies	17.55

Other Policy & Administration

Department Total = 1,563.06

Water Administration

Gibbins Tyler	2018 IMFOA Spring Conference- Des Moines- Gibbir	67.54
Hill Jane	2018 Iowa Employment Training- Des Moines- Hill	75.78
Holiday Inn Des Moines Airport	IMFOA Conference Hotel- Oakleaf	67.20
Holiday Inn Des Moines Airport	IMFOA Conference Hotel- Gibbins	67.20
Hunzelman Putzier Company	Professional Serivces through 1/29/2018	503.13
Oakleaf Brian	2018 IMFOA Spring Conference- Des Moines- Oakle	67.59
Prairie Meadows Racetrack & Casino	Hotel Charge- Hill	85.12
Principal Life Ins Co	Insurance Premium May 2018	211.50
Reserve Account	Postage Apr 25, 2018	54.77
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	451.47
Tyler Technologies, Inc	Licnese Fees (Partial)	4,862.22
Tyler Technologies, Inc	Converstion Services	2,277.54
Tyler Technologies, Inc	Converstion Services	1,150.00
Tyler Technologies, Inc	Server Converstion	619.60
Tyler Technologies, Inc	Personnel Management Setup	62.50

Water Administration

Department Total = 10,623.16

Water Plant

Bomgaars Supply, Inc	Sand	17.98
Bomgaars Supply, Inc	Gloves & Sandpaper	20.78
Central Iowa Distributing, Inc	Cleaning Supplies	308.80
Chem-Sult Inc	Sodium Chlorite	3,463.40
Control System Specialists, LLC	Backflow Preventor Installation	380.00
Fastenal Company	Shelves for Storage Room	1,069.88
Fastenal Company	Supplies	12.45
Fastenal Company	Supplies	6.31
Fastenal Company	Supplies	1.32
Fastenal Company	Supplies	12.06
Fastenal Company	Motor	40.97
Grainger Inc W.W.	Propeller & Shaft Adapter	67.22

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Hach Chemical Company	FY2018 WIMS Users Subscription	2,606.40
Hawkins, Inc	Sodium Aluminate	847.50
Iowa Division of Labor	Boiler Safety Inspection	135.00
Mercer Rubber Company	Tube Cover	678.00
MidAmerican Energy Company	Electric Service Feb/Mar 2018	17,219.10
Mike's Electronics Inc	Sludge Pump Services	130.00
Mike's Electronics Inc	High Service Pump #1 Services	70.00
Mississippi Lime Company	Lime	4,541.50
Mississippi Lime Company	Lime	4,786.09
Mississippi Lime Company	Lime	4,645.21
Mississippi Lime Company	Lime Returned	-4,786.09
Mississippi Lime Company	Lime	4,836.96
Northern Safety Co, Inc	Safety Supplies	190.33
Plumbing & Heating Wholesale, Inc	Supplies	21.50
PraxAir inc	Carbon Dioxide	1,095.25
Principal Life Ins Co	Insurance Premium May 2018	411.37
Rohr Manufacturing Services, Ltd	Fire Extinguisher Inspection	255.00
Stern Dave	2013 Pickup Repairs from Accident	2,639.05
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	6,573.62
Stille Pierce & Pertzborn	FY2019 Insurance Renewal	69,183.85
Storm Lake Ace Hardware Inc	Blower Fan	59.99
UPS Store The	Shipping Services	9.73
USA Blue Book	Float Switch	222.67
USA Blue Book	Flow Test Kit Return	-599.95
Vessco Inc	Hyd Connector Pack	34.82
Wal Mart #01-1526	Supplies	43.08
Wal Mart #01-1526	Batteries & Supplies	148.29
Wal Mart #01-1526	Office Supplies	96.15
Wal Mart #01-1526	Supplies	86.51

Water Plant **Department Total =** 121,582.10

Water Distribution

Bomgaars Supply, Inc	Oiler & Chain	37.15
Bomgaars Supply, Inc	Antifreeze & Supplies	52.34
Bomgaars Supply, Inc	Spray Grip & Supplies	36.82
Interstate Industrial Instrumentation, Inc	Safety Air Meter- Less Tax	176.83
Mangold Environmental Testing	Bacteria Testing	80.00
MidAmerican Energy Company	Electric Service Feb/Mar 2018	67.89
Principal Life Ins Co	Insurance Premium May 2018	83.96
Rehab Systems Inc.	Manhole Rehab	7,490.00
Reinert Michael P	Oxygen & Acetylene Refill	97.00
Reinert Michael P	Iron	13.00
Reinert Michael P	Rod	7.50
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	1,567.95
Underground Location Company	Locates	25.85
Utility Equipment Co	Clamp	408.36

Water Distribution **Department Total =** 10,144.65

Water Meters

Principal Life Ins Co	Insurance Premium May 2018	55.13
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	1,060.12

Water Meters **Department Total =** 1,115.25

Wastewater Administration

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Gibbins Tyler	2018 IMFOA Spring Conference- Des Moines- Gibbir	67.53
Hill Jane	2018 Iowa Employment Training- Des Moines- Hill	75.77
Holiday Inn Des Moines Airport	IMFOA Conference Hotel- Gibbins	67.20
Holiday Inn Des Moines Airport	IMFOA Conference Hotel- Oakleaf	67.20
Hunzelman Putzier Company	Professional Serivces through 1/29/2018	503.13
Oakleaf Brian	2018 IMFOA Spring Conference- Des Moines- Oaklea	67.59
Prairie Meadows Racetrack & Casino	Hotel Charge- Hill	85.12
Principal Life Ins Co	Insurance Premium May 2018	211.75
Reserve Account	Postage Apr 25, 2018	54.77
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	445.84
Tyler Technologies, Inc	Licnese Fees (Partial)	4,862.22
Tyler Technologies, Inc	Converstion Services	2,277.54
Tyler Technologies, Inc	Personnel Management Setup	62.50
Tyler Technologies, Inc	Converstion Services	1,150.00
Tyler Technologies, Inc	Server Converstion	619.60

Wastewater Administration

Department Total = 10,617.76

Wastewater Treatment Plant

ABC Pest Control, Inc	April 2018 Pest Control	100.00
Bomgaars Supply, Inc	Bench Grinder & Air Compressor Oil	146.48
Bomgaars Supply, Inc	Rubber Boots	29.99
Century Link	April 2018 Phone Service	174.04
Control System Specialists, LLC	New IR Sensor	1,464.52
Des Moines Area Community College	Grade 3 & 4 Prep Workshop	450.00
Dicks Seth	2018-2022 CDL Reimbursement	12.00
EWT Holdings III Corp	Bioxide	13,184.42
Foundation Analytical Laboratory Inc	Testing Services	367.00
Foundation Analytical Laboratory Inc	Testing Services	1,015.50
Foundation Analytical Laboratory Inc	Testing Services	355.50
Foundation Analytical Laboratory Inc	Testing Services	1,019.25
Graffix, Inc	Uniforms- Peterson	158.45
Graffix, Inc	Uniforms- Dicks	129.75
H-O-H Water Technology, Inc	Chemicals	3,554.37
Hach Chemical Company	FY2018 WIMS Users Subscription	2,606.39
Keller Plumbing Heating & Air LLC	Copper Line Replacement	87.76
MidAmerican Energy Company	Electric Service Feb/Mar 2018	12,088.08
Mike's Electronics Inc	Grit Screen Services	130.00
NCL of Wisconsin Inc	Testing Supplies	68.97
Principal Life Ins Co	Insurance Premium May 2018	356.60
Recycle Center Harold Rowley	Recycling	29.12
Recycle Center Harold Rowley	Recycling	16.64
Recycle Center Harold Rowley	Recycling	18.20
Recycle Center Harold Rowley	Recycling	33.28
Recycle Center Harold Rowley	Recycling	22.88
Recycle Center Harold Rowley	Recycling	21.84
Recycle Center Harold Rowley	Recycling	10.00
Rohr Manufacturing Services, Ltd	Fire Extinguisher Inspection	276.30
Stille Pierce & Pertzborn	FY2019 Insurance Renewal	69,183.85
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	6,236.74
Storm Lake Ace Hardware Inc	Supplies	20.83
Storm Lake Ace Hardware Inc	Wash Brush	27.87
Storm Lake Ace Hardware Inc	Weather Strips & Braces	31.96
Storm Lake Ace Hardware Inc	Clips & Supplies	46.46
Unity Point Clinic	Employee Physical- Dicks	220.00
US Peroxide, LLC	Hydrogen Peroxide	13,600.65
USA Blue Book	Sampler Pump Tube	478.26

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Utility Equipment Co	Clamp & Supplies	498.66
Wal Mart #01-1526	Hooks, Tape, & Supplies	35.54
Ziegler Inc	Scout Park LS Repairs	4,331.97

Wastewater Treatment Plant

Department Total = 132,640.12

Wastewater Collection

Principal Life Ins Co	Insurance Premium May 2018	83.96
Rehab Systems Inc.	Rebuild Inverts	962.50
Rehab Systems Inc.	Sanitary Sewer Line Vac & Televising	8,066.40
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	1,567.95
Trans Iowa Equipment LLC	Supplies	600.00
Underground Location Company	Locates	25.85

Wastewater Collection

Department Total = 11,306.66

Landfill

Hunzelman Putzier Company	Professional Serivces through 1/29/2018	503.12
Principal Life Ins Co	Insurance Premium May 2018	37.68
Reserve Account	Postage Apr 25, 2018	27.39
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	23.44
Tyler Technologies, Inc	Licnese Fees (Partial)	1,215.56
Tyler Technologies, Inc	Server Converstion	154.90
Tyler Technologies, Inc	Converstion Services	569.38
Tyler Technologies, Inc	Converstion Services	287.50
Tyler Technologies, Inc	Personnel Management Setup	15.62

Landfill

Department Total = 2,834.59

Storm Water Administration

Hunzelman Putzier Company	Professional Serivces through 1/29/2018	503.12
Principal Life Ins Co	Insurance Premium May 2018	73.15
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	306.20
Tyler Technologies, Inc	Personnel Management Setup	15.63
Tyler Technologies, Inc	Converstion Services	569.38
Tyler Technologies, Inc	Server Converstion	154.90
Tyler Technologies, Inc	Converstion Services	287.50
Tyler Technologies, Inc	Licnese Fees (Partial)	1,215.55
Uline	Mailing Tubes	94.24
Wal Mart #01-1526	Supplies	11.22

Storm Water Administration

Department Total = 3,230.89

Storm Water Collection

Buena Vista Co Recorder	March 2018 Recording Fees	22.00
Emmons & Olivier Resources Inc	Design Services through 3/31/2018	117.75
Emmons & Olivier Resources Inc	Implementation Services through 3/31/2018	3,266.70
Emmons & Olivier Resources Inc	Data Collection Services through 3/31/2018	780.50
Principal Life Ins Co	Insurance Premium May 2018	32.48
Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	896.69
Veenstra & Kimm, Inc	Construction Services through 4/14/2018	11,416.34

Storm Water Collection

Department Total = 16,532.46

Street Cleaning

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Stille Pierce & Pertzborn	18-19 Worker's Comp Audit	704.45
Street Cleaning		Department Total = 704.45
Insurance		
Auxiant - Claims Account	4/30/2018 Claims	36,876.89
Auxiant - Claims Account	4/16/2018 Claims	3,454.10
Auxiant - Claims Account	4/23/2018 Claims	10,811.54
Auxiant - Fixed Account	May 2018 Insurance Premium	17,228.38
Auxiant - Flex Account	4/11/2018 Flex Claims	390.16
Auxiant - Flex Account	4/18/2018 Flex Claims	947.46
Auxiant - Flex Account	4/25/2018 Flex Claims	584.16
Insurance		Department Total = 70,292.69
UNAVAILABLE		
Salus LLC	February 2018 Memberships	100.00
UNAVAILABLE		Department Total = 100.00
Vehicle Maintenance		
Bomgaars Supply, Inc	Caster	43.96
Bomgaars Supply, Inc	Bait & Supplies	37.70
Fastenal Company	Supplies	20.74
Inland Truck Parts Co	Threaded Rod	33.72
North Lake Truck Repair	Key Blank	17.24
Storm Lake Hydraulics Co Inc	Supplies	4.95
Vehicle Maintenance		Department Total = 158.31
		Grand Total = 856,902.41

Operating
City of Storm Lake
Check Register
From 4/13/2018 to 5/4/2018

Vendor	Description	Amount
Weigand Omega Management Payroll	Services	66,958.64
Jason Bjerk	Reimbursement	60.00
ACCO Unlimited Corporation	Services	1,642.30
Alliant Energy	Utilities	453.16
American Leather Holdings, LLC	Supplies	6,382.00
Arnold Motor Supply, LLP	Supplies	26.97
Bomgaars Supply Inc.	Supplies	118.52
Builders FirstSource Inc	Supplies	10.41
CenterPoint Energy Services, Inc	Utilities	10,156.29
Color-ize	Services	465.50
Crescent Electric Supply Company	Supplies	29.69
Fastenal Company	Supplies	8.94
Feld Fire	Services	360.00
HyVee	Supplies	267.63
Loews Carpet One	Supplies	19.44
Mangold Environmental Testing, Inc.	Services	26.00
MidAmerican Energy	Utilities	9,842.97
Office Elements	Supplies	61.79
Michael P. Reinert dba Olsen Welding & Machine	Services	220.00
Bottling Group, LLC dba Pepsi Beverages Company	Beverages	2,060.78
Plumbing and Heating Wholesale, Inc.	Supplies	454.11
Power Solutions Inc.	Services	3,315.28
Rebnord Technologies, Inc.	Services	89.90
Steven A. Beeck dba Steve's Window Service	Services	294.25
Storm Lake Ace Hardware	Supplies	227.37
Storm Lake Times	Advertising	627.59
Sysco Iowa, Inc.	Food	15,075.02
UPS	Services	47.85
Verizon Wireless	Utilities	413.92
Vista Paints	Supplies	41.20
Weigand Omega Management Payroll	Payroll	74,306.86
		194,064.38

Applicant License Application (LE0001135)

Name of Applicant: <u>Walmart Inc.</u>		
Name of Business (DBA): <u>Wal-Mart Supercenter #1526</u>		
Address of Premises: <u>1831 Lake Ave NW</u>		
City <u>Storm Lake</u>	County: <u>Buena Vista</u>	Zip: <u>50588</u>
Business	<u>(712) 732-7940</u>	
Mailing	<u>508 SW 8th Street</u>	
City <u>Bentonville</u>	State <u>AR</u>	Zip: <u>727160500</u>

Contact Person

Name <u>Cynthia Montero</u>	
Phone: <u>(479) 277-4656</u>	Email <u>complic@walmart.com</u>

Classification Class E Liquor License (LE)

Term:12 months

Effective Date: 05/01/2018

Expiration Date: 04/30/2019

Privileges:

Class B Wine Permit

Class C Beer Permit (Carryout Beer)

Class E Liquor License (LE)

Sunday Sales

Status of Business

BusinessType: <u>Publicly Traded Corporation</u>	
Corporate ID Number: <u>XXXXXXXXXX</u>	Federal Employer ID <u>XXXXXXXXXX</u>

Ownership

Doug McMillon

First Name: <u>Doug</u>	Last Name: <u>McMillon</u>	
City: <u>Bentonville</u>	State: <u>Arkansas</u>	Zip: <u>72712</u>
Position: <u>President & CEO</u>		
% of Ownership: <u>0.00%</u>	U.S. Citizen: <u>Yes</u>	

Amy Thrasher

First Name: <u>Amy</u>	Last Name: <u>Thrasher</u>	
City: <u>Bentonville</u>	State: <u>Arkansas</u>	Zip: <u>72712</u>
Position: <u>Assistant Secretary</u>		
% of Ownership: <u>0.00%</u>	U.S. Citizen: <u>Yes</u>	

Phyllis Harris

First Name: <u>Phyllis</u>	Last Name: <u>Harris</u>
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City: Rogers **State:** Arkansas **Zip:** 72758
Position: SVP & Chief Compliance Officer
% of Ownership: 0.00% **U.S. Citizen:** Yes
Jeff Davis
First Name: Jeff **Last Name:** Davis
City: Rogers **State:** Arkansas **Zip:** 72758
Position: Treasurer
% of Ownership: 0.00% **U.S. Citizen:** Yes
Andrea Marie Lazenby
First Name: Andrea Marie **Last Name:** Lazenby
City: Bentonville **State:** Arkansas **Zip:** 72712
Position: Assistant Secretary
% of Ownership: 0.00% **U.S. Citizen:** Yes
James Robert Renfrow
First Name: James Robert **Last Name:** Renfrow
City: Rogers **State:** Arkansas **Zip:** 72758
Position: Asst. Sec
% of Ownership: 0.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: <u>Travelers Casualty & Surety Company of America</u>	
Policy Effective Date: <u>05/01/2018</u>	Policy Expiration <u>01/01/1900</u>
Bond Effective <u>2</u>	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date:

M E M O R A N D U M

TO: MAYRA MARTINEZ

FROM: MARK PROSSER

DATE: February 27, 2018

REFERENCE: LIQUOR LICENSE RENEWAL
WAL-MART
1831 N LAKE AVE

Discussion: Per your request I have accessed the department computer for calls of interest to the aforementioned establishment. The calls are as follows:

	03-12-2016 to 03-09-2017	03-10-2017 to 02-24-2018
INCIDENTS		
9-1-1 Hang-up	6	3
Abandoned Vehicle	1	1
Accident	20	16
Ambulance Assist	6	6
Animal Complaint	10	7
Assault	5	1
Arrest	4	3
Burglar Alarm	0	2
Burglary	0	1
Business Assist	21	7
Business Escort	1	1
Business Security	171	108
Car in Ditch	1	0
Case Investigation	1	1
Child Abuse	0	1
Citizen Assist	16	13
Citizens Complaint	1	1
City/County Department Assist	1	1
Criminal Mischief	1	0
Disturbance/Loud Noise/Party	2	1
Domestic	0	1
Drivers License Check	0	2
Drug Investigation	1	6
Forgery	8	3
Found Property	8	2

Juvenile Problem	3	2
General Information	2	2
Harassment	4	0
Hit and Run	8	10
Interpretation	3	0
Intoxicated Driver	1	1
Intoxicated Pedestrian	3	2
Keys Locked In Car	67	65
Law Department Assist	3	1
Lost Child	0	1
Lost Property	6	8
Motorist Assist	4	9
Parking Complaint	5	1
PR/Talk/Presentation	122	139
Reckless Driver	7	3
Registration Check	1	1
Salvation Army Assist	0	1
Scam	0	1
Station Assignment	78	66
Street Beat	316	261
Subpoena Service	8	9
Suspicious Activity	8	7
Suspicious Person	3	3
Suspicious Vehicle	3	3
Theft	91	75
Trespass	11	7
Vehicle Fire	1	0
Vehicle Stop	45	99
Violation no Contact Order	1	0
Wants/Warrants Check	2	1
Warrant Service	3	0
Welfare Check	7	4

ARRESTS

Aiding and Abetting	1	1
Contempt of Court	1	0
Disorderly Conduct	1	0
False ID to Law Officer	0	1
Fraudulent Practice	1	0
Go Armed W/Concealed Weapon	3	0
Harassment	1	0
Huffing	0	1
Interference With Official Acts	1	0

Mittimus	1	0
Possession of Controlled Substance	0	1
Possession Drug Paraphernalia	2	3
Public Intoxication	3	1
Operate Without Valid DL	2	2
Operating While Intoxicated	0	1
Removal of Theft Detection Device	1	0
Theft	61	41
Trespass	4	8
Violation of No Contact Order	0	1
Warrant Service for another Dept	1	2

Recommendation: Approval of liquor license.

**REGULAR COUNCIL MEETING, CITY OF STORM LAKE, IOWA, CITY HALL,
AUGUST 21, 2017 4:00 P.M.**

Present: Mayor Jon F. Kruse, Council Members Bruce Engelmann, Tyson Rice, Dan Anderson (arrived at 4:21 pm), Mike Porsch, and Bruce Carlson (arrived at 4:33 pm). Absent: None. Staff present: City Manager Keri Navratil, City Attorney Phil Havens, Public Safety Director Mark Prosser, Fire Chief Mike Jones, Building Official Scott Olesen, Water Plant Superintendent Mike Davis, and City Clerk Mayra Martinez

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

Hear the Public – Roger Hart (1402 W 6th Street) asked the City Council when they will be making a decision in regards to the Fireworks regulation.

Housing Study – Matt Mullins from Maxfield Research & Consulting presented the Housing needs Analysis for Storm Lake.

Council Recessed at 4:53 pm

Reconvened into open session at 5:01 pm

Consent Agenda – Moved by Council Member Anderson to approve the August 7, 2017 City Council minutes, liquor license renewal for Boz Wellz, changing the Monday, September 4, 2017 City Council meeting to Tuesday, September 5, 2017 due to the Labor Day Holiday, and approve a noise variance request for BVU Student Activities for August 25 from 9:00 pm to 12:00 pm, August 26th from 4:00 pm to 7:00 pm, and August 27th from 9:00 pm to 11:00 pm. Seconded by Council Member Porsch. Vote: All ayes. Motion carried.

Re-Zoning Request – Movee by Council Member Engelman to pass on 3rd Reading Ordinance NO. 01-O-2017-2018 adopting the proposed zoning change to the Storm Lake Zoning Ordinance Official Zoning Map for application 2017-6 which included the rezone described as Lot 14, Block 9, Storm Lake Corporation to th CC, Community Commercial Zoning District.

ORDINANCE NO. 1-O-2017-2018

ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF STORM LAKE, IOWA BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE

WHEREAS, after due notice of intended action as provided by law, the City Council of the City of Storm Lake, Iowa, has determined that the zoning ordinance of this City should be amended as set forth below; and

WHEREAS, said action has been recommended by the Planning and Zoning Commission of the City of Storm Lake, Iowa;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Storm Lake, Iowa, that, pursuant to Article IV, Section 406 of the Zoning Ordinance of the City of Storm Lake, Iowa, the official zoning map, as referred to therein, is hereby amended as follows:

The real estate parcel identified for taxation purposes as Parcel Number 1403107001, legally described as:

Lot Fourteen (14), Block Nine (9), College Addition to the City of Storm Lake, Iowa,

is hereby rezoned from a classification of R-2 (Low Medium Density Residential) to CC (Community Commercial).

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED this 21st day of August, 2017.

Jon F. Kruse, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Re-Zoning Request # 2017-8 –Mayor Kruse opened the public hearing on a proposed zoning change to the Storm Lake Zoning Ordinance official Zoning Map for the Application #2017-8 on the property located at 2900, 2902, 2904, and 3000 Howard Road, and 1204 and 1205 Kelvin Road. Requesting to change the property to an R-3, Medium Density Residential Zoning District.

A letter from Mike and Barb Wells (2805 Parlina Lane) was received that shared their concern about the proposed zoning change and opposed of such change.

A letter from Mary Erickson (1001 Emerald Drive) was received which shared her concern of such change of district. She enjoys the quietness and well maintained homes and yards and fears this would change if the rezoning goes through.

Those present to express their opinion and concerns were the following:

Kevin McKinney (2900 Alvin Pl) is concerned that the intentions to build upscale townhomes would change after the area is to be changed to an R-3 and would the other lots be proposed for a change from an R-1 district to an R-3 district if the owner does not manage to sell the lots. He would rather keep Emerald Park area as an R-1 zone.

Dr. Paul Barber (1109 Emerald Drive) expressed his concern of the increased traffic and suggested to give the lots to habitat. David York (809 Kelvin) is concerned that the suggested change is not restrictive enough and the possibility of the lots being combined.

Sue Speers (1101 Emerald) is in favor of development and understands the need of single of family homes. Her concern is of the possible sewage backup that multiple family homes could cause.

Betty Grover (812 Kelvin) is concerned about the ability of combining the lots in order to build apartment complexes with the proposed change of the zoning district.

Valerie Walsch (1005 Pierce) likes the quietness of the neighborhood and is concerned that the zoning change would change this.

Cory Gatzemeyer. (904 Kelvin Road) moved to the area for the quietness and doesn't want this area to convert into a high traffic area.

Hearing no additional comments the Mayor then closed the public hearing.

Moved by Council Member Engelmann to table the 1st Reading of the Ordinance No. 02-O-2017-2018 for the proposed zoning change to the Storm Lake Zoning Ordinance Official Zoning Map - Application #2017-8 for the properties located at 2900, 2902, 2904, and 3000 Howard Road, and 1204 and 1205 Kelvin Road. Requesting a change in the zoning of this property from the R-1 Low Density Residential District to the R-3, Medium Density Residential Zoning District. Seconded by Council Member Rice. Vote: All ayes. Motion carried.

City Code – Moved by Council Member Porsch to pass the 1st Reading of Ordinance No. 03-O-2017-2018 amending Chapters 9-7 and 9-11 of Title IX of the Storm Lake City Code. Such changes are to install stop signs at the intersection of Kelvin Road and Howard Road on northwest and south east corners of this intersection. No Parking on the east side of Seneca Street between 10th and 12th Streets and on the east side of Spooner Street between 10th and 12th Streets, and on the south side of Hyland Drive between the two western-most paved access driveways connecting Hyland Drive and the SLES grounds and between the two eastern-most paved access driveways connecting Hyland Drive and the SLES grounds. This No Parking would be in effect between the hours of 7 am and 4 pm each day that either SLMS or SLES is in session for all or part of those hours. Seconded by Council Member Rice. Vote: All ayes. Motion carried.

Bike Path – Moved by Council Member Porsch to approve the Bike Path recommendations. Bicycle Sharrows would be painted along the curb line of existing streets as way-finding measures for bicyclists throughout the community in parts of town where trails are not readily accessible. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

Water Recreation Access Cost-Share Program – Moved by Council Member Engelmann to approve and submit the 2017 Water Recreation Access Cost-Share Program Application for the replacement of the existing docks. Seconded by Council Member Rice. Vote: All ayes. Motion carried.

Closed Session - Moved by Council Member Porsch to go into closed session at 7:21pm in reference to Iowa Code Section 21.5(g) to discuss specific law enforcement matters. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

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Attendance in closed session: Dan Anderson, Bruce Carlson, Tyson Rice, Mike Porsch, Bruce Engelmann, Jon Kruse, Keri Navratil, Mark Prosser, and Mayra Martinez.

Moved by Council Member Porsch to return to open session at 8:05 pm. Seconded by Council Member Carlson. Vote: All ayes . Motion carried.

Adjournement – Moved by Council Member Rice to adjourn the meeting at 8:06 pm. Seconded by Council Member Porsch. Vote: All ayes. Motion carried. (corrected at the May 7, 2018 City Council Meeting)

Jon F. Kruse, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

**REGULAR COUNCIL MEETING, CITY OF STORM LAKE, IOWA, CITY HALL,
MARCH 5, 2018 5:00 P.M. (to be corrected at the May 7, 2018 City Council Meeting)**

Present: Mayor Michael Porsch, Council Members Jose Ibarra, Tyson Rice, Dan Smith, and Bruce Engelmann .Absent: Bruce Carlson

Staff present: City Manager Keri Navratil, Assistant City Manager David Derragon, City Attorney Phil Havens, Public Safety Director Mark Prosser, Fire Chief Mike Jones, Building Official Scott Olesen, Wastewater Treatment Plan Superintendent Mark Streed, Wastewater Assistant Superintendent Daniel Ramos, Finance Director Brian Oakleaf, Finance Office Assistant Jean Cashman, and City Clerk Mayra Martinez

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

Hear the Public – none

Consent Agenda – Moved by Council Member Smith to approve the consent agenda which includes the list of bills check # 57690 through # 57803 excluding check #057731, 057729, and 57795, and ACH batch # 2018.03.05 – 501, King's Pointe and Sunrise Pointe disbursements, March 19, 2018 minutes, renewal liquor license for Mo's Tap, easement agreement with Storm Lake Foundation and noise variance for Buena Vista University 2018 Fiesta Latina for Tuesday, May 1, 2018 from 8:30 am until 5:00 pm. Seconded by Council Member Engelmann. Vote: All ayes with Council Member Carlson absent. Motion carried.

Community Education Update – Joe Kucera updated the City Council with the various programs Community Education holds throughout the year.

Electrical Code Update – Moved by Council Rice to approve 2nd reading of Ordinance No. 05-O-2017-2018 amending the City Code by updating the Referenced Electrical Codes and Standards to the most recent Edition. Seconded by Council Member Ibarra. Vote: All ayes with Council Member Carlson absent. Motion carried.

Capital Loan – Mayor Porsch opened the public hearing on the authorization of a loan agreement and the issuance of notes to evidence the obligation of the City thereunder stating that this was the time and place for any comments. Hearing no comments Mayor Porsch then closed the public hearing.

Moved by Council Engelmann to adopt Resolution No. 66-R-2017-2018 instituting proceedings to take additional action on not to exceed \$4,700,000 General Refunding Capital Loan Notes. Seconded by Council Member Smith. Vote: All ayes with Council Member Carlson absent. Motion carried.

Resolution No. 66-R-2017-2018

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED
\$4,700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$4,700,000 General Obligation Capital Loan Notes, for essential corporate purposes, in order to provide funds to pay the costs of refunding or refinancing certain outstanding indebtedness of the City, including General Obligation Capital Loan Notes, Taxable Series 2010, dated February 1, 2010; and General Obligation Annual Appropriation Urban Renewal Bonds, Series 2011, dated July 1, 2011, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the City and residents thereof.

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

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$4,700,000 General Obligation Capital Loan Notes, for the foregoing essential corporate purposes.

PASSED AND APPROVED this 5th day of March, 2018.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

FY 18/19 – Mayor Porsch opened the public hearing on FY2018-2019 Budget stating that this was the time and place for any comments. Hearing no comment Mayor then closed the public hearing.

Moved by Council Member Smith to adopt Resolution No. 67-R-2017-2018 adopting the FY 2018-2019 Budget. Seconded by Council Member Engelmann. Vote: All ayes with Council Member Carlson absent. Motion carried.

RESOLUTION NO. 67-R-2017-2018

RESOLUTION ADOPTING THE 2018-2019 FISCAL YEAR BUDGET FOR THE CITY OF STORM LAKE, IOWA

Be it resolved by the Council of the City of Storm Lake, Iowa:

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Whereas the proposed budget has been published as required by law, and

Whereas the City Council has held a public hearing as required by law, and

Whereas all transfer of funds must be approved by resolution of the City Council.

NOW THEREFORE BE IT RESOLVED that the annual budget for the fiscal year ending June 30, 2018, as set forth in the Budget Summary and in the detailed budget in support thereof showing the revenue estimates, transfers and appropriation expenditures and allocations to program activities for said fiscal year be adopted.

		Budget FY 2019	Re-est. FY 2018	Actual FY 2017
		(a)	(b)	(c)
Revenues & Other Financing Sources				
Taxes Levied on Property	1	4,191,406	4,218,861	4,548,875
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
Net Current Property Taxes	3	4,191,406	4,218,861	4,548,875
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	785,734	794,019	895,498
Other City Taxes	6	2,218,636	2,084,841	2,290,573
Licenses & Permits	7	160,895	156,100	251,129
Use of Money and Property	8	164,315	153,185	150,024
Intergovernmental	9	3,844,718	5,882,727	2,372,600
Charges for Services	10	14,236,416	13,742,024	13,647,583
Special Assessments	11	0	0	0
Miscellaneous	12	248,000	369,400	397,824
Other Financing Sources	13	706,000	103,000	236,281
Transfers In	14	6,478,884	6,478,884	5,800,792
Total Revenues and Other Sources	15	33,035,004	33,983,041	30,591,179
Expenditures & Other Financing Uses				
Public Safety	16	3,766,780	2,952,044	2,914,869
Public Works	17	1,466,067	1,359,165	1,242,955
Health and Social Services	18	7,500	8,250	7,618
Culture and Recreation	19	2,221,733	1,983,912	1,965,502
Community and Economic Development	20	648,843	592,500	322,778
General Government	21	614,735	504,171	448,744
Debt Service	22	2,315,552	2,163,550	1,746,309
Capital Projects	23	2,991,753	5,123,600	616,303
Total Government Activities Expenditures	24	14,032,963	14,687,192	9,265,078
Business Type / Enterprises	25	12,366,654	12,439,622	14,006,751
Total ALL Expenditures	26	26,399,617	27,126,814	23,271,829
Transfers Out	27	6,478,884	6,478,884	5,800,792
Total Expenditures/Transfers Out	28	32,878,501	33,605,698	29,072,621
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	156,503	377,343	1,518,558
Beginning Fund Balance July 1	30	16,090,244	15,712,901	14,194,343
Ending Fund Balance June 30	31	16,246,747	16,090,244	15,712,901

PASSED AND APPROVED this 5th day of March, 2018.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Moved by Council Member Rice to adopt Resolution No.68-R2017-2018 adopting the Five-Year Capital Improvements Plan. Seconded by Council Member Ibarra. Vote: All ayes with Council Member Carlson absent. Motion carried.

RESOLUTION NO. 68-R-2017-2018

RESOLUTION ADOPTING THE CITY OF STORM LAKE 5-YEAR CAPITAL IMPROVEMENTS PLAN

WHEREAS, the City of Storm Lake has a need to develop a 5-Year Capital Improvements Plan that will assist city staff and the City Council in the development of long term capital funding priorities; and

WHEREAS, each department of the City of Storm Lake has submitted and prioritized potential projects for the next five fiscal years; and

WHEREAS, the City Manager and City Council have reviewed and prioritized those projects based on potential funding sources in each fund; and

WHEREAS, the proposed 5-Year Capital Improvements Plan has been reviewed and commented on by the City Council during their Budget Workshop in January 15, 2018.

NOW, THEREFORE BE IT HEREBY RESOLVED, that the Storm Lake City Council formally approves the City's FY 2019-2023 5-Year Capital Improvement Plan as a planning document for the entire city organization.

PASSED AND APPROVED this 5th day of March, 2018.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Airport – Moved by Council Member Smith setting March 19, 2018 at 5:00 pm public hearing for Plans, Specifications, Form of Contract and Engineer's Estimate for Airport Rehabilitation Apron and Connector Taxiway Project. Seconded by Council Member Ibarra. Vote: All ayes with Council Member Carlson absent. Motion carried.

7th and Geneseo Street Sanitary Sewer Improvement – Moved by Council Member Engelmann to adopt Resolution No. 69- R-2017-2018 approving contract to Hulstein Excavating for the 7th and Geneseo Street Sanitary Sewer Improvements. Amount of \$306,440.05.

Seconded by Council Member Smith. Vote: All ayes with Council Member Carlson absent. Motion carried.

RESOLUTION NO. 69-R-2017-2018

RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND

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

That the construction contract and bond executed and insurance coverage for the construction of certain public improvements described in general as 7th and Geneseo Street Sanitary Sewer Improvements Project and as described in detail in the plans and specifications heretofore approved, and which have been signed by the Mayor and Clerk on behalf of the City be and the same are hereby approved as follows:

Contractor:	Hulstein Excavating, Inc
Date of Contract:	February 19, 2018
Bond Surety:	United Fire & Casualty Company
Date of Bond:	February 19, 2018
Portion of Project:	All

PASSED AND APPROVED this 5th day of March, 2018.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Supporting Workforce Housing – Moved by Council Member Rice to adopt Resolution No. 70-R-2017-2018 supporting Workforce Housing Tax Incentive Program submitted by Joseph Aube to the Iowa Economic Development Authority. Seconded by Council Member Ibarra. Vote: All ayes with Council Member Carlson absent. Motion carried.

RESOLUTION NO. 70-R-2018-2019

**A RESOLUTION IN SUPPORT OF A WORKFORCE
HOUSING TAX INCENTIVE APPLICATION TO BE
SUBMITTED TO THE IOWA ECONOMIC
DEVELOPMENT AUTHORITY (IDEA) BY JOSEPH AUBE
FOR HOUSING PROJECTS LOCATED AT STORM LAKE
CORP. FRIESEN'S SECOND ADDITION**

WHEREAS, Joseph Aube plans on a \$993,600 capital investment for a housing development located on in Storm Lake Corp. Friesen's Second Addition; and

WHEREAS, the project consists of five (5) new constructed homes; and

WHEREAS, the project will add new assessable tax valuation to Storm Lake; and

WHEREAS, the City of Storm Lake will assist the project by providing tax abatement of 100% on the first \$75,000 of actual value added for five years; and

WHEREAS, Joseph Aube submitted an application for Workforce Housing Tax Incentive through the Iowa Economic Development Authority; and

WHEREAS, the City of Storm Lake is a duly recognized political subdivision of the State of Iowa action under the laws of the State of Iowa; and

WHEREAS, the City Council is the duly elected governing body of Storm Lake, Iowa; and

IT IS HEREBY RESOLVED by the City Council of Storm Lake Iowa as follows:

1. The City Council is in full support of the opportunity to promote housing development in Storm Lake, Iowa and fully supports the Application for Workforce Housing Tax Incentives.
2. City staff is authorized to assist in the preparation of the application and related materials deemed necessary.

PASSED AND APPROVED this 5th day of March, 2018.

Michael Porsch,
Mayor

ATTEST

Mayra Martinez, City Clerk

Habitat Care-A-Vanners - Moved by Council Member Smith to adopt Resolution No. 71-R-2017-2018 Waive Fees for Habitat Care-A-Vanners for six campground spaces from June 16, 2018 to July 29, 2017. Approximately fee waive \$6,864 with about 2640 hours of donated by the volunteers. Seconded by Council Member Engelmann. Vote: All ayes with Council Member Carlson absent. Motion carried.

RESOLUTION NO. 71-R-2017-2018

RESOLUTION APPROVING THE HABITAT FOR HUMANITY OF Buena Vista COUNTY
REQUEST WAIVING FEES FOR THE RV CARE-A-VANNERS.

WHEREAS, the City of Storm Lake's Housing Study noted a significant need for housing in the
community; and

WHEREAS, the City of Storm Lake recognizes the value of partnering with Habitat for
Humanity of Buena Vista County to assist with building homes in the community; and

WHEREAS, the City of Storm Lake welcomes the Habitat for Humanity's RV Care-A-Vanners
and greatly appreciates their efforts in building homes, adding value in our community
and generously donating 2640 hours of time improving our community.

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

To approve waiving fees for 6 RV sites for the Habitat for Humanity RV Care-A-Vanners
from Friday, June 16, 2018 to Sunday, July 29, 2018.

PASSED AND APPROVED this 5th day of March, 2018.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Marina Contract – Buoy's Bar and Grill, LLC and Northland Auto and Marine presented the
council proposed services for the Storm Lake Marina.

Moved by Council Member Rice to approve Storm Lake Marina Contract to Buoy's Bar and
Grill, LLC. contingent to DNR written approval. Seconded by Council Member Ibarra. Vote:
All ayes with Council Member Carlson absent. Motion carried.

Council Member Rice left at 6:06 pm and arrived at 6:07 pm

City Code Proposed Code Change – James Johnson from Healthy Efficient Homes presented
to the Council information on the shallow frost free footing systems for single family dwellings.

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Council then requested Mr. Johnson provide additional information from a licensed engineer to City Staff for review and consideration by Council.

Council Member Rice left at 6:42 pm and returned at 6:47 pm.

Adjournment – Moved by Council Member Engelmann to adjourn the meeting at 6:47 pm. Seconded by Council Member Smith. Vote: All ayes with Council Member Carlson absent. Motion carried.

Michael Porsch, Mayor

ATTEST:

Keri Navratil, City Manager

**REGULAR COUNCIL MEETING, CITY OF STORM LAKE, IOWA, CITY HALL,
MARCH 19, 2018 5:00 P.M.**

Present: Mayor Michael Porsch, Council Members Jose Ibarra, Tyson Rice, Bruce Carlson, and Bruce Engelmann. Absent: Dan Smith.

Staff present: City Manager Keri Navratil, Assistant City Manager David Derragon, City Attorney Phil Havens, Public Safety Director Mark Prosser, Building Official Scott Olesen, Library Director Elizabeth Huff, Water Plant Superintendent Mike Davis, Wastewater Treatment Plant Superintendent Mark Streed, Finance Director Brian Oakleaf, and Finance Assistant Jean Cashman.

Mayor Porsch called the meeting to order at 5:06 pm.

Hear the Public – James Eliason (202 Russell) asked the City to approve a Resolution asking State of Iowa for a convention regarding regulating money in elections.

Council Member Rice requested a study session implementing council procedures from Attorney Havens

Consent Agenda – Moved by Council Member Engelmann to adopt Resolution No. 72-R-2017-2018 approving the consent agenda that included the list of bills check #057804 through #57859 and # 57860 through 57976 and Ach batch #2018.03.06 – 502, and 2018.03.05 - 501, plus Ach Batch 2018.03.06 - 502, 2018.03.13 - 503, 2018.03.14 Pay, and 2018.03.19 - 504 (correct at the May 7, 2018 meeting) King's Pointe and Sunrise Pointe disbursements, March 5, 2018 City Council Minutes, renewal liquor license for Sichanh Liquor Store, King's Pointe and Sunrise Pointe Golf Course, requests in connection with the 2018 Fiesta Latina Events for April 14, 2018, and series of request associated with the 2018 Storm Lake Community Events requested by Storm Lake United. Seconded by Council Member Ibarra. Vote: All ayes with Council Member Smith absent. Motion carried.

RESOLUTION NO. 72-R-2017-2018

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

To approve the Consent Agenda which includes the list of bills, King's Pointe and Sunrise Pointe disbursements and to prorate to the appropriate funds

To further approve the minute as presented to the Council for the regular City Council meeting March 5, 2018.

To further approve renewal liquor license for Sichanh Liquor Store (812 Flindt), King's Pointe and Sunrise Pointe Golf Course (contingent of dram shop submittal)

To further approve requests in connection with the 2018 Fiesta Latina Events for April 14, 2018 as follows:

- Use of Chautauqua Park on 4-14-2018 for the Fiesta Latina Event

- Noise Variance for the venue between the hours of 12:00pm & 7:00pm for outdoor amplified entertainment
- Permission for food vendors within the venue
- Permission for inflatables & other attractions within the venue
- Closing of Chautauqua Park Drive from Hudson Street west to Lakeshore Drive to enhance security for the event's venue.

To further approve series of request associated with the 2018 Storm Lake Community Events requested by Storm Lake United as follows:

Taste of Storm Lake

- Permission to use the Chautauqua Park Shelter House each Thursday from 6/7 until 9/13 for the weekly event
- A Noise Variance for the venue on each Thursday from 4:00pm until 8:00pm

Farmers Market

- Authorization for sidewalk sale of farmer raised goods on the east side of Erie Street from East 5th north to East 6th and the north side of East 5th immediately east of Erie Street
- Farmers Market to be set up on Saturdays from 6/2 until 10/13 from 7:00am until 1:00pm and on Thursdays during the same period from 3:00pm until 6:30pm
- Noise Variance for the market venue during the same dates and times as listed above

Lake Fest

- Use of Awaysis and Sunrise Parks on 6/22 through 6/24 for the events (including the Great Lawn) from 8:00am until 12:00am on 6/22, 7:00am until 1:00am on 6/23 and 12:00am until 5:00pm on 6/24 for set up, the event(s) and clean up
- Noise Variances from 12:00pm until 12:00am on 6/22 & 12:00pm until 1:00am on 6/23 for the venue
- Closure of the west Awaysis Parking Lot on 6/23 from 6:00am until 1:00pm to facilitate entertainer, public safety and support vehicles
- Appropriate support from the Parks and Public Safety Department throughout the weekend
- Permission for food & merchandise vending within the venue
- Permission for alcohol sales within the venue on Saturday 12:00pm until 12:00am under the umbrella of the Kings Pointe liquor license
- Permissions for committee personnel to use ATV's in the venue throughout the weekend for logistics and clean up
- Permission to fence off the great lawn to create the entertainment venue
- Permission for port-a-pots to be placed inside of the venue for the event

Ridiculous Days

- Permission for sidewalk sales in the downtown central business district from 7:00am on 7/19 until 5:00pm on 7/21

- Permission for food vending on sidewalks in the central business district on 7/19 from 8:00am until 8:00pm
- Noise Variance for the central business district on 7/19 from 3:00pm until 8:00pm

Wood, Wine & Blues

- Permission to use Sunset Park from 9:00am on 8/17 until 5:00pm on 8/19 for the event venue
- Permission to use the Band Shell in Sunset Park on 8/18 from 10:00am until 5:00pm
- Noise Variance for the venue on 8/17 from 12p-9p, 8/18 from 11a-7p, 8/19 from 10a-5p
- Permission for chainsaw sculpting within the venue for the weekend
- Permission for Storm Lake United, vendors and sculptors to sell merchandise within the venue during the event
- Permission for food vending within the venue
- Appropriate access to electrical service in the park
- Appropriate support from the Parks and Public Safety Departments throughout the event

Chills and Thrills

- Permission for student and community organizations to set up tables on the sidewalks in the central business district from 9a-12p on 10-27-2018
- Noise Variance for the central business district for the event from 9a-12p

Miracle of Main Street

- Noise Variance in the central business district on 12/6 from 5p-9p
Permit for a 6p parade
- Permission to briefly close the 200 block of East 5th Street following the parade for the Christmas Tree lighting

PASSED AND APPROVED this 19th day of March, 2018

Michael Porsch, City Manager

ATTEST:

Keri Navratil, City Manager

Electrical Code Update – Moved by Council Member Rice to pass on 3rd Reading Ordinance No. 05-O-2017-2018 amending the City Code by updating the referenced Electrical Codes and Standards to the most recent edition. Seconded by Council Member Carlson. Vote: All ayes with Council Member Smith absent. Motion carried.

ORDINANCE NO. 5-O-2017-2018

ORDINANCE AMENDING CHAPTER 5-4 OF TITLE V OF THE CITY CODE OF THE CITY OF STORM LAKE, IOWA, TITLED “ELECTRICAL CODE AND REGULATION OF ELECTRICIANS,” TO ADOPT BY REFERENCE THE MOST RECENT EDITION OF THE NATIONAL ELECTRICAL CODE, WITH MODIFICATIONS, AND CERTAIN RELATED IOWA CODE SECTIONS, AND TO GENERALLY UPDATE THE PROVISIONS OF THE ELECTRICAL CODE AND REGULATION OF ELECTRICIANS

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 generally update the City’s electrical code and regulations concerning electricians, including, but not limited to, the adoption 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, 2017 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, 2017 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, 2017 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, 2017 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.

b. Section 5-4-6, captioned, "Permits," is deleted and, in lieu thereof, the following new Section 5-4-6, captioned "Permits," is inserted:

Section 5-4-6 Permits

No electrical equipment shall be installed within or on any building, structure or premises, publicly or privately owned, nor any alterations or additions made in existing equipment, without first securing a permit therefor from the Electrical Inspector except that a permit shall not be required to construct, maintain or install any of the following classes of electrical work:

(A) Routine maintenance as defined in Iowa Code Section 103.1(16).

(B) The installation, alteration or repair of electrical equipment installed by or for any electrical supply agency, for the use of such agency, in the generation, transmission, distribution or metering of electricity.

(C) Any work involved in the manufacturing, testing, servicing, altering or repairing of electrical equipment or apparatus, except that this exemption shall not include any permanent wiring.

(D) Inspections and an electrical permit are not required if all of the following conditions apply:

1. The installation is performed by a licensed Electrical Contractor, Residential Electrical Contractor or their employees.
2. The installation does not in any way involve work within a new or existing switchboard or panelboard.
3. The installation does not exceed 30 amps.
4. The installation does not exceed 277 volts, single phase.

c. Section 5-4-8, captioned, "Applicant Required To Be Licensed, Exception," is deleted and, in lieu thereof, the following new Section 5-4-8, captioned "Applicant Required To Be Licensed, Exception," is inserted:

Section 5-4-8 Applicant Required To Be Licensed, Exception

No permits for the installation or alteration of any electrical equipment shall be issued to any person, unless the applicant therefor is the owner of a license entitling such applicant to secure permits for and to execute the work described in the application for the permit, except that a homeowner shall be entitled to a permit for an existing residence in which he/she resides, in accordance with State licensing requirements. New homes must be wired by a Master Electrician, licensed by the State of Iowa.

d. Section 5-4-10, captioned, "Inspection," is deleted and, in lieu thereof, the following new Section 5-4-10, captioned "Inspection," is inserted:

Section 5-4-10 Inspection

Upon the completion of any installation or alteration requiring an electrical permit it shall be the duty of the person making the installation or alteration to notify the Electrical Inspector who shall inspect the installation or alteration within twenty-four (24) hours of the time such notice is given, exclusive of Saturdays, Sundays, and holidays, or as soon thereafter as practical. If the Electrical Inspector shall find such installation or alteration in conformity with the provisions of this Chapter, he/she shall inform the person making such installation or alteration verbally of his/her approval. The Electrical Inspector shall provide notice of approval to the serving electrical utility at the time of service connection as

required by the specific serving utility. When any electrical equipment is to be hidden or concealed from view by the permanent placement of parts of the building, the person installing the equipment shall notify the Inspector and such equipment shall not be concealed until it has been inspected and approved by him/her, or until twenty-four (24) hours following notification, exclusive of Saturdays, Sundays and holidays provided that on any large installation, where the concealment of equipment proceeds continuously, the person installing such equipment shall give the Electrical Inspector due notice, and inspection shall be made periodically during the progress of the work period.

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 19th day of March, 2018.

Michael Porsch, Mayor

ATTEST:

Keri Navratil, City Manager

Capital Loan Notes – Moved by Council Member Rice to adopt Resolution No. 73-R-2017-2018 approving electronic bidding procedures and preliminary official statement for \$3.35M GO Notes. Seconded by Council Member Ibarra. Vote: All ayes with Council Member Smith absent. Motion carried.

RESOLUTION NO. 73-R-2017-2018

RESOLUTION APPROVING ELECTRONIC BIDDING
PROCEDURES AND DISTRIBUTION OF PRELIMINARY
OFFICIAL STATEMENT

WHEREAS, in conjunction with its Financial Advisor, Piper Jaffray & Co. and Disclosure Counsel, the City has caused a Preliminary Official Statement to be prepared outlining the details of the proposed sale of the Notes; and

WHEREAS, the Council has received information from its Financial Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Council deems it in the best interests of the City and the residents thereof to receive bids to purchase such Notes by means of both sealed and electronic internet communication.

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

Section 1. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Mayor and Clerk, upon the advice of bond counsel, disclosure counsel, and the City's Financial Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Notes for sale.

Section 2. That the receipt of electronic bids by facsimile machine and through the PARITY® Competitive Bidding System described in the Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

PASSED AND APPROVED this 19th day of March, 2018.

Michael Porsch, Mayor

ATTEST:

Keri Navratil, City Manager

Moved by Council Member Carlson to adopt Resolution No. 74-R-2017-2018 approving electronic bidding procedures and preliminary official statement for \$2.05M GO Refunding Notes. Seconded by Council Member Engelmann. Vote: All ayes with Council Member Smith absent. Motion carried.

RESOLUTION NO. 74-R-2017-2018

**RESOLUTION APPROVING ELECTRONIC BIDDING
PROCEDURES AND DISTRIBUTION OF PRELIMINARY
OFFICIAL STATEMENT**

WHEREAS, in conjunction with its Financial Advisor, Piper Jaffray & Co., and Disclosure Counsel, the City has caused a Preliminary Official Statement to be prepared outlining the details of the proposed sale of the Notes; and

WHEREAS, the Council has received information from its Financial Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet

bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Council deems it in the best interests of the City and the residents thereof to receive bids to purchase such Notes by means of both sealed and electronic internet communication.

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

Section 3. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Mayor and Clerk, upon the advice of bond counsel, disclosure counsel, and the City's Financial Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Notes for sale.

Section 4. That the receipt of electronic bids by facsimile machine and through the PARITY® Competitive Bidding System described in the Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

PASSED AND APPROVED this 19th day of March, 2018.

Michael Porsch, Mayor

ATTEST:

Keri Navratil, City Manager

North Central Shared Use Path – Moved by Council Member Engelmann to approve and submit Transportation Alternative Project Application for North Central Shared Use Path and adopt Resolution No. 75-R-2017-2018. Seconded by Council Member Carlson. Vote: All ayes with Council Member Smith absent. Motion carried.

RESOLUTION NO. 75-R-2017-2018

RESOLUTION SUPPORTING THE NORTH CENTRAL SHARED USE PATH BE IT
RESOLVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA

WHEREAS, the City Council considers bicycle and pedestrian transportation to be of importance to the city by providing the community with recreation and transportation opportunities as well as the possibilities of economic and community development; and

WHEREAS, the City's Comprehensive Plan supports creation and development of bicycle and pedestrian transportation paths in the community; and

WHEREAS, the Mayor's Advisory Committee for Parks, Trails, and Urban Forest is in support of this project; and

IT IS THEREFORE RESOLVED that the City Council of Storm Lake, IA endorses the North Central Shared Use Path project, and will provide maintenance and operation of for a minimum of twenty (20) years.

PASSED AND APPROVED this 19th day of March, 2018.

Michael Porsch, Mayor

ATTEST:

Keri Navratil, City Manager

Northwest Iowa Planning and Development – Moved by Council Member Carlson to approve the Northwest Iowa Planning and Development Commission Agreement. Fee of \$10,776.92 for 2018-2019. Seconded by Council Member Ibarra. Vote: All ayes with Council Member Smith absent. Motion carried.

Airport - Moved by Council Member Rice to approve setting April 2, 2018 at 5:00 pm public hearing for plans, specifications, form of contract and engineer's estimate for the Airport Rehabilitation Apron and Connector Taxiway Project. Seconded by Council Member Engemann. Vote: All ayes with Council Member Smith absent. Motion carried.

UHC Agreement – Moved by Council Member Ibarra to approve setting April 2, 2018 at 5:00 pm public hearing for United Community Health Center Community Development Block Grant Application. Seconded by Council Member Carlson. Vote: All ayes with Council Member Smith absent. Motion carried.

Richland Street Reconstruction – Moved by Council Member Rice to approve and submit Map 21 Application for the Richland Street from Industry Street to Radio Road. Seconded by Council Member Ibarra. Vote: All ayes with Council Member Smith absent. Motion carried.

Adjournment – Moved by Council Member Carlson to adjourn the meeting at 5:36 pm. Seconded by Council Member Engemann. Vote: All ayes with Council Member Smith absent. Motion carried.

Michael Porsch, Mayor

ATTEST:

These are draft minutes Subject to Final Council Approval

Mayra A. Martinez, City Clerk

**REGULAR COUNCIL MEETING, CITY OF STORM LAKE, IOWA, CITY HALL,
APRIL 2, 2018 5:00 P.M.**

Present: Mayor Michael Porsch, Council Members Jose Ibarra, Tyson Rice, Dan Smith, Bruce Carlson, and Bruce Engelmann. Absent: None.

Staff present: City Manager Keri Navratil, City Attorney Phil Havens, Public Safety Director Mark Prosser, Fire Chief Mike Jones, Building Official Scott Olesen, Library Director Elizabeth Huff, Water Plant Superintendent Mike Davis, Wastewater Treatment Plan Superintendent Mark Streed, Finance Director Brian Oakleaf, and City Clerk Mayra Martinez

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

Hear the Public – none

Consent Agenda – Moved by Council Member Smith to approve the consent agenda that includes the list of bills check #57985 through 58068 and Ach Batch 2018.03.20 - 505, 2018.03.28 Pay, and 2018.03.27 - 506, King's Pointe and Sunrise Pointe disbursements for, the March 19, 2018 City Council Minutes, renewal liquor license for Restaurante La Original and Puffs (contingent of dram shop submittal), and Cigarette license for Super Sun (630 Geneseo St). Seconded by Council Member Engelmann. Vote: All ayes. Motion carried

“If I Were a Mayor” – Moved by Council Member Rice to adopt Resolution No. 76-R-2017-2018, Resolution No. 77-R-2017-2018, and Resolution No. 78-R-2017-2018 approve recognizing Serine Phiakhamta, Aiden Phillips, and Vianney Medina-Sanchez as the City winners in the Storm Lake essay contest for their "If I Were Mayor" Essays. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

RESOLUTION NO. 76-R-2017-2018

RESOLUTION RECOGNIZING VIANNEY MEDINA-SANCHEZ FOR “IF I WERE MAYOR” ESSAY

WHEREAS, the Iowa League of Cities sponsors an “If I Were Mayor Essay Contest” each year; and

WHEREAS, the essay contest provides 7th grade English and Social Studies students the opportunity to reflect on the role of the key elected official in the City; and

WHEREAS, Vianney Medina-Sanchez was a co-winner in the City’s essay contest.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Storm Lake, Iowa recognizes Vianney Medina-Sanchez for her essay and congratulates her for this achievement.

PASSED AND APPROVED this 2th day of April, 2018.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

RESOLUTION NO. 77-R-2017-2018

RESOLUTION RECOGNIZING AIDEN PHILLIPS FOR “IF I WERE MAYOR” ESSAY

WHEREAS, the Iowa League of Cities sponsors an “If I Were Mayor Essay Contest” each year; and

WHEREAS, the essay contest provides 7th grade English and Social Studies students the opportunity to reflect on the role of the key elected official in the City; and

WHEREAS, Aiden Phillips was a co-winner in the City’s essay contest.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Storm Lake, Iowa recognizes Aiden Phillips for his essay and congratulates him for this achievement.

PASSED AND APPROVED this 2th day of April, 2018.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

RESOLUTION NO. 78-R-2017-2018

RESOLUTION RECOGNIZING SERINE PHIAKHAMTA FOR “IF I WERE MAYOR” ESSAY

WHEREAS, the Iowa League of Cities sponsors an “If I Were Mayor Essay Contest” each year; and

WHEREAS, the essay contest provides 7th grade English and Social Studies students the opportunity to reflect on the role of the key elected official in the City; and

WHEREAS, Serine Phiakhamta was a winner in the City’s essay contest.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Storm Lake, Iowa recognizes Serine Phiakhamta for her essay and congratulates her for this achievement.

PASSED AND APPROVED this 2th day of April, 2018.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Drone – Moved by Council Member Smith to authorizing acceptance of a donation of a Drone for the Public Safety Department. Seconded by Council Member Ibarra. Vote: Ayes: Council Member Engelmann, Carlson, Smith, and Ibarra; Nays: Council Member Rice. Motion carried.

BVU Inauguration – Moved by Council Member Engelmann to adopt Resolution No. 79-R-2017-2018 authorizing Street Closures, Noise Variances and Food Vending on Public Property for the Inauguration of the 18th President of Buena Vista University on Friday, May 4th and Saturday, May 5th, 2018. Seconded by Council Member Ibarra. Vote: All ayes. Motion carried.

RESOLUTION NO. 79-R-2017-2018

A RESOLUTION APPROVING THE REQUESTS WITH THE INAUGURATION OF THE 18TH PRESIDENT OF BUENA VISTA UNIVERSITY

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

To approve the events scheduled for Friday, May 4, 2018 and Saturday, May 5, 2018.

To further approve Noise Variance for a block party along the 400 block of Grand Avenue on Saturday, May 5, 2018 between the hours of 10:30am and 12:00am (midnight) for outdoor, amplified entertainment

To further approve the closure of Grand Avenue from Peterson Drive north to 4th Street on Friday, May 4, 2018 between the hours of 8:00am until 6:00pm for an anticipated increase in pedestrian traffic on or about Grand Avenue

To further approve the closure of Grand Avenue from Peterson Drive north to 4th Street on Saturday, May 5, 2018 from 10:00am until 7:00pm to host and create a venue for a community block party.

To further approve for six licensed, commercial food trucks to sell their products on Grand Avenue on Saturday, May 5, 2018 within the block party venue

PASSED AND APPROVED this 2th day of April, 2018.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Council Procedures – Attorney Havens presented to Council options that can be implemented by council for City Council Agenda Procedures

Attorney Havens presented to Council options that can be implemented by council for City Council Agenda Procedures. Council requested to add an agenda item that will allow council to vote on adding agenda items for future workshops.

UCHC CDBG – Mayor Porsch opened the public hearing for United Community Health Center (UCHC) Community Development Block Grant (CDBG) application stating this was the time and place for any comment.

City Manager Navratil made the following statement:

The proposed project is the result of the Storm Lake United Community Health Center needing to construct an expansion of their existing facility to provide sufficient space for services that are offered to clients in Storm Lake and the surrounding area.

The project will be funded with a combination of CDBG funds and USDA Rural Development loan funds. It is estimated that total project costs are \$2,362,827.

The grant application will be submitted to the Iowa Economic Development Authority no later than April 20, 2018.

The City is requesting \$600,000 in CDBG funds for the proposed project.

The project will benefit patients of United Community Health Center who receive services. Based on agency records, at least 52.2% of the United Community Health Center patients are low-and-moderate income.

The project involves the expansion of the existing health center located at 715 West Milwaukee Avenue in Storm Lake, Iowa.

The proposed project will not result in the displacement or relocation of any persons or businesses.

Since this project will not result in the displacement or relocation of any persons or businesses, there are no plans being made to assist with displacement.

The nature of the proposed project involves the expansion of United Community Health Center that will house medical, dental, and behavioral health services.

Receiving no other comments the Mayor then closed the public hearing

Moved by Council Member Carlson to approve subrecipients agreement with United Community Health Center for \$600,000.00 community development block grant. Seconded by Council Member Smith. Vote: All ayes. Motion carried.

Airport Rehabilitation – Mayor Porsch opened the public hearing for plans, specifications, form of contract and engineer's estimate for the Airport Rehabilitation Apron and Connector Taxiway Project stating this was the time and place for any comments. Hearing no comments the Mayor then closed the public hearing.

Moved by Council Member Ibarra to adopt Resolution No. 80-R-2017-2018 approving plans, Specifications, Form of Contract and Engineer's Estimate for Airport Rehabilitation Apron and Connector Taxiway Project. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

RESOLUTION NO. 80-R-2017-2018

RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE CITY OF STORM LAKE AIRPORT REHABILITATION APRON AND CONNECTOR TAXIWAY PROJECT

WHEREAS, the plans, specifications, form of contract and estimate of cost were filed with the CITY for the construction of certain public improvements described in general as the Airport Rehabilitation Apron and Connector Taxiway 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 the plans, specifications, form of contract and estimate of cost for said public improvements, as described in the preamble of this Resolution.

PASSED AND APPROVED this 2nd day of April 2018.

Mike Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

CDBG Housing 2018 – Moved by Council Member Ibarra approve setting April 16, 2018 at 5:00 public hearing proposed Community Development Block Grant (CDBG) Application - Housing 2018. Seconded by Council Member Engelmann. Vote: All ayes. Motion carried.

Library Board Member – Moved by Council Member Smith to setting April 16, 2018 at 5:00 pm public hearing for the removal of Nathan Deter and Tyron Sims from the Library Board members. Seconded by Council Member Rice. Vote: All ayes. Motion carried.

Hungry Herd Contract - Moved by Council Member Rice to approve Hungry Herd 2018 contract for an amount not to exceed \$4,470. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

King's Pointe Update – Todd Zauner and Jason Bjerk from Weigand-Omega Management presented Kings Pointe yearly update.

Recess – Moved by Council Member Rice to recess City Council Meeting at 6:42 pm and reconvene at King's Pointe Resort. Seconded by Council Member Ibarra. Vote: All ayes. Motion carried.

Reconvene - Moved by Council Member Engelmann to King's Pointe Resort at 7:00pm. The following were present. Mayor Porsch, Council Member Rice, Engelmann, Carlson, Ibarra, and Smith. The Council meet with King's Pointe management for a tour of the facility. There were no items of discussion.

Council Member Ibarra left at 7:25 pm

Adjournment – Moved by Council Member Engelmann to adjourn the meeting at 7:53 pm. Seconded by Council Member Carlson. Vote: All ayes with Council Member Ibarra absent. Motion carried.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

BEFORE THE STORM LAKE CITY COUNCIL

IN RE:

FAREWAY STORES, INC.
2300 E. 8TH STREET
PO BOX 70
BOONE, IA 50036

ORDER ACCEPTING
ACKNOWLEDGMENT/SETTLEMENT
AGREEMENT

On this ____ day of _____, 2018, in lieu of a public hearing on the matter, the Storm Lake City Council approves the attached Acknowledgment/Settlement Agreement between the above-captioned permittee and the City of Storm Lake.

Therefore, the Storm Lake City Council FINDS that the above-captioned permittee has remitted to the City of Storm Lake, a civil penalty in the amount of Three Hundred Dollars (\$300.00). Be advised that this sanction will count as a first violation of Iowa Code Section 453A.2(1), pursuant to Iowa Code Section 453A.22(2)(a). IT IS THEREFORE ORDERED that the judgment in this matter is hereby satisfied.

Mayor Michael Porsch

RESOLUTION NO. 84-R-2017-2018

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

To Approve the Consent Agenda which includes the list of bills, King's Pointe and Sunrise Pointe disbursements and to prorate to the appropriate funds

To Further Approve the minute as presented to the Council for the regular City Council meeting April 16, 2018

To Further Approve renewal liquor license for Wal-Mart # 1526

To Further Approve correction of the City Council Minutes by adding the adjournment to the August 21, 2017 minutes and the date title on the March 5th, 2018 minutes to display as March 5th, 2018 instead of March 19, 2018

To Further Approve clarification of the City Council Minutes with the addition of check numbers and/or Ach batch numbers to the paid list of bills previously approved as follows:

City Council Minutes Date - Approved check #'s and Ach batches
March 19, 2018 - Check # 57860 through 57976 and Ach Batch 2018.03.06 - 502,
2018.03.13 - 503, 2018.03.14 Pay, and 2018.03.19 - 504

April 2, 2018 - Check #57985 through 58068 and Ach Batch 2018.03.20 - 505,
2018.03.28 Pay, and 2018.03.27 – 506

To Further Approve acknowledgement/settlement agreement with Fareway Store, In. for a tobacco violation

To Further Approve requests associated with Re-Schedule of the Fiesta Latina Events on May 19, 2018 at Frank Starr Park from 1:00 pm to 6:00 pm as follows:

Noise Variance for the venue between 1:00pm and 6:00pm

Permission for food and merchandize vending within the venue

Use of inflatables within the venue.

Appropriate support from the Parks and Public Safety Departments

To Further Approve Authorizing a No Parking Zoning Variance on Saturday, June 30, 2018 between the hours of 8:00 am and 8:00 pm on the south side of West 10th Street from Vestal Street east to Ontario Street.

PASSED AND APPROVED this 4th day of May, 2018

Michael Porsch, Mayor

ATTEST:

Mayra A. Martine, City Clerk

Staff Summary

5/7/2018

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:

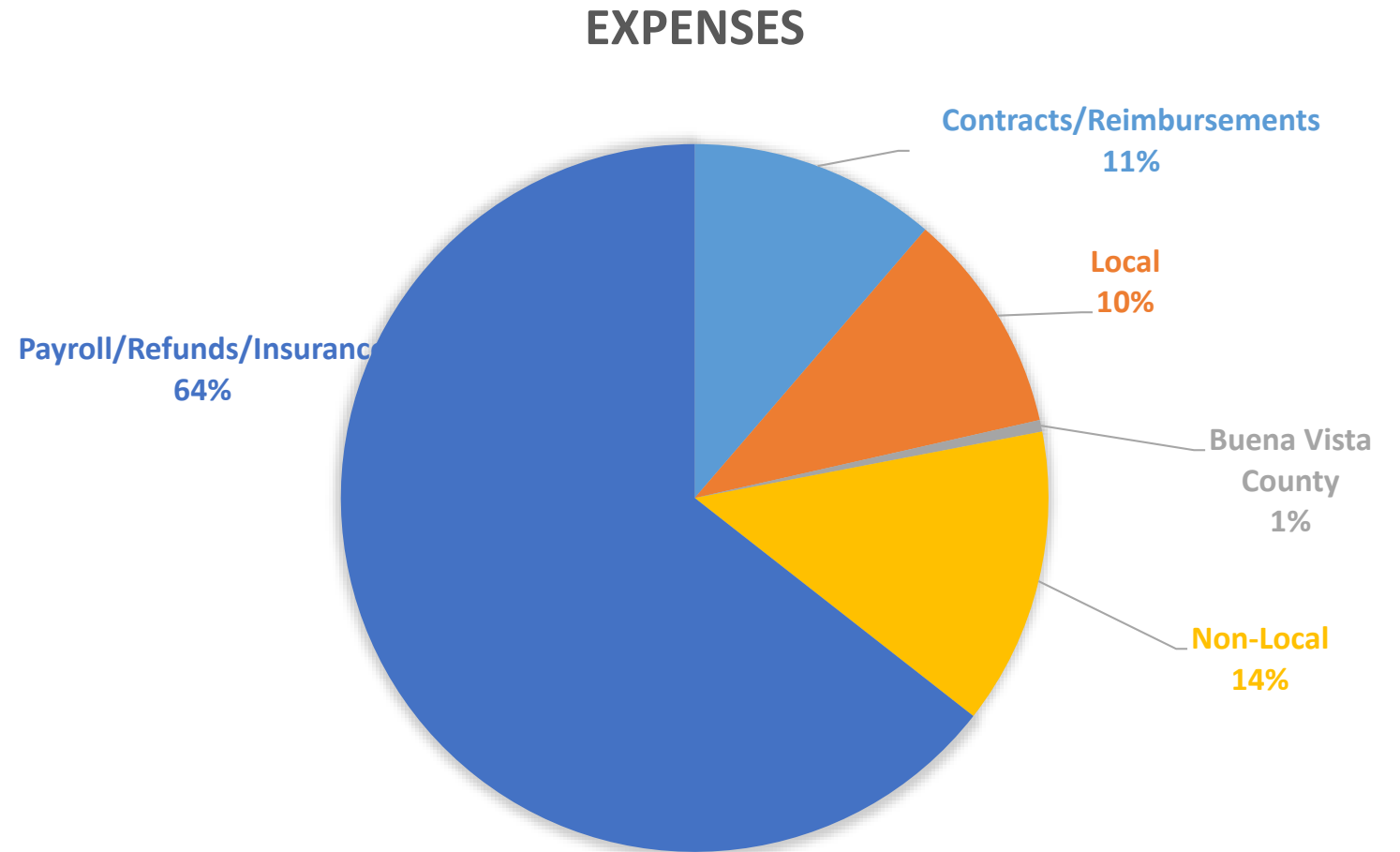
Calculated Expenses	
Payroll/Refunds/Insurance	\$552,139.53
Contracts/Agreements	\$96,829.28
Local Businesses	\$87,085.95
Buena Vista County Business	\$4,536.88
Non-Local Business	\$116,310.77
Total Expenses	\$856,902.41
Please see attachment for supporting documents	

RECOMMENDATION: Review Buy Local Information

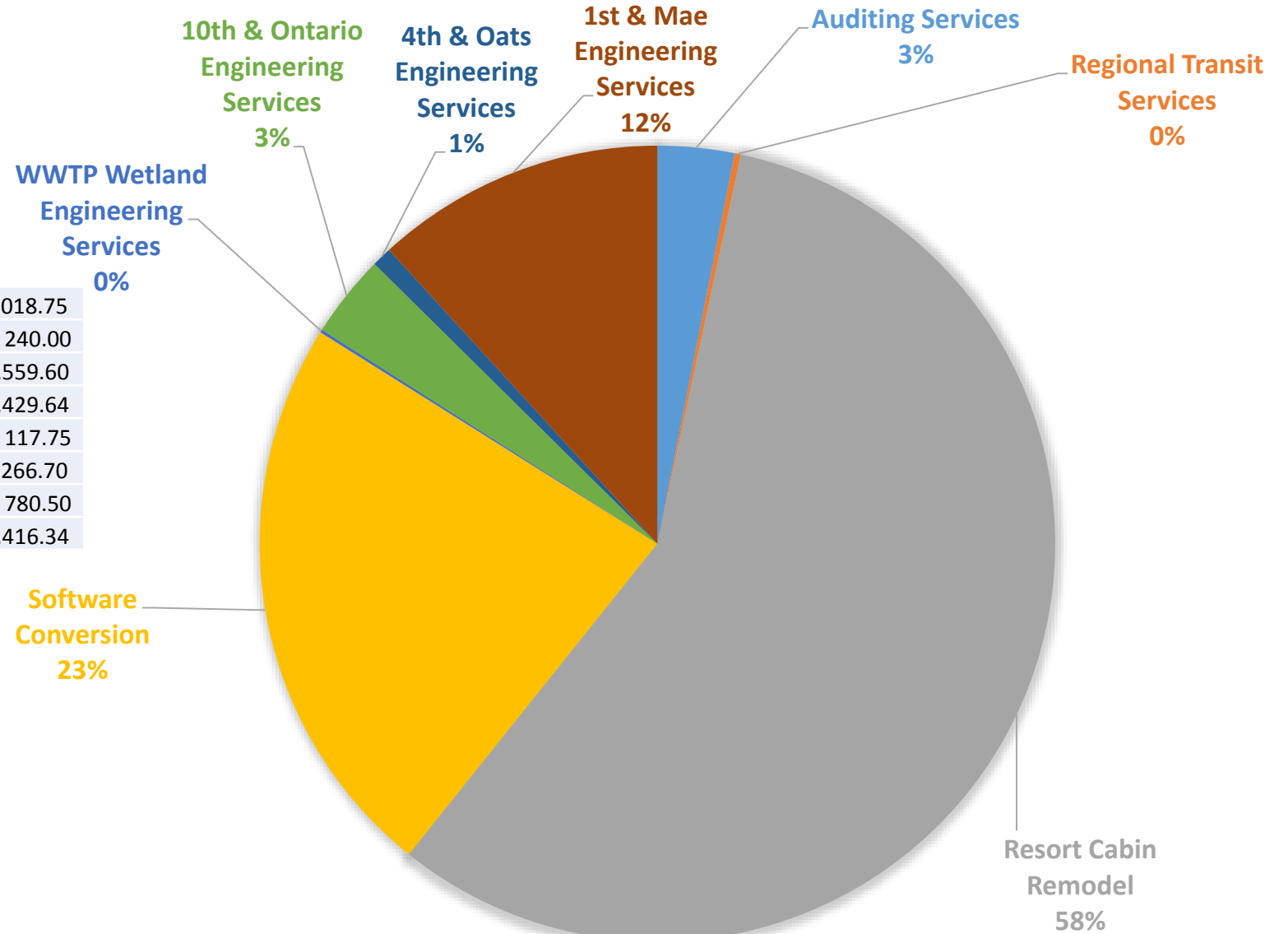
ATTACHMENTS:

Description	Type
Supporting Documents	Backup Material

Payroll/Refunds/Insurance	\$552,139.53
Contracts/Agreements	\$ 96,829.28
Local Businesses	\$ 87,085.95
Buena Vista County Business	\$ 4,536.88
Non-Local Business	\$116,310.77
Total Expenses	\$856,902.41

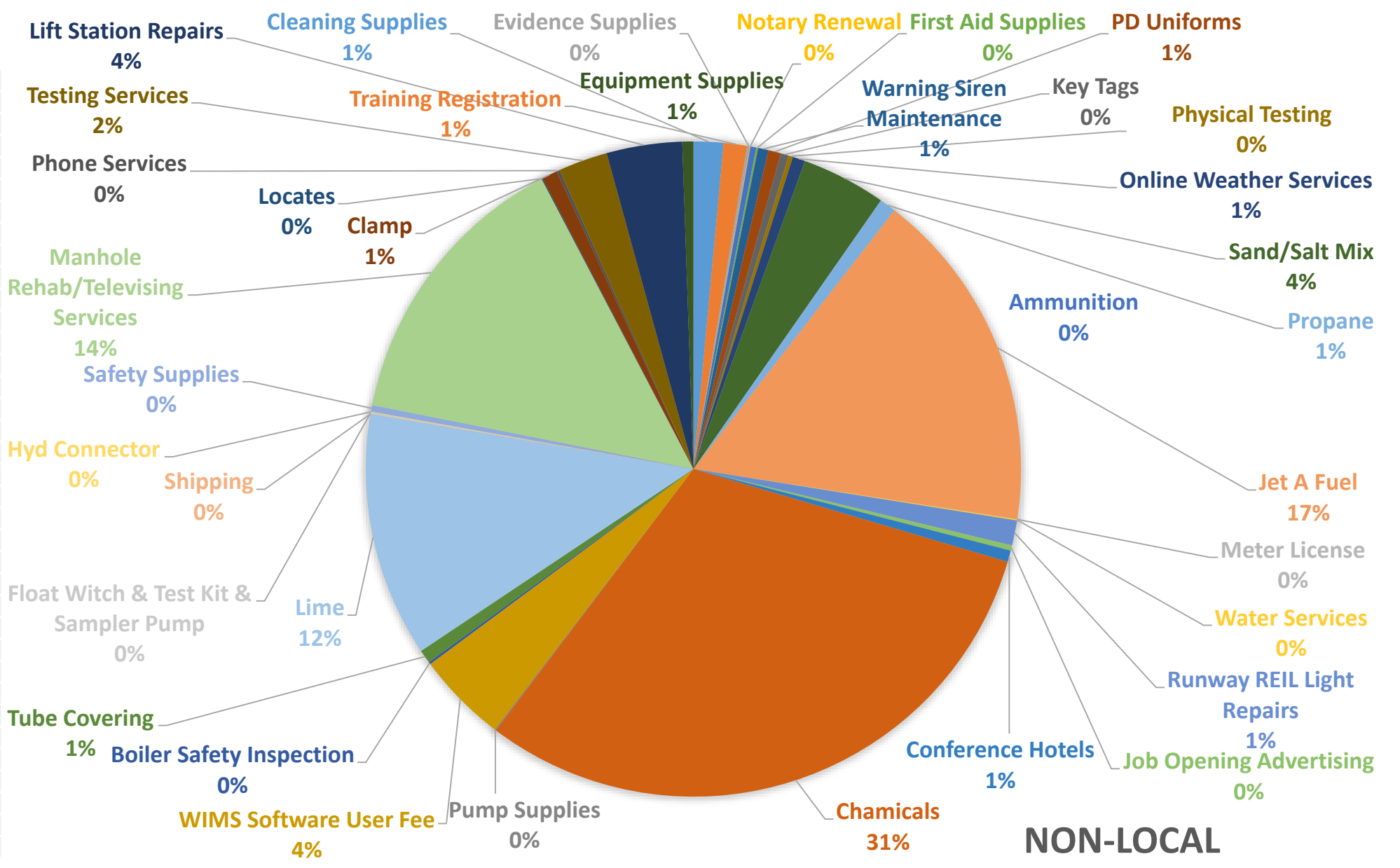


Auditing Services	\$	3,018.75
Regional Transit Services	\$	240.00
Resort Cabin Remodel	\$	55,559.60
Software Conversion	\$	22,429.64
WWTP Wetland Engineering Services	\$	117.75
10th & Ontario Engineering Services	\$	3,266.70
4th & Oats Engineering Services	\$	780.50
1st & Mae Engineering Services	\$	11,416.34



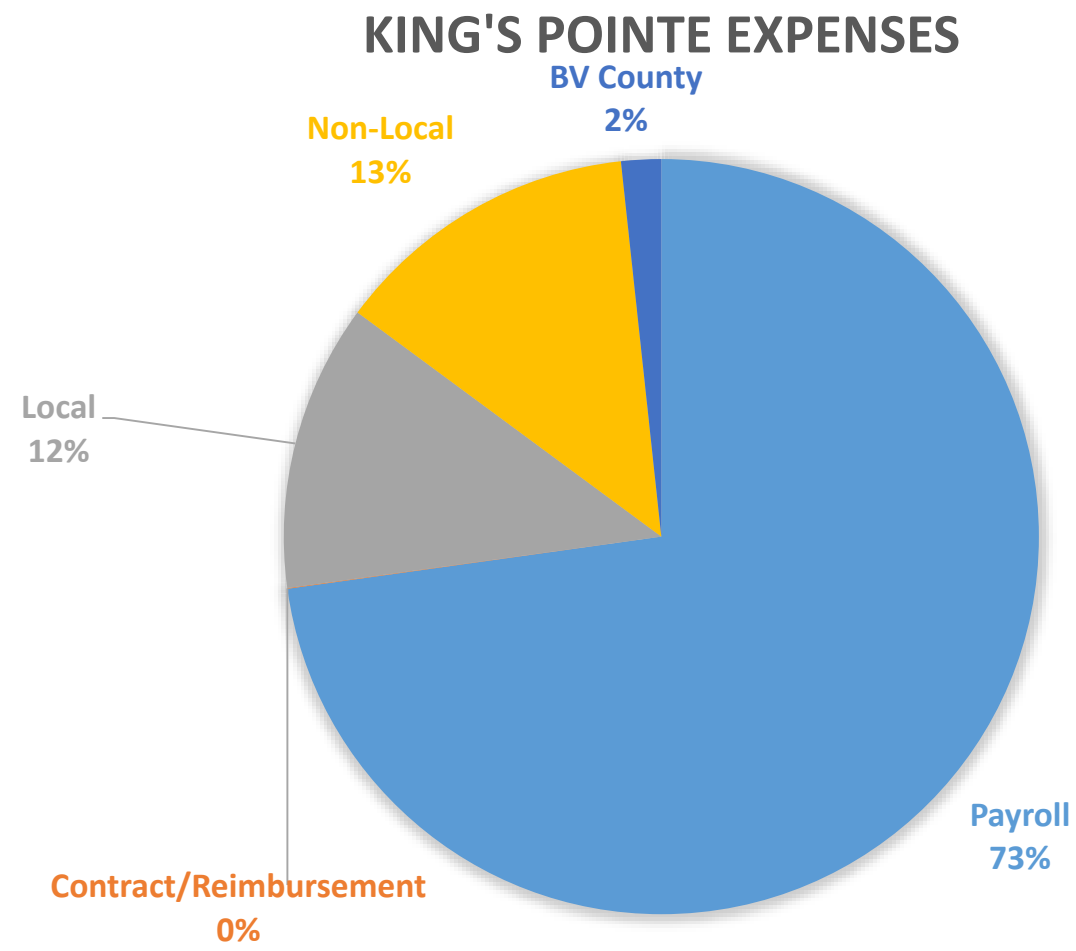
CONTRACTS/AGREEMENTS

Cleaning Supplies	\$ 1,711.28
Training Registration	\$ 1,345.00
Evidence Supplies	\$ 157.04
Notary Renewal	\$ 30.00
Ammunition	\$ 333.00
First Aid Supplies	\$ 110.57
Warning Siren Maintenance	\$ 595.00
PD Uniforms	\$ 722.14
Key Tags	\$ 458.36
Physical Testing	\$ 250.00
Online Weather Services	\$ 720.00
Sand/Salt Mix	\$ 4,848.76
Propane	\$ 949.42
Jet A Fuel	\$ 19,696.38
Meter License	\$ 9.00
Water Services	\$ 63.49
Runway REIL Light Repairs	\$ 1,440.00
Job Opening Advertising	\$ 300.00
Conference Hotels	\$ 658.56
Chemicals	\$ 35,745.59
Pump Supplies	\$ 67.22
WIMS Software User Fee	\$ 5,212.79
Boiler Safety Inspection	\$ 135.00
Tube Covering	\$ 772.24
Lime	\$ 14,023.67
Shipping	\$ 9.73
Float Witch & Test Kit & Sampler Pump	\$ 100.98
Hyd Connector	\$ 34.82
Safety Supplies	\$ 367.16
Manhole Rehab/Televising Services	\$ 16,518.90
Locates	\$ 51.70
Clamp	\$ 907.02
Phone Services	\$ 174.04
Testing Services	\$ 2,826.22
Lift Station Repairs	\$ 4,331.97
Equipment Supplies	\$ 633.72

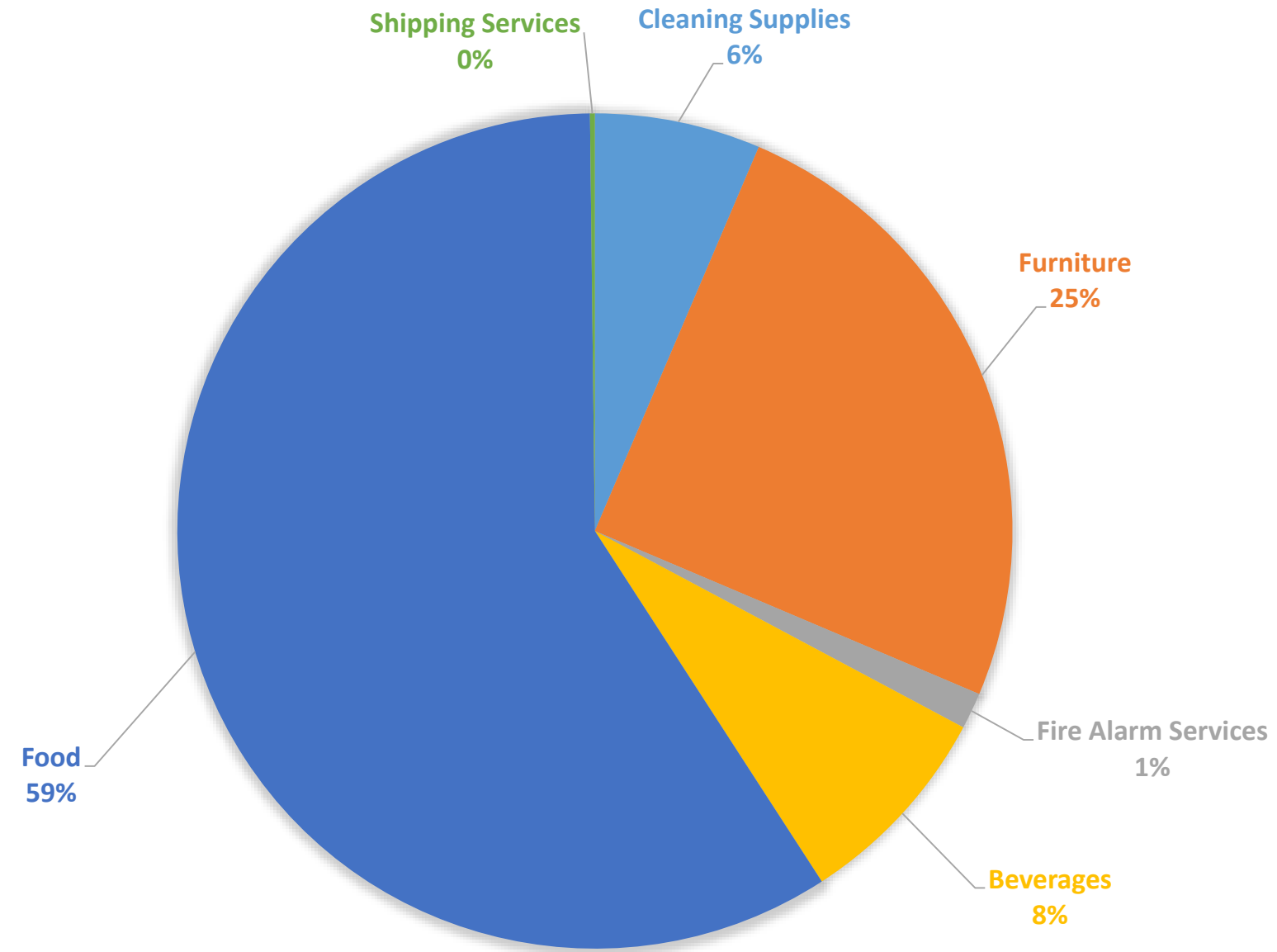


NON-LOCAL

Payroll	\$141,265.50
Contract/Reimbursement	\$ 60.00
Local Expenses	\$ 23,855.65
Non-Local	\$ 25,567.95
BV County	\$ 3,315.28
Total Expenses	\$194,064.38



Cleaning Supplies	\$ 1,642.30
Furniture	\$ 6,382.00
Fire Alarm Services	\$ 360.00
Beverages	\$ 2,060.78
Food	\$ 15,075.02
Shipping Services	\$ 47.85



KP NON-LOCAL

Staff Summary

5/7/2018

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: Mark Prosser, Public Safety Director

SUBJECT: **Resolution No. 84-R-2017-2018 Authorizing Requests
Associated With the Re-Scheduled Fiesta Latina**

BACKGROUND: The BVU Fiesta Latina Event which was previously approved by the city council for early in April was cancelled due to inclement winter weather. Subsequently Ebony King representing BVU has submitted a new request for the re-scheduled event which is planned for Saturday, 5-19-2018 between the hours of 1:00pm and 6:00pm in Frank Starr Park.

Specific requests are:

*Use of Starr Park for the event venue

*Noise Variance for the venue between 1:00pm and 6:00pm

*Permission for food and merchandize vending within the venue

*Use of inflatables within the venue.

*Appropriate support from the Parks and Public Safety
Departments

These requests are consistent with previous requests. The event has always run smooth.

I will issues a Noise Variance upon receipt of a consensus in the affirmative by the city council.

FISCAL IMPACT: The Park's Department will have some staff hours associated with the event which will be absorbed in the normal operational budget.

RECOMMENDATION: Pass Resolution No. 84-R-2017-2018

ATTACHMENTS:

Description	Type
 Supporting Documents	Backup Material

City of Storm Lake
PO Box 1086
Storm Lake, Iowa 50588
712-732-8000
cityclerk@stormlake.org
www.stormlake.org

City of Storm Lake Park Event / Rental Registration Application

Please complete this form for all events requested to be held within the Storm Lake Park System

Name of Requesting Party: Ebony King Phone #: 712-749-2379
Mailing Address: 610 West Fourth Street Email: kingE@BVU.edu
City: Storm Lake State: IA Zip: 50588
Cell Phone: 912-222-0193
2nd Contact: Ashley Farmer - Hanson Position/Relationship: Supervisor
Email: HansonA@BVU.edu Cell Phone: 712-749-2377

Requested Park: Frank Starr Park Event Date: 5-19-18
Event Type: Fiesta Latina Event Start Time: 1:00 PM
Event End Time: 6:00 PM

Please answer the following questions regarding your proposed events:

Will there be amplified noise such as music, spoken word through a microphone or karaoke? (Use of amplified noise will require a noise variance)

☒ ✓

Will you have horses involved in the event? (All animal feces must be managed and removed from public property)

☐ NO

Will you be selling food or drink as part of event? (Sale of food requires a permit from the BV County Sanitarian 712-749-2555, please provide a copy of this permit to the City. You may be required to have a solicitor license.)

☒ ✓

☐ Check this box if you will be charging admission to this event.

Will you be using an open shelter, the band shell, or the Chautauqua Park Shelter House? (These facilities are available for rent and have a rental fee associated with them - please fill out the rental agreement in addition to this document.)

☒ ✓

Will you be erecting a tent? If YES attach a map of the park showing the location of the tent, size, and staking layout.

☐ NO

How many people will be attending the event? Provide your best estimate on attendance.

2500

Do you have electrical needs? ☒ yes Identify: Entertainment & food booths.

Will there be alcohol at the event? ☐ NO Will alcohol be sold at the event? ☐ NO Do you have a liquor license? ☐ NO

Will you have inflatables at the event? If yes you will be required to provide liability insurance to the City.

☒ yes

Are you requesting Street closures? ☐ NO Which Streets?

Starting Time:

Ending Time:

Will there be fireworks involved with this event? If Yes please contact the Fire Chief at 712-732-8010.

☐ NO

Are you requesting security services provided by Storm Lake Public Safety? SLPS may require security services.

☐ NO

Signature Field

Ebony King

Date:

4/16/18



**Public Safety
Police & Fire
PERMIT**

401 East Milwaukee Avenue
Storm Lake, Iowa
Phone: 712-732-8010
Email: publicsafety@stormlake.org

Event: 2018 Fiesta Latina (Re-Scheduled)

Issued To:

Name: Ebony King

Organization: BVU Director of Multicultural Engagement

Address: 610 West 4th Street, Storm Lake, IA 50588

Phone: 912-222-0193

Date(s) of Event: Saturday, 5-19-2018

Time(s) of Event: 1:00pm until 6:00pm

Expiration of Permit: 5-20-2018

Location / Area
of Use:

Frank Starr Park

Type of Permit

☒ Noise Variance (8-7-4)

☐ Ride/Run/Walk (9-13-4)

☐ Parade (9-13-4)

☐ Public Demonstration (8-7-4)

☐ Street Closing

☐ Fireworks (8-2-1(I2A))

☐ Authorized Burn (7-2-2-B)

☐ Other

Authorized by:

Mark A. Prosser

Date:

5-8-2018

Please Print

Signature:

Title:

Public Safety Director

Based on the answers provided on the first page of this application, City staff will review your event application and provide you with staff support for the event to ensure that you have the appropriate permits, licenses, and reservations in place for a successful event. If you have any questions regarding this application please contact the City Clerk's office at 712-732-8000 or by email at cityclerk@stormlake.org.

CITY OF STORM LAKE USE ONLY

Noise Variance Required	☐	Issued by:	☐	Council Approval Date:	☐
Fireworks Permit Required:	☐	Issued by:	☐	Council Approval Date:	☐
Liquor License Required	☐	License Holder Name:	☐		
Street Closure Required	☐	Approved by:	☐		
☐ Needs Council Approval		Council Approval Date:	☐		
☐ Press Release Needed		Press Release Date:	☐		
Facility Rental Required	☐	☐ Rental Process Completed	Confirmed Rental by:	☐	
☐ Chautauqua Park Shelter		☐ AWAYSIS Park Shelter	☐ Great Lawn	☐ Band Shell	☐ Frank Starr Park Shelter
Solicitor License Required	☐	Approved by:	☐	Permit Number:	☐
Tent Location Approved	☐	Approved by:	☐	Date:	☐
Liability Insurance Required	☐	Copy Received By:	☐	Date:	☐
Security Services Required	☐	Approved by:	☐		
Fencing Needed	☐	☐ Beer Garden Fencing Required	☐ Security Fencing Required		
		☐ City providing & placing fence	☐ Map showing fence location received		
Council Approval Required	☐	☐ Private sales on Public Property			
		☐ Authorization for use of City staff	Council Approval Date:	☐	
☐ Event added to Park Calendar					

Public Safety Approval:	☐	Date:	☐
Parks Dept. Approval	☐	Date:	☐
Public Works Approval:	☐	Date:	☐
Administration Approval:	☐	Date:	☐

Additional
Notes:

Staff Summary

5/7/2018

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: Mark Prosser, Public Safety Director

SUBJECT: **Motion Authorizing a No Parking Zone Variance**

BACKGROUND: Attached is a written request from Joe Kucera representing Community Education requesting a No Parking Zone Variance on Saturday, June 30, 2018 between the hours of 8:00am and 8:00pm on the south side of West 10th Street from Vestal Street east to Ontario Street.

The request is to accommodate bus parking during the 2018 Tornado Classic Softball Tournament which is held at the Field of Dreams Complex.

Tournament staff will cover the No Parking signs in the morning and uncover them in the evening to allow for bus parking on West 10th Street. This process has been used for many years during the tournament and works well.

The SLPD monitors the venue throughout the day.

FISCAL IMPACT: None

RECOMMENDATION: Pass Motion

ATTACHMENTS:

Description	Type
□ Resolution	Resolution

.....

CommUNITY Education

419 Lake Avenue · P.O. Box 638 · Storm Lake, IA 50588 · (712) 732-5711 · (712) 732-5712 F

April 10, 2018

Storm Lake CommUNITY Education would like to request the lifting of the parking restrictions on W. 10th Street from 8am-8pm on Saturday, June 30th, 2018. During the Tornado Classic Softball Tournament we would like to be able to have parking on the south side of W. 10th to accommodate school buses due to the limited space in the off street parking area for vehicles of that size. We would cover the signs that morning and remove those same covers at the end of the day.

Thank you for your consideration on this matter.

Joe Kucera, Coordinator
Storm Lake Community Education
419 Lake Avenue, P.O. Box 638
Storm Lake, IA 50588



..... STRONGER TOGETHER.

Staff Summary

5/7/2018

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: Mike Davis, Water Plant Superintendent

SUBJECT: **Resolution No. 85-R-2017-2018 Approving 1st and Mae Sewer Lining Project Change Order No. 1**

BACKGROUND: On August 7th, 2017 the City entered into a construction contract with Municipal Pipe Tool Co., LLC of Hudson, Iowa to perform work associated with the 1st and Mae Street Lining Project. The change order is due to the emergency repairs on a broken 24-inch ductile iron sanitary sewer pipe passing through a two-part structure. The south part of the structure is where the 24-inch sewer from the north and the 24-inch sewer from the west discharged into an open chamber and continue east to the Memorial Lift Station as a 30-inch sewer.

The total amount of the change order is \$31,311.34. New total contract price for this project is \$672,220.34

FISCAL IMPACT: The change order is funded by 75% Federal Grant funds and 25% local sewer funds.

RECOMMENDATION: Staff recommends adopting Resolution No. 85-R-2017-2018 Accepting change order.

ATTACHMENTS:

Description	Type
☐ Resolution No. 85-R-2017-2018	Resolution

RESOLUTION NO. 85-R-2017-2018

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

To approve Change Order No. 1 to the contract with Municipal Pipe Tool Co., LLC of Hudson, Iowa for the 1st and Mae Street Lining Project, an increase of \$31,311.34 to the contract for to the emergency repairs on a broken 24-inch ductile iron sanitary sewer pipe passing through a two-part structure.

Total cost of Change Order #1 is an increase of \$31,311.34 to the contract. Total contract cost after change order #1 is \$672,220.00.

PASSED AND APPROVED this 7th day of May, 2018.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

5/7/2018

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: Tyler Gibbins, Staff Accountant

SUBJECT: **Resolution No. 86-R-2017-2018 to Approve Sunrise Pointe Golf Course Reciprocal Policy**

BACKGROUND: I am privileged to present a reciprocal Policy to you for the Sunrise Pointe Golf Course. As many of may be aware, the number of memberships at the course have decreased over the last several years which have decreased the amount of revenue over those years. This policy has the potential to increase the traffic on Sunrise golf Course. At this time 8 courses have successfully signed this policy Schleswig, Spring Lake, Coon Rapids, Jefferson, Holstein, Ida Grove, Twin Lakes, and Lake City and Manning Manilla, Mapleton, Laurens, and Sac City are additional courses considering this policy similar to the action we are discussing here.

This policy opens the access of participating courses, specifically only on "free golf" days, which is defined as when courses do not have league, tournament, or any other even utilizing the course. This Policy would waive the course green fees outlined in the fee resolution but would require reciprocal members to pay for a riding golf car.

If approved, staff will provide participating courses a list of members. Each reciprocal player will be matched with an identification card which is required at the clubhouse prior to play.

FISCAL IMPACT: There is not fiscal impact to enter into this policy with other participating courses.

RECOMMENDATION: Adopt Resolution No. 86-R-2017-2018 approving the Reciprocal Policy for Midwest Iowa

ATTACHMENTS:

	Description	Type
▣	Reciprocal Policy	Contract
▣	Resolution No. 86-R-2017-2018	Resolution

RECIPROCAL POLICY FOR MIDWEST IOWA

The following guidelines have been approved by Board of Governors at Lake City Country Club to benefit our members and reciprocal guests. We respect our reciprocal agreements as a “value added” benefit of membership. We are confident the reciprocal agreement between our clubs will be beneficial to members of each club.

1. Reciprocal players will be permitted to play during times not previously reserved for league, or tournaments unless participating in the tournament play.
2. Reciprocal players must make playing arrangements in advance by calling the clubhouse. Reciprocal play is only allowed while the Course is open.
3. Each reciprocal player must present a current identification card and sign the reciprocal book in the clubhouse before they play.
4. Reciprocal players may bring “guests” from other clubs who are not current regular members at approved reciprocal clubs. Non-Reciprocal Guest Must Pay Greens Fees and Golf Cart Fees
5. Greens fees will be waived for reciprocal players, but not their “guest”. All players will be required to take and pay for a riding golf car.
6. Reciprocal players are welcome to use all club services including clubhouse dining and bar.
8. All rules affecting host club members apply to reciprocal players.

If you are agree to the following terms please fill in the following information and have two board members sign below.

Course Name _____

Course Phone Number _____

Course Email Address _____

Clubhouse Manager _____

Board Member Name 1 _____ 2 _____

Board Member Signature _____ _____

RESOLUTION NO. 86-R-2017-2018

**RESOLUTION APPROVING THE SUNRISE GOLF GOURSE RECIPROCAL POLICY
AND WAIVING GREEN FEES FOR THE RECIPROCAL MEMBERS.**

WHEREAS, the City of Storm Lake owns the Sunrise Golf Course; and

WHEREAS, the City of Storm Lake desires to increase the number of rounds of golf played annually at the course; and

WHEREAS, the City of Storm Lake welcomes the opportunity to showcase the golf course to players from other courses that may including Schleswig, Spring Lake, Coon Rapids, Jefferson, Holstein, Ida Grove, Twin Lakes, Lake City, Manning Manilla, Mapleton, Laurens, and Sac City; and

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

To approve waiving fees for golfers from participating courses visiting Sunrise Pointe Golf Course covered in the Sunrise Golf Course Reciprocal Policy.

PASSED AND APPROVED this 7th day of May, 2018.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

5/7/2018

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: Brian Oakleaf, Finance Director

SUBJECT: **Motion Setting Public Hearing On Fiscal Year 2017-2018 Budget Amendment**

BACKGROUND: The City is required to amend the budget anytime expenses are estimated to exceed the prior authorized budget authority as set by City Council.

While estimates and Amendments are not statutorily required for Revenues and reductions in Expense, we believe calculating and including these figures benefit understanding and transparency.

Prior to adoption of the budget amendment the City must hold a public hearing and publish notice. Passage of this motion will set the official public hearing date for Monday, May 21, 2018 at 5:00 p.m. and directs the City Clerk to publish notice of the hearing as required by State of Iowa law.

FISCAL IMPACT: The fiscal impact to set the public hearing is the cost of publication.

RECOMMENDATION: Set the public hearing for Monday, May 21, 2018 at 5:00 P.M.

ATTACHMENTS:

Description	Type
Public Hearing Budget Amendment	Backup Material

**NOTICE OF PUBLIC HEARING
AMENDMENT OF FY2017-2018 CITY BUDGET**

Form 653.C1

The City Council of Storm Lake in BUENA VISTA County, Iowa
will meet at City Council Chambers
at 5:00pm on 5/21/2018
(hour) (Date)

,for the purpose of amending the current budget of the city for the fiscal year ending June 30, 2018
(year)

by changing estimates of revenue and expenditure appropriations in the following programs for the reasons given. Additional detail is available at the city clerk's office showing revenues and expenditures by fund type and by activity.

		Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
Revenues & Other Financing Sources				
Taxes Levied on Property	1	4,218,861	0	4,218,861
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
Net Current Property Taxes	3	4,218,861	0	4,218,861
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	794,019	75,461	869,480
Other City Taxes	6	2,199,326	89,326	2,288,652
Licenses & Permits	7	279,500	27,376	306,876
Use of Money and Property	8	125,200	139,295	264,495
Intergovernmental	9	5,927,604	-1,480,761	4,446,843
Charges for Services	10	12,758,802	1,097,256	13,856,058
Special Assessments	11	0	0	0
Miscellaneous	12	253,000	13,000	266,000
Other Financing Sources	13	0	0	0
Transfers In	14	3,152,980	96,424	3,249,404
Total Revenues and Other Sources	15	29,709,292	57,377	29,766,669
Expenditures & Other Financing Uses				
Public Safety	16	3,271,882	0	3,271,882
Public Works	17	1,710,060	0	1,710,060
Health and Social Services	18	8,250	3,150	11,400
Culture and Recreation	19	1,735,508	49,614	1,785,122
Community and Economic Development	20	82,000	401,628	483,628
General Government	21	465,171	36,895	502,066
Debt Service	22	2,163,550	0	2,163,550
Capital Projects	23	5,123,600	-1,974,348	3,149,252
Total Government Activities Expenditures	24	14,560,021	-1,483,061	13,076,960
Business Type / Enterprises	25	11,488,635	1,308,457	12,797,092
Total Gov Activities & Business Expenditures	26	26,048,656	-174,604	25,874,052
Transfers Out	27	3,152,980	96,424	3,249,404
Total Expenditures/Transfers Out	28	29,201,636	-78,180	29,123,456
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out for Fiscal Year	29	507,656	135,557	643,213
Beginning Fund Balance July 1	30	14,587,464	0	14,587,464
Ending Fund Balance June 30	31	15,095,120	135,557	15,230,677

Explanation of increases or decreases in revenue estimates, appropriations, or available cash:

Revenues saw modest increases in most areas, with a substantial increase in Use of Money via Interest Income and Charges for Service via increased usage and revenue in all Enterprise Funds. Intergovernmental significantly reduced as matching funds and grants are tied to delayed projects.

Higher department operation expenses were typically offset by reduced payroll. Substantial purchase of land, additional non-project Capital and increases in expenses, especially repairs and usage related, in all Enterprise

There will be no increase in tax levies to be paid in the current fiscal year named above. Any increase in expenditures set out above will be met from the increased non-property tax revenues and cash balances not budgeted or considered in this current budget. This will provide for a balanced budget.

Brian T. Oakleaf
City Clerk/Finance Officer

Staff Summary

5/7/2018

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: Brian Oakleaf, Finance Director

SUBJECT: **Motion to Approve Addition to Fiscal Year 2017-2018 CIP Budget**

BACKGROUND: The motion would single out a NTE \$25,000 project to secure, stabilize, and level the Gas Dock, Slip Docks and Main Marina dock. These improvements are necessary for insurance compliance, the ease and safety of boaters and renters, and an improved perception of the Marina lakefront.

While this expenditure is included in the Annual Budget Amendment to be presented to Council on May 21st, time is of the essence of these repairs:
Upon approval, the project would begin on May 8th or 9th, depending on weather or other factors. Therefore the expenditure is requested for approval ahead of and outside of the normal amending process.

FISCAL IMPACT: Not to Exceed \$25,000 to be approved as a Fiscal Year 2017-2018 expenditure. Funding would be transferred from the \$75,000 Marina Improvement Budget for FY 2018-2019 which begins in appx. 54 days.

RECOMMENDATION: Approve the Motion.

Staff Summary

5/7/2018

Agenda Item # 7.



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

REPORT TO: Honorable Mayor and City Council

FROM: Keri Navratil, City Manager

SUBJECT: **Motion to Accept Lab Testing Services Proposal**

BACKGROUND: Each year the City spends between \$60,000-\$70,000 for lab testing services for the wastewater, water, and stormwater departments.

As stewards of taxpayer dollars, all departments of the City of Storm Lake hold the responsibility for conducting procurements in a deliberate, fair and ethical manner. The goals of the City when making purchases are to:

- purchase the proper good or service to meet the needs of the City;
- Get the best possible price for the good or service;
- Get the best value for public dollars expended;
- Have the good or service available where and when it is needed;
- Ensure a continuing supply of needed goods and services;

Allow bidders a fair opportunity to compete for the government's business, through statutory requirements for competitive bids and proposals combined with the City's purchasing procedures;

- Stimulate the local economy and job market by allowing local businesses an opportunity to compete in the City contract award process.

Proposals were opened on May 3, 2019 by City Clerk Martinez at 4:00 p.m. Two proposals were received:
Foundation Analytical Laboratory from Cherokee, Iowa
Mangold Environmental Testing- Storm Lake, Iowa

The recommendation is to award the proposal to Mangold Environmental Testing from Storm Lake, Iowa.

FISCAL IMPACT: There is no fiscal impact accepting the proposal.

RECOMMENDATION: Motion to accept proposal from Mangold Environmental Testing services and direct staff to begin contract negotiations.

ATTACHMENTS:

Description		Type
	Foundation Proposal	Backup Material
	Mangold Proposal	Backup Material

City of Storm Lake
Request for Proposals for Lab Testing Services

The City of Storm Lake is soliciting proposals for lab testing services for Water, Wastewater, and Stormwater departments for the Fiscal Year 2018-2019 budget cycle which is July 1, 2018 through June 30, 2019. The City of Storm Lake will accept sealed proposals for these services until **4:00PM CST on May 3, 2018**. Proposals should be sent to the following address:

City of Storm Lake
Request for Proposals for Lab Testing Services
ATTN: City Clerk
P.O. Box 1086
Storm Lake, IA 50588

All proposals must be returned on the supplied Lab Testing Services Proposal Form and must be received by the City Clerk by 4:00PM CST on May 3, 2018, to be considered for award of the proposal. The proposals will be reviewed and awarded at the May 21, 2018 City Council Meeting.

Lab tests listed below are considered minimum specifications unless otherwise specified. All tests shall comply by State, Federal, and Local standards currently or as revised in the future. If there are lab tests that are not able to be completed in-house, please indicate so on the proposal form. Operating permits for the Water and Wastewater permits are attached to this proposal.

The City of Storm Lake reserves the right to reject any and all proposals. Proposals will be selected based on the following criteria, ability to meet minimum specifications, past history of service to the City of Storm Lake, price, quality control procedures, and ability to meet the needs of the City.

Proposal Form

Storm Lake Wastewater Treatment Plant Testing and Lab Requirements

It will be the responsibility of the lab to provide coolers, sample bottles, and preservatives in the appropriate sample bottles.

Effluent	No. of Tests/Week	Mon	Tue	Wed	Thu	Cost Per Test
NH3	3		X	X	X	\$ 18.00
TSS	3	X	X	X		\$ 15.00
cBOD	3		X	X	X	\$ 30.00
Chlor./Sulfate	1				X	\$ 15.00 each
Ortho-P	1			X		\$ 15.75
Total N/P	1			X		\$ 40.00 (N) \$ 15.00 (P)

Influent	No. of Tests/Week	Mon	Tue	Wed	Thu	Cost Per Test
TSS	3	X	X	X		\$ 15.00
cBOD	3		X	X	X	\$ 30.00
Total N/P	1			X		\$ 40.00 (N) \$ 15.00 (P)

Tyson Poultry	No. of Tests/Week	Mon	Tue	Wed	Thu	Cost Per Test
TSS	2		X	X		\$ 15.00
TKN	2		X	X		\$ 25.00
BOD	2		X	X		\$ 28.00
NH3	2		X	X		\$ 18.00

Other	Yearly	Cost Per Test
Biosolids	1	\$ 565.00 + \$ 32.00 (Mercury)
Whole Effluent Toxicity	1	Approx. \$ 650.00

Storm Lake Water Treatment Plant Testing and Lab Requirements

1. Drop off of each calendar month worth of sample bottles before the first of each month. Each cooler should contain a week's worth of sample bottles and each cooler will have a chart inside detailing which samples will be collected.
2. Each bottle should be individually labeled and noting what parameter is to be analyzed.
3. Pick up samples on required days by 3pm.
4. Selected Lab will be on call on weekends and holidays as required.
5. Electronic billing at least monthly.
6. Lab has the responsibility to ensure that the plant receives the proper bottles for every test before it is due per our operating permit.
7. Lab will also contact the Iowa Hygienic Lab or another lab for all tests that cannot be performed in house. The Lab will also deliver those bottles to the plant for collection and ship the collected samples to the outside lab. Lab will then forward any results to SLWTP.

Foundation Analytical is prepared and able to meet the requirements as set forth by City of Storm Lake Water Treatment Plant above.

Analysis Required:

Bacteria	Hardness
Ammonia	Alkalinity
Nitrite	IOC's
Nitrate	Iron
Chlorite	Manganese
TTHM's & HAA5's	Combined Radium
Fluoride	Gross Alpha
Turbidity	Lead
Sodium	Copper
VOC's/SOC's	Total Dissolved Solids

Note:

Foundation Analytical Laboratory utilizes 2 different laboratories for outside analysis and asks our client to choose their preference.

Prices denoted with an asterisk (*) indicate pricing for State Hygienic Laboratory.

Prices denoted with a carrot (^) indicate pricing for Keystone Laboratory.

Prices with * or ^ are an estimate as shipping charges must be factored in.

WATER PLANT TESTS	Cost Per Test
COLIFORM BACTERIA	\$ 12.00
LEAD AND COPPER	\$ 27.50
NITRITE (AS N)	\$ 15.00
COMBINED RADIUM	\$215.00*
GROSS ALPHA	\$ 45.00*
(IOC) INORGANIC CHEMICALS	\$215.00*^
NITRATE	\$ 15.00
(SOC) SYNTHETIC CHEMICALS	\$715.00* \$605.00^
(VOC) VOLITILE CHEMICALS	\$200.00* \$150.00^
NITROGEN-AMMONIA (AS N)	\$ 18.00
SODIUM	\$ 15.00
(TTHM)TOTAL TRIHALOMETHANES	\$ 68.00* \$ 50.00^
(HAA5)HALOACETIC ACIDS	\$ 82.00* \$ 76.00^
ALKALINITY/ RAW WATER	\$ 15.00
ALKALINITY/ SOURCE ENTRY POINT	\$ 15.00
CHLORITE	\$ 27.50*^

FLUORIDE (RAW WATER)	\$ 15.00
FLUORIDE (RAW WATER)	\$ 15.00
HARDNESS AS CaCO3 RAW WATER	\$ 15.00
HARDNESS AS CaCO3 S/EP	\$ 15.00
NITRITE S/EP	\$ 15.00
NITRITE RAW	\$ 15.00
ACRYLAMIDE	\$115.00^
PH	\$ 10.00
METALS	\$ 15.00 each
NITRATE	\$ 15.00

Stormwater Tests

Nitrate Cost Per Test \$ \$15.00

E-Coli Cost Per Test \$ \$25.00

The City takes a sample for Nitrates and E-Coli spring as a control. The City takes E-coli and Nitrate samples every time during rain events of 1/3 inch or more. Nitrate samples are taken the day of the event, and at 24, 48, and 120 hours after the rain event.

Other Items

The City will require all test reports when finished.

Will you be willing to perform additional tests that the DNR may require the City to complete? Please circle Yes or No.

Will you be able to perform lab tests on the weekend on an emergency basis? Please circle Yes or No.

Please indicate the tests that will have to conduct by an outside laboratory and who may be the laboratory used.

Foundation Analytical Laboratory (FAL) performs as much testing in house as possible under the scope of our IDNR certification (Lab #396). Any testing performed by another certified laboratory will be communicated in advance and reported to the client on the original lab report. We do not re-report another laboratory's results on our letterhead. Subcontracted work under the scope of this bid is as follows:

<u>Test</u>	<u>Laboratory</u>	<u>IDNR Lab #</u>
Biosolids		
Mercury	Keystone	095
Wastewater		
Whole Effluent Toxicity (WET)	ECT	377
Water		
Combined Radium	SHL	027 / 397
Gross Alpha	SHL	027 / 397
Inorganic Chemicals (IOCs)	Keystone	95
	SHL	027 / 397
Synthetic Chemicals (SOCs)	Keystone	95
(including diquat & glyphosate)	SHL	027 / 397
Volatile Chemicals (VOCs)	Keystone	95
	SHL	027 / 397
Total Trihalomethanes (TTHM)	Keystone	95
	SHL	027 / 397
Halocetic Acids (HAA5)	Keystone	95
	SHL	027 / 397
Chlorite	Keystone	95
	SHL	027 / 397
Acrylamide ¹	Keystone	95

¹ Keystone typically runs acrylamide in wastewater and sludge, not drinking water.

SHL does not offer acrylamide at this time.

Respectfully Submitted,



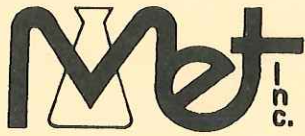
Diane Young

Foundation Analytical Laboratory, Inc.

115 E Maple Street

Cherokee, Iowa 51012

712.225.6989



MANGOLD ENVIRONMENTAL TESTING

2004 EXPANSION BLVD.
712-732-7786

STORM LAKE, IA 50588
FAX 712-732-3925

2 May 2018

To whom it may concern:

Re: RFP for lab testing services

Thank you for the opportunity to submit a proposal for lab testing services for the City of Storm Lake thru June 30, 2019.

Attached please find the completed Lab Testing Services Proposal Form. Please note: clarifications provided on included supporting documents.

Included is a list of requested parameters, broken out by department, detailing the requested parameters, method, minimum detection limit (MDL) and the IDNR certified laboratory ID for the laboratory performing the corresponding analysis.

The prices reflect all applicable discounts and special pricing Mangold Environmental Testing, Inc., is pleased to offer the City of Storm Lake.

The most current copy of Mangold Environmental Testing, Inc., certification documentation can be provided. All quality control manuals and documents will be provided for the City of Storm Lake or its agents for review upon written request.

Analysis will be performed by a professional analytical team with over 100 years of combined experience in environmental chemistry and microbiology. Data entry and client services staff provide client support and have extensive experience working with regulatory agencies, including the IDNR.

Also included is a list outlining the breadth of local products and services purchased by this laboratory; its owners and officers; staff; and visiting clients and vendors from local retail and service partners.

Thank you for considering the services of this professional, certified laboratory. I would welcome the opportunity to further discuss this proposal or to answer any questions. Please don't hesitate to contact me at 712.732.7786 or bmangold@met-lab.net.

Regards,

Mangold Environmental Testing, Inc.



Brent Mangold, President

City of Storm Lake

Request for Proposals for Lab Testing Services

The City of Storm Lake is soliciting proposals for lab testing services for Water, Wastewater, and Stormwater departments for the Fiscal Year 2018-2019 budget cycle which is July 1, 2018 through June 30, 2019. The City of Storm Lake will accept sealed proposals for these services until **4:00PM CST on May 3, 2018**. Proposals should be sent to the following address:

City of Storm Lake Request for Proposals for Lab Testing Services ATTN: City Clerk P.O. Box 1086 Storm Lake, IA 50588

All proposals must be returned on the supplied Lab Testing Services Proposal Form and must be received by the City Clerk by 4:00PM CST on May 3, 2018, to be considered for award of the proposal. The proposals will be reviewed and awarded at the May 21, 2018 City Council Meeting.

Lab tests listed below are considered minimum specifications unless otherwise specified. All tests shall comply by State, Federal, and Local standards currently or as revised in the future. If there are lab tests that are not able to be completed in-house, please indicate so on the proposal form. Operating permits for the Water and Wastewater permits are attached to this proposal.

The City of Storm Lake reserves the right to reject any and all proposals. Proposals will be selected based on the following criteria, ability to meet minimum specifications, past history of service to the City of Storm Lake, price, quality control procedures, and ability to meet the needs of the City.

Proposal Form

Storm Lake Wastewater Treatment Plant Testing and Lab Requirements

It will be the responsibility of the lab to provide coolers, sample bottles, and preservatives in the appropriate sample bottles.

NH3	3		X	X	X	\$17.00
TSS	3	X	X	X		\$10.20
cBOD	3		X	X	X	\$25.50
Chlor./Sulfate	1				X	\$12.75 ea
Ortho-P	1			X		\$12.75
Total N/P	1			X		\$74.80
Influent	No. of Tests/Week	Mon	Tue	Wed	Thu	Cost Per Test
TSS	3	X	X	X		\$10.20
cBOD	3		X	X	X	\$25.50
Total N/P	1			X		\$74.80
Tyson Poultry	No. of Tests/Week	Mon	Tue	Wed	Thu	Cost Per Test
TSS	2		X	X		\$10.20
TKN	2		X	X		\$23.80
BOD	2		X	X		\$25.50
NH3	2		X	X		\$17.00
Other		Yearly		Cost Per Test		
Biosolids		1		\$ 276.25		

Whole Effluent Toxicity	1	\$ 460.00

It will be the responsibility of the lab to provide coolers, sample bottles, and preservatives in the appropriate sample bottles.

Storm Lake Water Treatment Plant Testing and Lab Requirements

1. Drop off of each calendar month worth of sample bottles before the first of each month.
Each cooler should contain a week's worth of sample bottles and each cooler will have a chart inside detailing which samples will be collected.
2. Each bottle should be individually labeled and noting what parameter is to be analyzed.
3. Pick up samples on required days by 3pm.
4. Selected Lab will be on call on weekends and holidays as required.
5. Electronic billing at least monthly.
6. Lab has the responsibility to ensure that the plant receives the proper bottles for every test before it is due per our operating permit.
7. Lab will also contact the Iowa Hygienic Lab or another lab for all tests that cannot be performed in house. The Lab will also deliver those bottles to the plant for collection and ship the collected samples to the outside lab. Lab will then forward any results to SLWTP.

Analysis Required:

Bacteria Ammonia Nitrite Nitrate Chlorite TTHM's & HAA5's Fluoride

Turbidity Sodium VOC's/SOC's

Hardness Alkalinity IOC's Iron Manganese Combined Radium Gross Alpha

Lead Copper Total Dissolved Solids

<u>WATER PLANT TESTS</u>	<u>Cost Per Test</u>
COLIFORM BACTERIA	\$11.05
LEAD AND COPPER	\$27.20
NITRITE (AS N)	\$12.75
COMBINED RADIUM	YR 2020
GROSS ALPHA	YR 2020
(IOC) INORGANIC CHEMICALS	YR 2022
NITRATE	\$12.75
(SOC) SYNTHETIC CHEMICALS	YR 2024
(VOC) VOLATILE CHEMICALS	YR 2024
NITROGEN-AMMONIA (AS N)	\$17.00
SODIUM	\$12.75
(TTHM) TOTAL TRIHALOMETHANES	\$153.00
(HAA5) HALOACETIC ACIDS	Combined with TTHM
ALKALINITY/ RAW WATER	\$17.00
ALKALINITY/ SOURCE ENTRY POINT	\$17.00
CHLORITE	\$20.40
SODIUM CHLORITE	N/A
FLUORIDE (RAW WATER)	\$12.72
FLUORIDE (RAW WATER)	\$12.75

HARDNESS AS CaCO₃ RAW WATER \$12.75

HARDNESS AS CaCO ₃ S/EP	\$12.75
NITRITE S/EP	\$12.75
NITRITE RAW	\$12.75
ACRYLAMIDE (Not Certified)	\$85.00
PH	\$5.95
METALS (Iron, Manganese, unk)	\$12.75 each
NITRATE	\$12.75

Stormwater Tests

Nitrate Cost Per Test \$ 12.75

E-Coli Cost Per Test \$ 16.00

The City takes a sample for Nitrates and E-Coli spring as a control. The City takes E-coli and Nitrate samples every time during rain events of 1/3 inch or more. Nitrate samples are taken the day of the event, and at 24, 48, and 120 hours after the rain event.

Other Items

The City will require all test reports when finished.

Will you be willing to perform additional tests that the DNR may require the City to complete? Please circle Yes or No.

Will you be able to perform lab tests on the weekend on an emergency basis? Please circle Yes or No.

Please indicate the tests that will have to conduct by an outside laboratory and who may be the laboratory used.

See following page

All analysis are performed by Mangold Environmental Testing, Inc., unless otherwise noted.

Parameter	Lab ID
Orthophosphate	095
Total Phosphorous	095
Biosolids	095
Effluent Toxicity	397
Radionuclides	027
IOC (Ba, Be, Se, Tl, Hg, Sb)	397
SOC and VOC	027
Nitrogen-Ammonia (SDWA)	397
THM and HAA	027
Chlorite	397
Acrylamide	*Not certified

Storm Lake Proposal

Analyte	City Department	Method	MDL (mg/L)	Cert. Lab ID	Cost/Ea
NH3-N	WWTP	4500-NH3 B,C	0.2	002	\$17.00
TSS	WWTP	USGS I-3765-85	3	002	\$10.20
cBOD5 (seeded)	WWTP	5210B	3	002	\$25.50
BOD5 (seeded)	WWTP	5210B	3	002	\$25.50
Chloride/Sulfate	WWTP	300.0	1/5	002	\$12.75 ea
Ortho Phos	WWTP	300.0	0.1	002/095	\$12.75
Total Phosphorous	WWTP	EPA 365.4	0.4	095	\$25.50
Total Nitrogen (TKN + NO3 + NO3)	WWTP	4500-Norg B, 300.0	0.2,0.1,0.05	002	\$49.30
Total Kjeldahl Nitrogen	WWTP	4500-Norg B	0.2	002	\$23.80
Biosolids	WWTP	Multiple Methods	Varies	002/095	\$276.25
Effluent Toxicity	WWTP	wett-lia-acute/epa 821-r-02-012	Pass/Fail	397	\$460.00
Coliform Bacteria	WTP	9223B-PA	Presence/Absence	002	\$11.05
Lead and Copper	WTP	3113B, 3111B	0.002/0.05	002	\$27.20
Nitrite (as N)	WTP	300.0	0.1	002	\$12.75
Combined Radium	WTP	903.0,904.0	1	027	Yr 2020
Gross Alpha	WTP	EERF 00-02	3	027	Yr 2020
IOC Inorganic Chemical	WTP	Multiple Methods	Varies	002/027	Yr 2022
Nitrate	WTP	300.0	0.5	002	\$12.75
(SOC) Synthetic Chemicals	WTP	Multiple Methods	Varies	002/027	Yr 2024
(VOC) Volatile Chemicals	WTP	Multiple Methods	Varies	002/027	Yr 2024
Nitrogen-Ammonia (as N)	WTP	LAC10-107-06-1J	0.05	397	\$17.00
Sodium	WTP	3111B	1	002	\$12.75
(TTHM) Total Trihalomethanes	WTP	EPA 524.2	0.020	027	\$153.00
(HAA5) Haloacetic Acids	WTP	EPA 552.2	0.006	027	Combined with TTHM
Alkalinity/Raw Water	WTP	2320B	5	002	\$17.00
Alkalinity/Source Entry Point	WTP	2320B	5	002	\$17.00
Chlorite	WTP	300.0	1	397	\$20.40
Sodium Chlorite	WTP	N/A	N/A	N/A	N/A
Fluoride (Raw Water)	WTP	300.0	0.1	002	\$12.75
Fluoride (Raw Water)	WTP	300.0	0.1	002	\$12.75
Hardness as CaCO ₃ Raw Water	WTP	2340C	1	002	\$12.75
Hardness as CaCO ₃ S/EP	WTP	2340C	1	002	\$12.75
Nitrite S/EP	WTP	300.0	0.1	002	\$12.75
Nitrite Raw	WTP	300.0	0.5	002	\$12.75
Acrylamide * (Not Certified Analysis)	WTP	8315	5 ug/L	095	\$85.00
pH	WTP	150.1	N/A	002	\$5.95
Metals (Iron, Manganese, etc)	WTP	3111B	Varies	002/027	12.75 ea
Nitrate	WTP	300.0	0.5	002	\$12.75
E-coli (Quantitray)	Rain Event	9223B-QT	1	002	\$16.00
Nitrate	Rain Event	300.0	0.5	002	\$12.75

Listed below are places that Mangold Environmental Testing, Inc. and staff frequent in the city of Storm Lake.

1	Employ Individuals	39	Swimming
2	Office Supplies	40	Water Park
3	Computer IT	41	Donations
4	Employee Health Insurance	42	Concrete
5	Accounting	43	Carpenters
6	Utilities	44	Construction
7	Restaurants	45	Sand and Gravel
8	Cell Phones	46	Clothing and Shoes
9	Utilities	47	Shoe Repair
10	Lodging	48	Movie Rental
11	Gasoline	49	Movies
12	Prescriptions	50	Entertainment
13	Doctors	51	Jewelery
14	Dentists	52	Coffee Shops
15	Eye Doctors	53	Furniture
16	Physical Therapy	54	Banks/Financial Institutions
17	Taxes -Property	55	Investments
18	Taxes - Local Option Sales Tax	56	Laundry/Dry cleaning
19	Taxes - Rental Property	57	Snow Removal
20	Groceries	58	Landscaping
21	Tires	59	Lawn Care
22	Auto Repair and Maintenance	60	Welding and Machine
23	Auto Insurance	61	Tree Service
24	Auto Purchases	62	Personal Care
25	Appliances	63	Gifts and Cards
26	Building Materials	64	Little League
27	Business Insurance	65	Sports Equipment
28	Personal Insurance	66	House Cleaning
29	Property Insurance	67	Office Cleaning
30	Health Insurance	68	Pet Grooming
31	Schools	69	Veterinarian
32	Businesses in County	70	Painters
33	Hardware	71	Paint and Supplies
34	Nursery Greenhouse	72	Specialty Foods/Nutrients
35	Plumbing	73	Essential Oils
36	Electrical		
37	Diesel Fuel		
38	Gasoline		

SUPPORT STORM LAKE SHOP LOCAL THIS HOLIDAY SEASON

When you shop local you help support your friends and neighbors in the community and help the Storm Lake community grow. Your purchases in Storm Lake help grow the local option sales tax for the City, County, and Schools in the community which fund needed projects such as street projects and park enhancements. Please support your community and purchase your holiday gifts from the many local shops here in Storm Lake this year!

VOLUNTEER FIREFIGHTERS NEEDED

The Storm Lake Fire Department is looking for dedicated, community minded individuals who are interested in being a volunteer fire fighter. Applicants will have to meet residency requirements. All training and equipment will be provided by the Fire Department. For more information on how you can join this team to help protect the Storm Lake community and surrounding area, call Fire Chief Mike Jones at 712-732-8010. The City of Storm Lake is an Equal Opportunity Employer and a drug free workplace.

BECOME INVOLVED IN YOUR COMMUNITY



The City of Storm Lake is looking for citizens who are interested in being involved in the future of Storm Lake by serving on a volunteer board or commission. We have openings from time to time on various boards. Positions are up for renewal in June and July of each year. Citizens who are interested can apply at any time by filling out a Board and Commission Application available at www.stormlake.org. For more information please call City Hall at 712-732-8000.

SNOW EMERGENCY REMINDERS



It's that time of the year when we will have to deal with snow in our pathways. The City appreciates the cooperation of the citizens and property owners in helping remove snow from sidewalks and driveways within 72 hours of a snow fall. NEVER push snow into the street or alley! During a snow emergency declaration, cars can't be parked on the streets. For details on snow emergencies, visit www.213snow.com or call City Hall at 712-732-8000.

WHAT TO DO THIS WINTER

Dec. 2 City Council Meeting
Dec. 4 Library Open House Basket Fundraiser
Dec. 5 Miracle on Lake Avenue
Dec. 16 City Council Meeting
Dec. 24 & 25 City Offices closed for Holidays
Jan. 1 City Offices closed for Holidays



City Tidbits



February

f @Storm_Lake
facebook.com/cityofstormlake

CITY SPECIALS

Sunrise Pointe Golf Course

Valid now through February 28th:
Family Pass - \$375.00 (You save \$75!)
Single Pass - \$275.00 (You save \$75!)

King's Pointe Outdoor Waterpark

Valid now through February 28th:
Family Season Pass - \$200.00
(You save \$49!)
(Each additional person is \$30.)

Valid from March 1st through April 30th:
Family Season Pass - \$225.00
(You save \$24!)
(Each additional person is \$30.)

Storm Lake Ice Rink NOW OPEN!

- weather permitting -
- located at Chautauqua Park -
- never use ice rink if ice is thin or if water is visible -
- warming shelter available -

Reminder to all pet owners that all dogs and cats within the City of Storm Lake must be licensed annually. Licenses can be obtained at the Storm Lake Public Safety offices (401 East Milwaukee) or at your local veterinary clinic in Storm Lake. Benefits of these licenses include if a pet is lost, it can be tracked back to the owner and it ensures that all pets have been vaccinated.

WENS alerts

Winter is here, and with winter comes snow and ice. Sign up to get important alerts sent to your cell phone and email account via WENS (Wireless Emergency Notification System). Receive the safety benefits that come with getting WENS alerts about snow emergencies and other inclement weather, electric outages, Amber alerts, street closings, water main breaks, etc. Sign up today by visiting stormlake.org/wens.

Help support our local businesses!
Generate local sales tax revenue, &
SHOP LOCAL

Bundle Up!

Sunrise Pointe Golf Course has taken a bright winter's day of entertainment to the next level with a recent addition, the Cross Country Ski Trail. It is built and maintained for the public's use and enjoyment by the City of Storm Lake Parks Department. Weather permitting, the Parks Department will groom a ski trail through the Sunrise Pointe Golf Course and Sunrise Pointe Campground area.



Time to Pay Your Utility Bill? Here are some options...

- Send by mail
- Leave in the City Hall parking lot drop box
- Leave in the drop box located at the Customer Service desk at Hy-Vee
- Come into City Hall office
- ACH payment (automatic withdrawal from a checking account)
- Pay through our website: www.stormlake.org

Payments can be made via check, debit or credit card, but City Hall will also accept payments made in cash. You may also contact the City's **IVR system** at either number listed below and pay your bill via check, debit or credit card.

855.560.5641 712.213.3160
(toll free)

For more information, please contact our Utility Billing Department at
712-732-8020

Snow On Fire Hydrants

The Storm Lake Fire Department appreciates the help of citizens in removing snow from and around fire hydrants in their neighborhood to keep them free for use in times of an emergency. If you are not able to remove the snow from the hydrant in your neighborhood, you can contact the Fire Department at 712-732-8010 to let them know the location of the hydrant, and firemen or City crews will remove the snow. Thank you for your help and consideration!

For more information, visit
www.stormlake.org/winter



Log in

THINK LOCAL FIRST

Increasing awareness about the personal, community and economic benefits of choosing local, independently owned businesses FIRST.

Why Buy Locally Owned?

There are many well-documented benefits to our communities and to each of us to choosing local, independently owned businesses. We realize it is not always possible to buy what you need locally and so merely ask you to Think Local FIRST!

Top Ten reasons to Think Local - Buy Local - Be Local

1. **Buy Local -- Support yourself:** Several studies have shown that when you buy from an independent, locally owned business, rather than a nationally owned businesses, significantly more of your money is used to make purchases from other local businesses, service providers and farms -- continuing to strengthen the economic base of the community. (Click here to see summaries of a variety of economic impact studies; these include case studies showing that locally-owned businesses generate a premium in enhanced economic impact to the community and our tax base.)
2. **Support community groups:** Non-profit organizations receive an average 250% more support from smaller business owners than they do from large businesses.
3. **Keep our community unique:** Where we shop, where we eat and have fun -- all of it makes our community home. Our one-of-a-kind businesses are an integral part of the distinctive character of this place. Our tourism businesses also benefit. "When people go on vacation they generally seek out destinations that offer them the sense of being someplace, not just anyplace." ~ Richard Moe, President, National Historic Preservation Trust
4. **Reduce environmental impact:** Locally owned businesses can make more local purchases requiring less transportation and generally set up shop in town or city centers as opposed to developing on the fringe. This generally means contributing less to sprawl, congestion, habitat loss and pollution.
5. **Create more good jobs:** Small local businesses are the largest employer nationally and in our community, provide the most jobs to residents.
6. **Get better service:** Local businesses often hire people with a better understanding of the products they are selling and take more time to get to know customers.
7. **Invest in community:** Local businesses are owned by people who live in this community, are less likely to leave, and are more invested in the community's future.
8. **Put your taxes to good use:** Local businesses in town centers require comparatively little infrastructure investment and make more efficient use of public services as compared to nationally owned stores entering the community.
9. **Buy what you want, not what someone wants you to buy:** A marketplace of tens of thousands of small businesses is the best way to ensure innovation and low prices over the long-term. A multitude of small businesses, each selecting products based not on a national sales plan but on their own interests and the needs of their local customers, guarantees a much broader range of product choices.
10. **Encourage local prosperity:** A growing body of economic research shows that in an increasingly homogenized world, entrepreneurs and skilled workers are more likely to invest and settle in communities that preserve their one-of-a-kind businesses and distinctive character.

Top 10 Reasons to Support Locally Owned Businesses

1. Local Character and Prosperity

In an increasingly homogenized world, communities that preserve their one-of-a-kind businesses and distinctive character have an economic advantage.

2. Community Well-Being

Locally owned businesses build strong communities by sustaining vibrant town centers, linking neighbors in a web of economic and social relationships, and contributing to local causes.

3. Local Decision-Making

Local ownership ensures that important decisions are made locally by people who live in the community and who will feel the impacts of those decisions.

4. Keeping Dollars in the Local Economy

Compared to chain stores, locally owned businesses recycle a much larger share of their revenue back into the local economy, enriching the whole community.

5. Job and Wages

Locally owned businesses create more jobs locally and, in some sectors, provide better wages and benefits than chains do.

6. Entrepreneurship

Entrepreneurship fuels America's economic innovation and prosperity, and serves as a key means for families to move out of low-wage jobs and into the middle class.

7. Public Benefits and Costs

Local stores in town centers require comparatively little infrastructure and make more efficient use of public services relative to big box stores and strip shopping malls.

8. Environmental Sustainability

Local stores help to sustain vibrant, compact, walkable town centers-which in turn are essential to reducing sprawl, automobile use, habitat loss, and air and water pollution.

9. Competition

A marketplace of tens of thousands of small businesses is the best way to ensure innovation and low prices over the long-term.

10. Product Diversity

A multitude of small businesses, each selecting products based, not on a national sales plan, but on their own interests and the needs of their local customers, guarantees a much broader range of product choices.



INSTITUTE FOR
Local Self-Reliance

www.ilsr.org

Staff Summary

5/7/2018

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: Keri Navratil, City Manager

SUBJECT: **Resolution No. 87-R-2017-2018 to Approve Single Family Attached and Single Family Detached Dwelling New Construction Incentive**

BACKGROUND: May 8, 2018 through December 31, 2018, the City will only charge \$1.00 building permit fees for new construction of single family attached and single family detached dwellings. Incentives will be considered on an individual basis. Any person, organization, joint venture, partnership, association, or corporation desiring that the City consider providing this new construction incentive shall have construction completed by December 31, 2019. The homes shall be built and ready for habitation no later than December 31, 2019, and comply with the approved building codes of the City of Storm Lake and State of Iowa. If the home is not ready for habitation by December 31, 2019, the City shall require the applicant to pay the building permit fee as set forth in the most recent Council approved Resolution Setting Fines and Fees, and the City shall not issue a Certificate of Occupancy until the entire building permit fee has been paid.

FISCAL IMPACT: Unknown

RECOMMENDATION: Approve Resolution No. 87-R-2017-2018 Fee Resolution adding the a New Construction Incentive for Single Family Attached and Single Family Detached Dwelling Valid from May 8th, 2018 to December 31, 2018

ATTACHMENTS:

Description	Type
□ Building Permit Policy and Procedures	Backup Material
□ Resolution No. 87-R-2017-2018	Resolution

SINGLE FAMILY ATTACHED AND SINGLE FAMILY DETACHED DWELLING NEW CONSTRUCTION INCENTIVE

PURPOSE:

The City is committed to the promotion of high quality housing development in all parts of the City and to improving the quality of life for its citizens. In order to help meet these goals, the City will consider providing a \$1.00 building permit fee incentive, as described below, for the construction of a new single family attached or single family detached home within the City. However, nothing in this policy shall obligate the City to provide any incentive to any applicant; and all such decisions and actions shall be at the sole discretion of the City and based on the quality of the proposed housing and the satisfaction of the application requirements set forth below.

NEW CONSTRUCTION BUILDING PERMIT RULES

May 8, 2018 through December 31, 2018, the City will only charge \$1.00 building permit fees for new construction of single family attached and single family detached dwellings. Incentives will be considered on an individual basis. Any person, organization, joint venture, partnership, association, or corporation desiring that the City consider providing this new construction incentive shall have construction completed by December 31, 2019. The homes shall be built and ready for habitation no later than December 31, 2019, and comply with the approved building codes of the City of Storm Lake and State of Iowa. If the home is not ready for habitation by December 31, 2019, the City shall require the applicant to pay the building permit fee as set forth in the most recent Council approved Resolution Setting Fines and Fees, and the City shall not issue a Certificate of Occupancy until the entire building permit fee has been paid.

APPLICATION PROCEDURE

Any person, organization, joint venture, partnership, association, or corporation applying to the City for this new construction incentive shall submit a written application to the Building Official containing or accompanied by, at a minimum, the following: (A) the applicant's name, name of business entity, principal place of business, mailing address, telephone number, fax number, e-mail address, website address and contact information of an officer or employee of the applicant who is responsible for completing the application; (B) a complete legal description of the property along with a plat showing the precise location of the project; (C) a brief description of the proposed construction, including but not limited to the project's estimated cost of construction, fixtures, landscaping, site improvements, and a dimensioned floor plan; (D) such other information as is required or requested by the City; and (E) a SINGLE FAMILY ATTACHED AND SINGLE FAMILY DETACHED DWELLING NEW CONSTRUCTION INCENTIVE AGREEMENT, as set forth below, signed and dated by the Applicant. The completed application, including the signed agreement, shall be placed on the agenda for City Council consideration. If the application and agreement are approved, the agreement will be signed by the City.

SINGLE FAMILY ATTACHED AND SINGLE FAMILY DETACHED DWELLING NEW CONSTRUCTION INCENTIVE
AGREEMENT

May 8, 2018 through December 31, 2018, the City will only charge \$1.00 building permit fees for new construction of single family attached and single family detached dwellings. Incentives will be considered on an individual basis. Any person, organization, joint venture, partnership, association, or corporation desiring that the City consider providing this new construction incentive shall have construction completed by December 31, 2019. The homes shall be built and ready for habitation no later than December 31, 2019, and comply with the approved building codes of the City of Storm Lake and State of Iowa. If the home is not ready for habitation by December 31, 2019, the City shall require the applicant to pay the building permit fee as set forth in the most recent Council approved Resolution Setting Fines and Fees, and the City shall not issue a Certificate of Occupancy until the entire building permit fee has been paid. If so required, the Applicant agrees to pay the building permit fee as set forth in the most recent Council-approved Resolution Setting Fines and Fees before the Certificate of Occupancy is issued by the City.

[Print entity name above, if applicant is an entity]

Signature of individual Applicant or of person authorized
to sign For Entity Applicant

Date

CITY OF STORM LAKE, IOWA

By: _____
Michael Porsch, Mayor

Date

ATTEST:

City Clerk

Date

RESOLUTION NO. 87-R-2017-2018

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 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
Base Registration Fee (Structure and 1 unit) (proof of training)	\$10.00	5-8-9
Additional unit in excess of 1 (per unit) (proof of training)	\$5.00	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 8, 2018 to Decemeber 31, 2018 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 \$1.50per \$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	\$26.00
(Lake View, Patio, Water, Sewer, Electric, Cable TV, Fire Pit)	
Class B Site	
(Patio, Water, Sewer, Electric, Cable TV, Fire Pit)	\$25.00
Class C Site	\$25.00
(Lake View, Patio, Water, Sewer, Electric, Fire Pit)	
Class D Site	\$22.00
(Patio, Water, Sewer, Electric, Fire Pit)	
Class E Site	\$21.00
(Water, Sewer, Electric)	
Class F Site	\$17.00
(Electric)	
Glass G Site	\$12.00
(Tent)	
Group Discount's	
For Groups of 20 or more sites – 10% (non-holidays)	
For groups of 40 or more sites – 15% (non-holidays)	
Long Term Stay Rate	
Limited to Long Term Stay slots which include Water, Sewer, Electric	
Minimum 30 day stay paid in advance – 10% off	
Bundle of Wood	\$5.00
Extra vehicle/trailer above 2 (per day)	\$2.00
Visitor vehicles (per day/per vehicles)	\$2.00
Non-Campers Dump Station (per event)	\$4.50
Non-Camper Shower (per shower)	\$4.00

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 Pass (up to 4 family members can be included on Pass)	\$450.00
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	\$10.00
(sold in advance with minimum quantity of 50)	
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	\$100.00
(valid only after 5:00pm Friday with following Sat. rental)	
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

Library

Late Borrowing Fees	
Print Materials per day	\$0.10
Audiobooks, DVDs per day	\$1.00
Sale of Designated Library Materials	
Used Book	\$0.25
Used Magazine	\$0.10
Used Audio, VHS, DVD	\$1.00
Earbuds	\$1.50
Printing, Scan, Fax per page	
B&W photocopy or computer print	\$0.20
Color photocopy or computer print	\$0.40
Scan to email or print	\$1.00
Domestic fax	\$1.00
International fax	\$3.00
Replacements per item	
Damaged or missing material	full replacement cost
Library card	\$1.00
Barcode or label	\$1.00
Pocket	\$1.00
Security Card	\$2.00
Single DVD Case	\$2.00
Double DVD Case	\$4.00
Multiple DVD case	\$5.00
Single CD Case	\$2.00

Double CD Case	\$4.00	
Large CD Case	\$5.00	
CD sleeves	\$1.00	
10-12" dust jacket	\$1.25	
DVD Paper cover	\$2.00	
Missing book cover or page	\$3.00	
3" Book Tape	\$2.00	
4" Book Tape	\$3.00	
Special Processing for damaged or missing material	\$7.00	
Meeting Room		
Fee, non-profit organization	\$10.00	
Fee, profit organization	\$25.00	
Damage Deposit	\$25.00	
Room Rental Damage	Full replacement cost & labor	
Interlibrary Loan		
Postage	\$1.25	

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

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	\$160.00	
Bulk Water Sales (Backflow Prevention Dispenser Only)	\$ 1.49/cu. ft. with 100 Gal. Minimum	

PASSED AND APPROVED this 7th day of May 2018.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

5/7/2018

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: Phil Havens, City Attorney

SUBJECT: **City Legislation**

BACKGROUND: City Attorney Havens will provide a review of City Legislation

FISCAL IMPACT: N/A

RECOMMENDATION:

Staff Summary

5/7/2018

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: Keri Navratil, City Manager

SUBJECT: **Worksession- Review of Nuisance Codes**

BACKGROUND: City Attorney Havens, Police Chief Prosser, and Building Official Olsen will present the current City of Storm Lake Nuisance Codes

FISCAL IMPACT:

RECOMMENDATION:

ATTACHMENTS:

Description	Type
4-1 Junk Yards	Ordinance
5-7 Abatement of Dangerous Buildings	Ordinance
5-8 Housing Code	Ordinance
5-10 Property Maintenance Code	Ordinance
8-1 Nuisances	Ordinance
8-5 Weeds	Ordinance
8-6 Abandoned and Junked Motor Vehicles	Ordinance
8-7 Excessive Noise	Ordinance
10-1 Sidewalk Regulations	Ordinance

Chapter 4-1

JUNK YARDS

Sections:

- 4-1-1 Definition**
- 4-1-2 Junk Yards Not Permitted**
- 4-1-3 Collection Of Junk Prohibited**
- 4-1-4 Municipal Infraction**
- Section 4-1-1 Definition**

JUNK YARD OR SALVAGE YARD: As used herein, junk yard or salvage yard shall have the same meaning and shall mean any business, whether for profit or not, engaged in the business of salvaging or storing junked motor vehicles or machinery, appliances, or other items of tangible personal property unless such business is conducted entirely within the confines of a building.

JUNK: Any material or article having lost its value for the original purpose for which it was created or manufactured and which has a value only for the salvage of its material or parts.

Section 4-1-2 Junk Yards Not Permitted

Junk yards or salvage yards, as defined in this Chapter shall not be permitted within the City limits within the City of Storm Lake.

Section 4-1-3 Collection Of Junk Prohibited

No person shall collect or accumulate junk within the City limits of the City of Storm Lake, Iowa unless such collection of junk is housed entirely within closed structures and provided such enclosed collection of junk does not constitute a nuisance.

Section 4-1-4 Municipal Infraction

A violation of any of the provisions of this Chapter shall constitute a Municipal infraction subject to the penalties and alternative relief authorized by Title 1, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa.

Chapter 5-7

ABATEMENT OF DANGEROUS BUILDINGS

Sections:

5-7-1	Short Title
5-7-2	Adoption Of Uniform Code For The Abatement Of Dangerous Buildings
5-7-3	Conflict With State Laws
5-7-4	Demolition Of Existing Building
5-7-5	Stored Dirt On Vacant Lots
5-7-6	Municipal Infraction

Section 5-7-1 Short Title

This Chapter shall be known as the "City of Storm Lake, Iowa, Code for the Abatement Of Dangerous Buildings", and may be cited as such and will be referred to herein as "this Chapter".

Section 5-7-2 Adoption Of Uniform Code For The Abatement Of Dangerous Buildings

Pursuant to published notice and public hearing as required by law, the Uniform Code for the Abatement Of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials and commonly known as the Uniform Code for the Abatement of Dangerous Buildings, is hereby adopted in full, except for such portions as may hereinafter be deleted, modified or amended.

An official copy of the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, as adopted, and a certified copy of this Ordinance are on file in the office of the Code Enforcement Officer.

The provisions of Section 502 of the Uniform Code for the Abatement of Dangerous Buildings are hereby amended by providing that elected officials of the City who are not full time employees may serve on the Board of Appeals.

The provisions of Section 204 are hereby amended by deleting the words "Sections 108 and 1701" and inserting the words "Sections 109 and 1704" in their place.

The provisions of Section 301 are hereby amended by defining "BUILDING CODE" as the International Building Code promulgated by the International Code Council and by defining "HOUSING CODE" as the International Residential Code promulgated by the International Code Council.

(Ord. No. 14-O-94-95, Amended, 01/03/95)

(Ord. 22-O-2009-2010, Amended, 06/21/2010; Ord. Ord. 03-O-2001-2002, Amended, 08/20/2001; Ord. 02-O-99-2000, Amended, 08/16/1999)

Section 5-7-3 Conflict With State Laws

Nothing in this Chapter or in the Uniform Building Code, as adopted, shall be construed to be in conflict with the State laws or the State Housing Code. In the event of such conflict, the State law shall prevail.

Section 5-7-4 Demolition Of Existing Building

If any existing building is demolished and there results therefrom a hole or other excavation, or a mound of dirt, the owner of said lot shall, within four (4) months of the creation of the hole, excavation, or mound, cause the hole or excavation to be filled or the mound leveled so as to return the lot to a uniform grade consistent with the surrounding lots. The provisions of this section shall not apply if, within the four (4) month period set forth above, the owner obtains a building permit to construct a new structure on the site and thereafter proceeds in a timely manner to commence construction. During the period of existence of any such hole or excavation, the owner shall provide barricades with appropriate lighting and signage to protect the site.

Section 5-7-5 Stored Dirt On Vacant Lots

No person shall store or permit to be stored dirt, sand, gravel, debris or similar materials on a vacant lot unless said dirt or other materials shall be leveled and the lot brought to uniform grade consistent with surrounding lots. As an exception to the foregoing, dirt, sand, gravel and other materials may be stored in mounds for a period not to exceed four (4) months on a vacant lot in anticipation of construction on that lot, or in connection with construction on a neighboring lot, but for no other purpose. Any dirt or other materials stored temporarily in mounds as permitted herein shall either be removed or leveled and the lot brought to grade at the conclusion of the temporary period of storage.

Section 5-7-6 Municipal Infraction

A violation of any of the provisions of this Chapter shall constitute a Municipal infraction subject to the penalties and alternative relief authorized by Title 1, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa.

Chapter 5-8

HOUSING CODE

Sections:

5-8-1	PURPOSE
5-8-2	APPLICATION
5-8-3	HOUSING CODE ADOPTED
5-8-4	AUTHORITY
5-8-5	PARTS NOT APPLICABLE
5-8-6	COMPLIANCE - MODIFICATION
5-8-7	SUBSTANDARD BUILDINGS INAPPLICABLE SECTIONS
5-8-8	CODE CITATIONS IN SUPPORT OF SUBSTANDARD BUILDING STANDARDS
5-8-9	REGISTRATION; REGISTRATION FEES
5-8-10	HOUSING ADVISORY AND APPEALS BOARD
5-8-11	MUNICIPAL INFRACTION

Section 5-8-1 PURPOSE

The purpose of this Chapter shall be to establish the authority of the City with regard to rental housing within the City and to provide for the adoption of a uniform housing code.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-2 APPLICATION

The provisions of this Chapter shall apply to all residential units, including single family homes, duplexes, apartments, rural houses or condominiums which are leased for consideration to a person or persons other than the owner.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-3 HOUSING CODE ADOPTED

Pursuant to published notice and public hearing as required by law, the Uniform Housing Code, 1994 Edition, as published by the International Conference of Building Officials, is hereby adopted, except to the extent modified hereafter, as the housing code for the City applicable to all rental housing, and it is hereby incorporated by reference.

A copy of the Uniform Housing Code, 1994 Edition shall be maintained in the office of the Code Enforcement Officer and shall be available for public inspection during all normal business hours.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-4 AUTHORITY

The use of the term "building official" within the Uniform Housing Code shall mean the Code Enforcement Officer for the City of Storm Lake, or the Fire Chief, or such other persons as may be designated by the City Administrator or the Fire Chief.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-5 PARTS NOT APPLICABLE

Chapters 15 and 16 and Section 504.1 through 504.3 of the Uniform Housing Code, 1994 edition, shall not be applicable within the City of Storm Lake, Iowa.

(Ord. No. 079596, Enacted, 12/18/95; Ord. No. 119596, Amended, 05/06/96)

Section 5-8-6 COMPLIANCE - MODIFICATION

The second sentence of Section 1401.1 shall not apply within the City of Storm Lake. Instead, a violation of any of the provisions of this Chapter shall constitute a municipal infraction subject to the penalties and alternative relief authorized by Title I, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-7 SUBSTANDARD BUILDINGS INAPPLICABLE SECTIONS

The following Sections of Chapter 10 of the Uniform Housing Code relating to substandard buildings shall not apply within the City of Storm Lake.

(A) Subsections 2, 4, 7, 8, 9, 11, 12, 13 and 15 of Section 1001.2 as well as the words "include, but not" contained in the definition of inadequate sanitation set forth in the introductory portion of Section 1001.2.

(B) Subsections 1 and 9 of Section 1001.3 as well as the words "include, but not" contained in the definition of structural hazards set forth in the introductory portion of Section 1001.3.

(C) Section 1001.4.

(D) Section 1001.10.

(E) Section 1001.11 to the extent that it would apply to owners of leased premises, provided, however, that owners shall be subject to Section 1001.11 if the occupant responsible for the accumulation no longer resides in the premises. Section 1001.11 shall remain in effect as to occupants of leased premises."

(Ord. No. 079596, Enacted, 12/18/95; Ord. No. 119596, Amended, 05/06/96)

Section 5-8-8 CODE CITATIONS IN SUPPORT OF SUBSTANDARD BUILDING STANDARDS

The following references to substandard building standards set forth in Chapter 10 of the Uniform Housing Code and set out in the left column below shall be held to mean a condition which does not meet the standards set forth in the code section or sections set forth opposite that standard:

Substandard Building Standard Support Code Section

1001.2(1)	UHC 505.1, UPC 401.2
1001.2(3)	UHC 505.3, UPC 420.0
1001.2(5)	Definitions/Chapter 4, UHC
1001.2(6)	UHC 701.1, IBC 1204.1
1001.2(8) (Ventilation only)	UHC 504
1001.2(10)	UHC 504.4, UHC 701.2
1001.2(14)	UHC 1001.2, Section 3-2-2(d) Storm Lake City Code
1001.3(2)	UHC 1001.3, Tables 2308.4.2.1(1), 2308.4.2.1(2), IBC
1001.3(3)	UHC 101.3, Tables 2308.4.2.1(1), 2308.4.2.1(2), IBC
1001.3(5)	Table 2308.5.1 IBC
1001.3(7)	Tables 2308.7.1(1), (2) and 2308.7.2(3) IBC
1001.3(8)	UHC 1001.3
1001.5	<u>Control Panel</u>
	Access IFC 605.3
	Labeled IFC 605.3.1
	Openings NEC 110.12(A)
	<u>Outlets</u>
	Covered NEC 406.6
	Open Wires/Splices IFC 605.6
	Extension Cords IFC 605.5
	Proper Overcurrent Protection NEC 310.15(B)(16)
	Electrical Service Sized To Loads Imposed NEC 230.23
1001.6	Plumbing Which Has Not Been Maintained In Good Condition UHC 1001.6
	Plumbing Which Has Cross Connections Or Siphonage Between Fixtures UPC 602.0
1001.7	Water Heaters and Boilers Which Do not have the Pressure Relief Valve Piped To Within 6" To The Floor UPC 608.5
	Fuel Fired Equipment Without A Shutoff Valve Installed in the Gas Piping Within 6' of the Appliance UPC 1212.5
1001.9	Buildings Not Designed For Occupancy UHC 1001.14
	Improper Number of Exits Provided For Occupancy Load IBC 1006
	Improper Storage Class I and II NFPA 30, Chapter 9.3.6 and 9.3.7
	Flammable Containers IFC 30404.3.4
	Smoke Detectors - IFC 907.2.11
	Fire Alarm Systems - IFC 907.2.9
	Fire Extinguishers - IFC 906

(Ord. No. 079596, Enacted, 12/18/95) (Ord. 01-O-2016-2017, Amended, 09/06/2016; Ord. 15-O-2010-2011, Amended, 05/02/2011)

Section 5-8-9 REGISTRATION; REGISTRATION FEES

The owner or owners of each residential unit held out for rental to the public shall register that rental unit and their ownership thereof with the City by filling out a form approved by the City Manager. Such registration shall be done annually during the period July 1 of each fiscal year through and including August 31 of such fiscal year. For new rental housing, housing newly converted to rental housing, or new ownership of rental housing, such registration shall take place within the thirty (30) day period immediately following the change of ownership or first occupancy of a rental unit by a tenant or tenants. Owners shall pay a registration fee of fifteen dollars (\$15.00) which shall include a base registration fee to cover the structure and one (1) rental unit within that structure plus an additional seven dollars (\$7.00) for each rental unit in excess of one (1). The owner or owners shall pay an additional fifty dollar (\$50.00) late registration fee for any rental unit which is not registered within the time frame set forth above. If a rental unit is registered for the fiscal year July 1 to June 30 of the following year and it is sold or conveyed to a new owner during the fiscal year, the old owner shall notify the City Clerk of the change of ownership. The City shall not assess a fee for recording a change of ownership.

The base fee for timely registrations shall be reduced from fifteen dollars (\$15.00) to ten dollars (\$10.00), and the fee for additional units from seven dollars (\$7.00) to five dollars (\$5.00), if the owner has proof that the owner or the owner's designated manager attended a training session for rental unit owners given by the City within the preceding twelve (12) months. The housing inspectors providing such training shall provide persons attending such training with a certificate which documents their attendance.

The City Housing Inspector is hereby authorized to schedule such inspections of the rental units as are required to ensure compliance and shall attempt to work with the owner or owners to find a mutually agreeable time during business hours to make the inspection. At the time scheduled for the inspection, the owner or owners shall ensure that one or more of them are available to show the premises or they may arrange to have the premises shown by any other responsible adult they may designate. If the inspector arrives at the time scheduled and no person is available to show the premises to him, the owner or owners shall pay a fifty dollar (\$50.00) "no show" fee and the inspection shall be rescheduled for the earliest appropriate time.

If the housing inspector discovers conditions not in compliance with the housing code, the inspector shall so notify the owner or owners and shall set a date by which the violations shall be brought into compliance. The amount of time allowed by the inspector shall vary depending upon the circumstances with the greatest urgency being required for those violations which pose a serious threat to human health or safety. At the expiration of the time in which the violation must be brought into compliance, the housing inspector shall reinspect the premises to determine compliance. A fee of thirty-five dollars (\$35.00) shall be charged for the first reinspection and all additional reinspections which are required in a given year.

(Ord. No. 079596, Enacted, 12/18/95) (Ord. 10-O-2011-2012, Amended, 01/03/2012; Ord. 12-O-2004-2005, Amended, 12/06/2004)

Section 5-8-10 HOUSING ADVISORY AND APPEALS BOARD

Notwithstanding the provisions of Section 203.1 of the Uniform Housing Code, 1994 Edition, the City Council shall constitute the Housing Advisory and Appeals Board. If both the appellant and the City Council agree, they may waive any or all of the procedures of Chapter 13 of the Uniform Housing Code in connection with a hearing requested by the appellant.

(Ord. No. 079596, Enacted, 12/18/95; Ord. No. 119596, Amended, 05/06/96)

Section 5-8-11 MUNICIPAL INFRACTION

Violation of any of the requirements set forth in this Chapter shall constitute a municipal infraction. Normally, if the Housing Inspector/Building Official discovers deficiencies that require correction, a municipal infraction will not be filed unless the owner fails to correct the deficiencies within the time allowed but they may, if circumstances warrant, file a municipal infraction upon initial discovery of a violation.

(Ord. 10-O-2011-2012, Add, 01/03/2012)

Chapter 5-10

PROPERTY MAINTENANCE CODE

Sections:

5-10-1	Title
5-10-2	Purpose
5-10-3	Interpretation
5-10-4	Abrogation and Greater Restrictions
5-10-5	Severability
5-10-6	Definitions
5-10-7	Maintenance Standards
5-10-8	Violations

Section 5-10-1 Title

This ordinance may be referred to as the "Property Maintenance Code", and is herein referred to as "this Code".

(Ord. 08-O-2007-2008, Add, 12/17/2007)

Section 5-10-2 Purpose

The purpose of this Code is to protect the public health, safety, and welfare, esthetics and property values, by establishing minimum standards for maintenance, appearance, condition, and occupancy, and for essential utilities, facilities, and other physical components and conditions to make residential premises fit for human habitation, and to make nonresidential premises fit for use according to the purpose for which they were developed; by fixing certain responsibilities and duties upon the owners and managers, and distinct and separate responsibilities and duties upon the occupants; by authorizing and establishing procedures for inspection of premises, and enforcement of this Code; establishing penalties for violations; and providing for proper repair, demolition, or vacation of premises which do not comply with this Code.

(Ord. 08-O-2007-2008, Add, 12/17/2007)

Section 5-10-3 Interpretation

The provision of this Code shall be interpreted and applied as minimum requirements, and shall not be deemed a limitation or repeal for any other power granted by the Code of Iowa.

Nothing in this Code shall be construed to abrogate the Federal or State Constitutions, nor to grant powers to the City that are otherwise reserved by and for Federal and State government.

(Ord. 08-O-2007-2008, Add, 12/17/2007)

Section 5-10-4 Abrogation and Greater Restrictions

It is not the intent of this Code to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to law. Where two or more provisions apply the higher standard shall prevail.

(Ord. 08-O-2007-2008, Add, 12/17/2007)

Section 5-10-5 Severability

If a section, provision, or part of this Code is adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this Code as a whole or any section, provision, or part hereof not adjudged invalid or unconstitutional.

(Ord. 08-O-2007-2008, Add, 12/17/2007)

Section 5-10-6 Definitions

Words used in this Code shall have the same meaning as that defined by the Zoning Ordinance, unless otherwise defined by this Code.

(A) Abandoned Building. Any building or portion of a building under construction which has stood with an incomplete exterior shell for more than one year, or any completed building or portion thereof which has stood unoccupied for longer than six (6) months, and which is unsecured or has Housing Code or Building Code violations.

(B) Deterioration. A state of conditions caused by a lack of maintenance or excessive use, characterized by holes, breaks, rot, crumbling, peeling paint, rusting, or other evidence of physical decay or neglect.

(C) Enforcement Officer. The Police, City Administration or Code Enforcement Officer, or other staff as may be assigned.

(D) Eviseration/Slaughtering B Slaughter is the killing of live animals for the purpose of converting them into meat or for having the animal mounted by a taxidermist and does not include the killing of a live animal by police or other persons for public safety purposes. Eviseration is the bleeding out and/or disembowelment of a dead animal.

(E) Exposed to Public View. Any premises or any part thereof which may be lawfully viewed by the public or from adjoining premises.

(F) Exterior. Yards and other open outdoor spaces on premises, and the external surfaces of any structure.

(G) Extermination. The control and elimination of insects, rodents and vermin.

(H) Farm. Agricultural use types include the on-site production and sale of plant and animal products by agricultural methods.

1. Horticulture

The growing of horticultural and floricultural specialties, such as flowers, shrubs, or trees intended for ornamental or landscaping purposes. This definition may include accessory retail sales under certain conditions. Typical uses include wholesale plant nurseries and greenhouses.

2. Crop Production

The raising and harvesting of tree crops, row crops for field crops on an agricultural or commercial basis. This definition may include accessory retail sales under certain conditions.

3. Animal Production

The raising of animals or production of animal products, such as eggs or dairy products on an agricultural or commercial basis on a site which is also used for crop production or where grazing of natural vegetation is the major feed source; or the raising of animals for recreational use. Typical uses include grazing, ranching, dairy farming, and poultry farming.

4. Commercial Feedlots

The exclusive use of a site for the confined feeding or holding of livestock or poultry within buildings, lots, pens, or other close quarter, which are not used, for crop production or where grazing of natural vegetation is not the major feed source.

5. Livestock Sales

Use of a site for the temporary confinement and exchange or sale of livestock. Typical uses include sale barns.

(I) Infestation. The presence of insects, rodents, vermin, or other pests on the premise to the extent that they constitute a health hazard, are deemed by an Enforcement Officer to be in threat of spreading to adjoining premises, or are exposed to public view.

(J) Junk. Any discarded or salvaged material or fixture; obsolete or inoperable machinery or vehicle, or parts thereof; or scrap metal.

(K) Nuisance. Physical conditions that are dangerous or detrimental to the health or safety of persons on or near the premises where the conditions exist, or anything that is injurious to the senses or interferes with the comfortable enjoyment of life or property.

(L) Owner. Any person who alone, jointly, or severally with others, holds legal or equitable title to any premises, with or without accompanying actual possession thereof.

(M) Premises. A lot, parcel, tract or plot of land, contiguous and under common ownership or control, together with the buildings and structure thereon.

(N) Public Authority. Any officer or any department or branch of the City, County, or State charged with regulating health, fire, zoning, building regulations, public safety or other activities concerning property in the City.

(O) Refuse. Any material that has lost its value for the original purpose for which it was created or manufactured, or for its redesigned use, whether putrescible or non-putrescible, combustible or non-combustible, which is not securely stored in a building or legal outdoor storage yard for prompt disposal or resale, including, but not limited to junk; paper or cardboard; plastic, metals; glass; yard clippings, leaves, woody vegetative trimmings, and other plant wastes which have not been properly composted; vegetable or animal waste resulting from the handling, processing, storage, preparation, serving or consumption of food, crockery; bedding, furniture, or appliances; offal; rubbish; ashes or incinerator residue; construction debris; accumulation of animal feces; dead animals; or wastes from commercial or industrial processes.

(P) Responsible party. Any person having possession, charge, care, or control of real or personal property, whether with or without the knowledge and consent of the owner, including without

limitation any one or more of the following: owner, agent, property manager, contract purchaser, mortgagee or vendee in possession, receiver, executor, trustee, lessee or tenant, or any other person, firm or corporation exercising apparent control over a property.

(Q) Vehicle. Any device designed to transport a person or property by land, air, or water, such as automobiles, trucks, trailers, motorcycles, tractors, buggies, wagons, boats, airplanes, or any combination thereof, except bicycles.

(Ord. 08-O-2007-2008, Add, 12/17/2007)

Section 5-10-7 Maintenance Standards

A) GENERAL. The exterior of every premises and structure shall be maintained in good repair, to the end that the premises and each structure thereon will be preserved; adjoining properties protected from blighting influences; and safety and fire hazards eliminated.

(B) MAINTENANCE OF PREMISES. Each and every premise shall be kept free of all nuisances, health, safety, and fire hazards, unsanitary conditions, and infestation. It shall be the duty of the responsible party to keep the premises free of all said conditions and to promptly remove and abate same, which include but are not limited to the following declared nuisances:

1. Weeds or grasses allowed to grow to a height greater than eight (8) inches on the average, or any accumulation of dead weeds or grass that are exposed to public view, on any non-farm property. This provision shall not apply to prairies, wetlands, or similar area of naturalized perennial vegetation which are certified by an Enforcement Officer to not constitute a nuisance.
2. No person shall permit garbage or recyclable materials to accumulate longer than a garbage collection cycle upon premises owned or occupied by him or her if such accumulation would violate the purpose of this Chapter as set out in City Code 3-1-1 nor shall any person deposit any garbage or recyclable materials upon any other premises except the County Landfill unless such person has been authorized by the owner of the premises to deposit such materials there.
3. Any structure, which is in such a dilapidated condition that it is unfit for human habitation or the use for which it was constructed; kept in such an unsanitary condition that it is a menace to the health of people residing therein or in the vicinity thereof; any structure defined as a dangerous building by the most-current edition of the Uniform Code for the Abatement of Dangerous Buildings, as published by the International Conference of Building Officials; or any building that is defined as abandoned or a public nuisance by Chapter 657A, Code of Iowa.
4. Any inoperable vehicle which is exposed to public view for more than ten (10) days, unless located on the premises of a lawfully operated junk yard or undergoing repairs in an expeditious manner at a vehicle repair business.
5. The presence of mud, dirt, gravel or other debris or matter, whether organic or inorganic, deposited upon and adjacent to or on public property in a quantity judged by an enforcement officer to be a threat to public safety or to cause pollution, obstruction, or siltation of drainage systems, or to violate solid waste disposal

regulations, or illicit discharge regulations contained in Chapter 3-11, of the Storm Lake City Code. This subsection is subject to the possible exception set forth in 5-10-7(B)(5a).

- 5(a). No person shall store or permit to be stored dirt, sand, gravel, debris or similar materials on a vacant lot unless said dirt or other materials shall be leveled and the lot brought to uniform grade consistent with surrounding lots. As an exception to the foregoing, the following uses are permitted:

1. Materials stored in bulk which are to be used as a part of the normal operations of a legally permitted landscaping business for use on other lots or to be sold on premises.

2. Dirt, sand, gravel and other materials may be stored in mounds for a period not to exceed four (4) months on a vacant lot in anticipation of construction on that lot, or in connection with construction on a neighboring lot, but for no other purpose.

6. Failure to establish a permanent cover of perennial grasses on any non-farm property or adjacent unpaved public right-of-way as soon as practical after any construction on the lot and adjacent right of way, and to thereafter maintain same in such condition as to substantially bind the surface of the soil and prevent erosion, whether by sheet or gully, or by wind or water.

Exceptions shall be permitted for densely shaded areas, landscape beds, and gardens, provided that vegetable gardens and agricultural crops shall not be placed in the front yard of a non-farm property, unless it can be demonstrated that no other viable location exists on the premises because of topography, natural vegetation, or similar circumstances out of the resident's control. Additionally, if permanent grass cover fails to establish itself on the right of way, due to road salt, sand and other winter maintenance procedures, then ornamental rock cover may be established, subject to the approval of the City Administrator and/or designee.

7. Any nuisance as defined herein or described as such by Chapter 657 of the Code of Iowa.
8. Any alteration, modification, or obstruction which prevents, obstructs or impedes the normal flow of runoff from adjacent lands, or any alteration or modification which substantially concentrates or increases the flow of water onto an adjoining premises to the extent of damaging or saturating such premises.
9. Conditions which are conducive to the accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborages, stagnant water, combustible materials and similar materials or conditions on a premise which constitutes a fire, health or safety hazard.
10. Facilities for the storage or processing of sewage, such as privies, vaults, sewers, private drains, septic tanks, cesspools, and drain fields, which have failed or do not function properly, as may be evidenced by overflow, leakage, seepage, or emanation of odors, or which do not comply with the Buena Vista County Department of Health regulations, as applicable. Septic tanks, cisterns, and cesspools which are no longer in use shall be removed, or emptied and filled with clean dirt or sand.

11. Fences or retaining walls that are not structurally sound or which are deteriorating, as may be evidenced by leaning or loose elements.
12. Dead or diseased trees or other woody vegetation which may lead to the spread of the disease to other specimens or pose a threat to safety of buildings; major parts thereof, such as a limb, which may be dead or broken or otherwise pose a threat to safety of persons or buildings on adjoining premises; any vegetation located on private property which overhangs and is less than 8 feet above the traveled portion of any sidewalk or not less than 14 feet above the traveled portion of any street.
13. Loose, overhanging objects or accumulations of ice or snow, which by reason of location above ground level constitute a danger of falling on persons in the thereof. (Dangerous Building Code 302-5, 6)
14. The slaughtering of live domestic animals or evisceration of dead domestic animals in any residential zoned district other than the Sunrise Campgrounds until such time as the campgrounds are renovated. Deer shall be included in the category of domestic animal. Any further processing of a dead animal shall be out of public view.

(C) **BUILDING MAINTENANCE.** All buildings shall be maintained to be weather and water tight. Broken windows, holes in roofs, and missing siding shall be replaced with similar materials to maintain the weather and water tight properties of the structure. All wood including floor boards, decking, subfloors, joists, rafters, roof sheathing, and siding shall be replaced when missing, rotted or damaged. Materials and practices used in reconstruction and residing shall be of standard quality and appearance commensurate with the character of house or building. Their appearance, as judged under prevailing appraisal practices and standards. Owners or responsible parties shall not use materials which would depreciate the value of adjoining premises or the neighborhood. Painted surfaces shall be maintained or repainted so that an individual wall surface does not have peeling or missing paint in areas in excess of fifty percent (50%) of that individual surface area.

(D) The purpose of this Section is to establish minimum standards relating to the parking of vehicles on private property and adjacent right-of-way in all zoned districts.

1. Definitions

Hard-Surfaced driveway shall mean any driveway, adjacent wing, or approach area that is paved with a hard surface including concrete, asphalt, or paving stones installed and maintained according to city specifications.

Non Hard-Surfaced driveway shall be defined as a driveway constructed of gravel, millings, dirt, grass, and/or any other non-smooth/hard surface.

Approach shall be defined as that area of the driveway which begins at the street and extends through the public right-of-way.

Wing Area is defined as a permitted increase in the width of the driveway, all of which

must be located on private property and no part of which may be on the Approach.

Auxiliary Parking Area shall mean a parking lot and shall only be allowable when required for multi-family residential complexes.

Multi-family Unit shall be defined as a residential structure containing two(2) or more separate residential units.

Curb Cut shall mean an opening formed in the standard profile of curb and gutter either by sawing and breaking or grinding and done to maintain drainage.

2. Parking within the City of Storm Lake shall be limited in residentially zoned districts (R-1, R-2, R-3, and R-4 as well as permitted non-conforming residential uses and approved residential conditional uses in other zoning districts) of the City to hard-surfaced driveways. In R-3 and R-4 as well as permitted non-conforming residential uses and approved residential conditional uses in other zoning districts, any auxiliary parking areas must be hard surfaced as well. Each lot will be limited to one hard-surfaced driveway with a maximum width of twenty-four feet (24') in the case of a two-car garage, single-car garage, or no garage and a maximum width of thirty-two feet (32') in the case of a three car or larger garage. In addition, each lot will be allowed one hard-surfaced wing area directly adjacent to the hard-surfaced driveway with a maximum width of twelve feet (12') to be used for parking. A hard-surfaced winged parking area is allowed on only one side of the hard-surfaced driveway and not both sides. Hard-surfaced wing parking areas shall not encroach upon the public right-of-way area. No person shall park a vehicle in the front or side yards of a residence except upon permitted driveways, wing areas and approach, and for multi-family uses, upon a permitted auxiliary parking area.

3. For all residential lots the maximum allowable width of the approach per lot shall be limited to a maximum width of twenty-four feet (24') in the case of a two-car garage, single-car garage, or no garage and a maximum width of thirty-two feet (32') in the case of a three car or larger garage. In the case of a lot having two approaches to accommodate a circular drive, the combined width of the approaches shall not exceed the maximum allowable width based on the number of garage spaces.

3(A). For Commercial and Industrial uses outside the Central Business District (CBD), the maximum allowable width of the approach shall not exceed thirty four (34') feet. As an exception, when unusual conditions exist at a location which would create a hardship or significant traffic conditions are present which would adversely affect traffic safety, approaches may be allowed to exceed the above stated width, subject to review by the City Administrator or other staff as may be assigned.

4. Parking areas and driveways accessed from an alley must be, at a minimum, surfaced with gravel in accordance with City specifications. The allowable width for alley approaches and parking areas shall be in accordance with an in addition to the allowable limits set forth earlier in this ordinance for street accessed parking.

5. All existing hard surfaced driveways, approaches, wing areas and/or hard-surfaced auxiliary parking areas on private property shall be permitted to continue as a non-conforming use if they exceed the maximum width permitted herein provided, however,

that if the City must cut an approach in connection with a street or utility improvement project, the City will only replace the approach to the maximum width permitted by this Ordinance. Existing non hard-surfaced driveways on private property and within the allowable maximum driveway width may continue but, at a minimum, be surfaced and/or maintained with gravel in accordance with City specifications. All of that portion of existing non hard-surfaced driveways in excess of the allowable maximum width may not continue and must be removed and returned to grass not later than September 1, 2008.

6. If an approach area is not hard surfaced, any gravel on any portion of the approach area which is in excess of the permitted width shall be removed not later than September 1, 2008 and the excess width returned to grass. The approach area, up to the maximum permitted width, must be hard surfaced not later than December 31, 2012. As an exception to the above subsection, existing approaches accessed from gravel streets would not have to be paved until such time as the City paves the street.

7. Any existing lots where surfaced approaches are in excess of the allowable width, as set forth in this Ordinance at the date of passage, shall be permitted to continue so long as they meet the definition of a surfaced driveway as set forth in this Ordinance and as long as the property owner agrees to accept responsibility to replace the surfaced area over the maximum allowed by this Ordinance at their expense if the approach should need to be replaced for any reason including utility work done in the public right-of-way by the City of Storm Lake or by public utilities.

8. All vehicle parking constructed after the adoption of this Ordinance shall be hard surfaced as defined herein.

9. Existing parking areas for multi-family units located in the City right-of-way accessed by curb cuts in existence prior to November 1, 2007 shall be allowed to remain as long as the area is hard surfaced by December 31, 2012 and may exceed the allowable driveway width as defined by this ordinance.

(E) REFUSE. The purpose of this Subsection is to eliminate unhealthy, unsanitary and unsightly conditions in the City caused by deposits and accumulation of garbage and to regulate the collection of same.

1. DEFINITIONS. For use within this Subsection 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; and of a size that may be conveniently handled by the collector.
- (b) "COLLECTOR": Any person, business, private contractor, specifically including the City of Storm Lake, which picks up and removes garbage, recyclable materials, or yard waste for a fee and is licensed, in accordance with Storm Lake City Code.

- (c) “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.
 - (d) “RECYCLABLE MATERIAL”: Materials which may be designated as recyclable by the Buena Vista County Recycling center 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 Recycling Center may make from time to time.
 - (e) “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 glass clippings, leaves, garden waste and branches from trees and shrubs.
2. DUTY TO PROVIDE CANS. Each person who shall store garbage or recyclable materials out of doors on premises owned or occupied by that person shall provide and use cans suitable in capacity for the storage of garbage and recyclable materials accumulating in a normal collection period. 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 reoccurring.

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 persons storing garbage in commercially zoned districts or residential complexes of 4 or more units may store garbage and recyclable materials discretely on their own property or in the alley in cans or other commercial containers if such cans or containers are stored immediately adjacent to the adjoining building.

3. ACCUMULATION AND DEPOSIT OF GARBAGE OR RECYCLABLE MATERIALS PROHIBITED. No person shall permit garbage or recyclable materials to accumulate upon premises owned or occupied by him or her if such accumulation would violate the purpose of this Chapter as set out in City Code 3-1-1 nor shall any person deposit any garbage or recyclable materials upon any other premises except the County Landfill unless such person has been authorized by the owner of the premises to deposit such materials there.

(Ord. 11-O-2007-2008, Amended, 02/18/2008; Ord. 10-O-2007-2008, Amended, 12/17/2007; Ord. 09-O-2007-2008, Amended, 12/17/2007; Ord. 08-O-2007-2008, Add, 12/17/2007)

Section 5-10-8 Violations

(A) ENFORCEMENT. The creation or maintenance of a violation of this ordinance is prohibited and shall constitute a municipal infraction subject to the penalties and alternative relief authorized by Title I, Chapter 20 of the City Code and by Section 364.22 of the Code of Iowa. Each day that a violation is permitted to continue beyond any period of time granted by the enforcement officer to correct the violation constitutes a separate offense.

(B) INSPECTIONS. All inspections, enforcement actions, and hearings on violations, unless expressly stated to the contrary, shall be under the direction and supervision of an Enforcement Officer, who may appoint or designate other public officers or employees to perform duties as may be necessary to enforce this Code, including inspections and holding of hearings. The

Enforcement Officers are hereby authorized to abate such violations in accordance with the procedures of this Code and to serve notice to abate same, whether upon the owner or other responsible party for a premise upon which a violation is being maintained, or upon the person or persons causing or maintaining the violation.

(C) VOLUNTARY ABATEMENT. The objective of this Code being the abatement of violations, persons violating this Code shall, except in emergency situations, be given notice of the violation and allowed a reasonable amount of time to voluntarily remedy the violation before action to assess costs or penalties for committing a municipal infraction are undertaken. Consideration will be given to evidence of a good faith effort to correct the violation; whether an imminent health or safety hazard exists; whether the person has previously been notified of or charged with violations of a similar nature; and other factors.

(D) EMERGENCY CONDITION. If the Enforcement Officer judges that an emergency exists which creates a dangerous and imminent health or safety hazard to persons, property or the general public which requires immediate action, the City may order such action as may be necessary to meet the emergency. Any orders issued pursuant to this paragraph shall be effective immediately or in the time and manner prescribed in the order itself.

(E) REPEAT OFFENSE. The enforcement officer may, but shall not be required to, give notice to abate prior to issuance of a municipal infraction citation for a repeat offense involving the same property and occurring within one year of a prior violation and notice to abate.

(F) NOTICE. When service of a notice to abate is required, the following methods of service shall be deemed adequate:

1. By personal service upon the person or persons causing or maintaining the violation or the owner of the property upon which the nuisance exists.
2. If, after reasonable effort, personal service cannot be made, service shall be made by sending the notice by certified mail, return receipt requested to the last known address of the responsible party or owner as appropriate.

(G) ABATEMENT REMEDIES AND PENALTIES. In the event that the violation is not abated as ordered and within the time specified, the City may abate such violation by undertaking such abatement and assessing the costs thereof against the property.

1. Abatement may include but is not limited to repair, removal, cleaning, extermination, cutting, mowing, grading, sewer repairs, draining, securing, barricading or fencing, demolition of dangerous or abandoned structures or portions thereof, and elimination of nuisances. Abatement costs may include the cost of removing or eliminating the violation; the cost of investigation, such as title searches, inspection, and testing; the cost of notification; filing costs; and other related administrative costs. Inoperable or obsolete vehicles which have been impounded may be sold in accordance with state law. If an inoperable or obsolete vehicle removed from private premises is not sold or if the proceeds of such sale or redemption are not sufficient to pay the costs of abatement, storage and sale of said inoperable or obsolete vehicle, such cost or the balance of such cost may be assessed against the premises in the same manner as a property tax.

2. Before the assessment of any charges for work done or caused to be done by the City the owner of the property proposed to be assessed shall be provided notice and opportunity for hearing before the Property Maintenance Appeal Board. The notice shall set forth the amount proposed to be assessed, and include a statement of the time, place, and date of hearing.
- (H) EMERGENCY ABATEMENT PROCEDURE. If an Enforcement Officer determines that a violation exists and constitutes an imminent, clear, and compelling danger to health, safety or welfare of persons or property, the enforcement officer is authorized to abate the violation or have it abated without prior notice and opportunity for hearing. The costs of such action may be assessed against the premises. However, prior to such assessment, the City shall give a property owner notice and the opportunity for a hearing before the Property Maintenance Appeal Board.

(I) APPEAL. There is hereby created a Property Maintenance Appeal Board. It shall have five members and those five members shall be the same as the five persons currently serving on the Storm Lake Board of Adjustment. When sitting as the Property Management Appeal Board, the powers of the Board of Adjustment shall not apply and the Property Maintenance Appeal Board shall have the following powers:

1. To determine whether the finding of a violation by the enforcement officer is correct.
2. To grant, upon a showing of extreme financial hardship, a reasonable extension of time to correct a violation.
3. To authorize, upon a showing of unique circumstances not attributable to the owner or responsible party, vehicle parking arrangements not otherwise permitted by this Code but which may not include any new gravel parking.
4. The cost of an appeal to the Property Maintenance Appeal Board shall be the same as the cost of an appeal to the Board of Adjustment, and shall be set by Resolution duly adopted by the City Council.

(Ord. 08-O-2007-2008, Add, 12/17/2007)

Chapter 8-1

NUISANCES

Sections:

8-1-1	Definitions
8-1-2	Nuisances Prohibited
8-1-3	Other Conditions Prohibited
8-1-4	Notice To Abate Nuisance Or Condition
8-1-5	Contents Of Notice To Abate
8-1-6	Method Of Service
8-1-7	Request For Hearing And Appeal
8-1-8	Abatement In Emergency
8-1-9	Abatement By Municipality
8-1-10	Collection Of Cost Of Abatement
8-1-11	Installment Payment Of Cost Of Abatement
8-1-12	Severability Clause
8-1-13	Municipal Infraction
Section 8-1-1	Definitions

For use in this Ordinance, the following terms are defined:

(A) The term "nuisance" shall mean whatever is injurious to health, indecent or offensive to the senses or an obstacle to the free use of property so as essentially to interfere with the comfortable enjoyment of life or property. The following are declared to be nuisances:

1. The erecting, continuing or using any building or other place for the exercise of any trade, employment or manufacture, which, by occasioning noxious exhalations, offensive smells, or other annoyances, becomes injurious and dangerous to the health, comfort or property of individuals or the public.
2. The causing or suffering any offal, filth or noisome substance, trash, junk, used tires, rock piles, broken concrete or asphalt, or hazards waste, to be collected or to remain in any place which shall be unsightly, or create an odor, or constitute a health hazard, or create a hazard to children who might pass upon the property.
3. The obstructing or impeding without legal authority the passage of any stream, lake or collection of water.
4. The corrupting or rendering unwholesome or impure the water of any river, stream or pond, or unlawfully diverting the same from its natural course or state, to the injury or prejudice of others.
5. The obstructing or encumbering by fences, buildings or otherwise the public roads, private ways, streets, alleys, commons, landing places or burying grounds.
6. Houses of prostitution or other establishments where sex acts (as defined in the Code of Iowa) are performed for compensation, gambling houses, houses resorted to for the use of controlled substances (as defined in the Code of Iowa), houses where drunkenness, quarreling, fighting or breaches of the peace are carried on or permitted to the disturbance of others.

7. Billboards, signboards and advertising signs, whether erected and constructed on public or private property, which so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard or alley or of a railroad or street railway track as to render dangerous the use thereof.
8. Cotton-bearing cottonwood trees and all other cotton-bearing poplar trees.
9. The depositing or storing of flammable junk, such as old rags, rope, cordage, rubber, bones and paper, by dealers in such articles within the fire limits of any city, unless it be in a building of fireproof construction.
10. The emission of dense smoke, noxious fumes or fly ash.
11. Dense growth of all weeds, vines, brush or other vegetation in the City so as to constitute a health, safety or fire hazard.
12. Trees infected with Dutch elm disease.
13. All trees, hedges, billboards or other obstructions which prevent persons from having a clear view of traffic approaching an intersection from cross streets in sufficient time to bring a motor vehicle driven at a reasonable speed to a full stop before the intersection is reached.
14. All limbs of trees which are less than eight feet (8') above the surface of any public sidewalk, or street.
15. All wires which are strung less than fifteen feet (15') above the surface of the ground.
16. All buildings, walls and other structures which have been damaged by fire, decay or otherwise to an extent exceeding one-half (1/2) their original value, and which are situated as to endanger the safety of the public.
17. All explosives, flammable liquids and other dangerous substances stored in any manner or in any amount other than that provided by law.

(B) The term "property owner" shall mean the contract purchaser if there is one of record, otherwise the record holder of legal title.

Section 8-1-2 Nuisances Prohibited

The creation or maintenance of a nuisance is hereby prohibited, and a nuisance, public or private, may be abated in the manner provided in this Ordinance.

Section 8-1-3 Other Conditions Prohibited

The following actions are required and may also be abated in the manner provided in this Ordinance:

(A) The removal of diseased trees or dead wood, but not diseased trees and dead wood outside the lot and property lines and inside the curb lines upon the public street.

- (B) The removal, repair or dismantling of a dangerous building or structure.
- (C) The connection to public drainage systems from abutting property when necessary for public health or safety.
- (D) The connection to public sewer systems from abutting property, and the installation of sanitary toilet facilities and removal of other toilet facilities on such property.
- (E) The cutting or destruction of weeds or other growth which constitutes a health, safety or fire hazard.

Section 8-1-4 Notice To Abate Nuisance Or Condition

Whenever the Mayor, City Administrator, Code Enforcement Officer or other authorized municipal officer finds that a nuisance or other condition listed in 8-1-3 exists, he/she shall cause to be served upon the property owner as shown by the records of the county auditor, a written notice to abate the nuisance within a reasonable time after notice.

Section 8-1-5 Contents Of Notice To Abate

The notice to abate shall contain:

- (A) A description of what constitutes the nuisance or other condition;
- (B) The location of the nuisance or condition;
- (C) A statement of the act or acts necessary to abate the nuisance or condition;
- (D) A reasonable time within which to complete the abatement;
- (E) A statement that if the nuisance or condition is not abated as directed and no request for hearing is made within the time prescribed, the City will abate it and assess the costs against such person.

Section 8-1-6 Method Of Service

The notice may be in the form of an ordinance or sent by certified mail to the property owner as shown by the records of the county auditor.

Section 8-1-7 Request For Hearing And Appeal

Any person ordered to abate a nuisance or condition may have a hearing with the officer ordering the abatement as to whether a nuisance or prohibited condition exists. A request for a hearing must be made in writing and delivered to the officer ordering the abatement within the time stated in the notice, or it will be conclusively presumed that a nuisance or prohibited condition exists and it must be abated as ordered.

At the conclusion of the hearing, the hearing officer shall render a written decision as to whether a nuisance or prohibited condition exists. If he/she finds that a nuisance or prohibited condition exists,

he/she must order it abated within an additional time which must be reasonable under the circumstances. An appeal from this decision may be had by filing a written notice with the hearing officer within twenty-four (24) hours. This appeal will be heard before the City Council at a time and place fixed by the Council. The findings of the Council shall be conclusive and, if a nuisance or prohibited condition is found to exist, it shall be ordered abated within a time reasonable under the circumstances.

Section 8-1-8 Abatement In Emergency

If it is determined that an emergency exists by reason of the continuing maintenance of the nuisance or condition, the City may perform any action which may be required under this Ordinance without prior notice. The City shall assess the costs as provided in 8-1-10 of this Ordinance, after notice to the property owner under the applicable provision of Section 8-1-4 and 8-1-5 and hearing as provided in Section 8-1-7.

Section 8-1-9 Abatement By Municipality

If the person notified to abate a nuisance or condition neglects or fails to abate as directed, the City may perform the required action to abate, keeping an accurate account of the expense incurred. The itemized expense account shall be filed with the City Clerk who shall pay such expenses on behalf of the municipality.

Section 8-1-10 Collection Of Cost Of Abatement

The Clerk shall mail a statement of the total expense incurred to the property owner who has failed to abide by the notice to abate, and if the amount shown by the statement has not been paid within one (1) month, he/she shall certify the costs to the county auditor and it shall then be collected with, and in the same manner, as general property taxes.

Section 8-1-11 Installment Payment Of Cost Of Abatement

If the amount expended to abate the nuisance or condition exceeds \$500, the City shall permit the assessment to be paid in up to ten (10) annual installments, to be paid in the same manner and with the same interest as benefitted property.

Section 8-1-12 Severability Clause

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

Section 8-1-13 Municipal Infraction

A violation of any of the provisions of this Chapter shall constitute a Municipal infraction subject to the penalties and alternative relief authorized by Title 1, Chapter 20 of this Code and by Section 364.22 of the

Code of Iowa.

Chapter 8-5

WEEDS

Sections:

- 8-5-1 Declaration Of Hazard**
- 8-5-2 Duty Of The Owner Or Occupant**
- 8-5-3 Notice**
- 8-5-4 Removal By Commissioner**
- 8-5-5 Certifying Assessments**
- 8-5-6 Definitions**
- 8-5-7 Municipal Infraction**
- Section 8-5-1 Declaration Of Hazard**

It is hereby declared that all noxious weeds, as defined in Section 317.1 of the Code of Iowa, growing upon all lands and lots within the City, constitute a health, safety or fire hazard.

Section 8-5-2 Duty Of The Owner Or Occupant

It shall be the duty of the owner or occupant of all lots and lands to keep said lots and lands and a space to the curb line on all streets, and in all alleys ten feet (10') outside of the lot line and abutting thereon, free from all weeds.

Section 8-5-3 Notice

Should any owner or occupant fail or neglect to keep his/her lots and lands and the streets and alleys abutting thereon, free from the above described weeds at all times, the Weed Commissioner shall cause notice to be given to such owner or occupant directing that all such weeds be removed from said premises within five (5) days from the time of service of said notice; said notice shall further provide if the owner or occupant fails to do so that said Weed Commissioner shall enter upon said premises and cause the same to be removed and the costs of the same and expenses hereof shall be assessed against the property.

Section 8-5-4 Removal By Commissioner

If the owner or occupant of any such lots or land fail to comply with said notice, the Weed Commissioner shall cause the same to be sprayed, removed or cut and report to the Clerk the name of the owner, the description of the lots or lands and the amount of charges and expenses of cutting and removing such weeds.

Section 8-5-5 Certifying Assessments

The Clerk is hereby directed, upon receipt from the Weed commissioner of the costs and expenses and other information provided for in Section 8-5-4 above, to certify the said costs and expenses to the County

Auditor, which costs and expenses shall be assessed against the land and the owner thereof and shall be collected with, and in the same manner as general property taxes.

Section 8-5-6 Definitions

(A) The term "WEEDS" as used in this Chapter shall refer to all weeds, vines, brush or other growth, except shrubs, trees, vegetables, fruits, flowers and grasses other than noxious.

(B) The term "WEED COMMISSIONER" herein refers to an individual duly appointed by motion of the Council to carry out the terms and provisions of this Chapter if such a person has been separately appointed and shall also include the City Administrator and the Code Enforcement Officer or other designated official.

Section 8-5-7 Municipal Infraction

A violation of any of the provisions of this Chapter shall constitute a Municipal infraction subject to the penalties and alternative relief authorized by Title 1, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa.

Chapter 8-6

ABANDONED AND JUNKED MOTOR VEHICLES

Sections:

8-6-1	Purpose
8-6-2	Definitions
8-6-3	Removal Of Abandoned Motor Vehicles
8-6-4	Notice To Owner And Lienholders
8-6-5	Impoundment Fee
8-6-6	Auction Of Operable Vehicle
8-6-7	Inoperable Abandoned Vehicles
8-6-8	Duties Of Demolisher
8-6-9	Junk Vehicles And Machinery A Nuisance
8-6-10	Notice To Abate
8-6-11	Duty Of Owner To Remove Or Repair
8-6-12	Abatement
8-6-13	Exceptions
8-6-14	Municipal Infraction

Section 8-6-1 Purpose

The purpose of this Ordinance is to protect the health, welfare and safety of the citizens and safety of property of this City by providing for removal of abandoned motor vehicles and the elimination of the open storage of abandoned and junked motor vehicles and machinery except in places authorized.

Section 8-6-2 Definitions

For use in this Ordinance, the following terms are defined:

(A) The term "ABANDONED VEHICLE" shall mean any of the following:

1. A motor vehicle that has been left unattended on public property (streets and public grounds) for more than forty-eight (48) hours and lacks current registration plates or two (2) or more wheels or other structural parts which renders the vehicle totally inoperable, or
2. A motor vehicle that has remained illegally on public property for more than seventy-two (72) hours, or
3. A motor vehicle that has been unlawfully parked on private property or has been placed on private property without the consent of the owner or person in control of the property for more than twenty-four (24) hours, or
4. A motor vehicle that has been legally impounded by order of the Chief of Police and has not been reclaimed for a period of thirty (30) days.

(B) The term "JUNKED MOTOR VEHICLE OR JUNKED MACHINERY" shall mean any motor vehicle stored within the corporate limits of Storm Lake, Iowa, not licensed for the current year as

required by law, and which, meets any one of the following characteristics, which are hereby declared a threat to the public health and safety.

1. Any vehicle with a broken or cracked windshield, window, headlight or tail light, or any other cracked or broken glass.
2. Any vehicle with a broken or loose fender, door, bumper, hood, hood ornament, door handle, window handle, running board, steering wheel, trunk top, trunk handle, radio aerial, tail pipe or decorative piece.
3. Any vehicle which has become the habitat of rats, mice or snakes, or any other vermin or insects.
4. Any vehicle which contains gasoline or any other flammable fuel.
5. Any other vehicle, which, because of its defective or obsolete condition, in any other way, constitutes a threat to the public health and safety.

(C) The term "JUNKED MOTOR VEHICLE OR JUNKED MACHINERY" shall also mean any vehicle stored within the corporate limits of Storm Lake, Iowa which is licensed for the current year as required by law, and which, because it meets all of the following characteristics, constitutes a threat to the public health or safety.

1. The vehicle is not stored in an enclosed structure.
2. The vehicle is not safely operable as a result of 1) collision, casualty, or gradual deterioration or 2) the vehicle has been stripped of essential parts and equipment.
3. The vehicle has been stored at its present location, or a similar location controlled by the owner, for a period of at least ninety (90) days.

Section 8-6-3 Removal Of Abandoned Motor Vehicles

The City Police may remove and impound any motor vehicle whether inoperable or totally inoperable condition as defined in 8-6-2(A)1. Impoundment shall be in any city-owned garage or area, or in any privately-owned public garage or area as designated by the City Administrator.

Section 8-6-4 Notice To Owner And Lienholders

The City Police shall notify by certified mail within three (3) days of having taken possession of the abandoned operable motor vehicle, the last known registered owner of the motor vehicle and all lienholders of record, addressed to their last known address of record that the abandoned motor vehicle has been taken into custody. Notice shall be deemed given when mailed. Notice shall describe the year, make, model and serial number of the motor vehicle, set forth the location of the facility where it is being held, inform the owner and any lienholders of their right to reclaim the motor vehicle within fourteen (14) days after the effective date of the notice upon payment of all towing, preservation and storage charges resulting from placing the motor vehicle in custody. The notice shall also state that the failure of the owner or lienholders to exercise their right to reclaim the motor vehicle within the time provided shall be deemed a waiver by the owner and all lienholders of all right, title, claim and interest in the motor vehicle and that such failure to reclaim is deemed consent to the sale of the motor vehicle at a public auction or

disposal of the motor vehicle to a demolisher. If the owner and lienholders do not exercise their right, they shall have no further right, title, claim or interest in or to such motor vehicle, as provided by law.

1. If the identity of the last registered owner of an abandoned but operable vehicle cannot be determined, or if the registration contains no address for the owner, or if it is impossible to determine with reasonable certainty the identity and addresses of all lienholders, notice by one publication in one newspaper of general circulation in this City shall be made by the City Police and multiple listings may be included in said notice if they are subject to the same time limits, and the same information as prescribed for mailed notice shall be included.
2. The owner or any lienholder may, by written request delivered to the Police Chief prior to the expiration of the fourteen (14) days reclaiming period, obtain an additional fourteen (14) days within which the motor vehicle may be reclaimed.

Section 8-6-5 Impoundment Fee

The owner or lienholder shall pay a fee, in the amount set by Council Resolution, for each day the vehicle is impounded plus towing charges if stored by the City, or upon payment of the towing and storage fees, if stored in privately owned facilities, whereupon said vehicle shall be released. The amount of towing charges, and the rate of storage charges by privately owned garages shall be established, by resolution of Council, before the provisions of this Ordinance are carried by the police.

(Ord. 12-O-2004-2005, Amended, 12/06/2004)

Section 8-6-6 Auction Of Operable Vehicle

If an abandoned motor vehicle which is operable has not been reclaimed as provided by Section 8-6-4, the Police Chief shall make a determination as to whether or not the motor vehicle should be sold for use upon the highways. Vehicles not sold for use upon the highways shall be sold only in accordance with the restrictions in the State law. The purchasers shall take title as provided for by law, or if sold to a demolisher no further titling of the motor vehicle shall be permitted. Proceeds from any sales shall apply to the cost of towing, preserving, storing and notification required, in accordance with state law, and any balance shall be disposed of as required by law. Where the sale of any vehicle fails to realize the amount necessary to meet costs, the Police Chief shall apply for reimbursement from the State as provided by law.

Section 8-6-7 Inoperable Abandoned Vehicles

Any totally inoperable abandoned vehicle as defined in 8-6-2 of this Chapter, or any such inoperable vehicle left on private property by other than the owner or person in charge of the private property, shall be disposed of, after compliance with the notification procedures of Section 8-6-4, by the City Police to a demolisher unless the demolisher deems it practicable to sell it as provided in Section 8-6-6 of this Chapter.

The sale to a demolisher need not be done at public auction, but the Police Chief shall endeavor to obtain as much compensation as possible to defray any costs to the City. A person, firm, corporation, or this City or other unit of government upon whose property or in whose possession is found any abandoned motor vehicle, or any person being the owner of a motor vehicle, whose title certificate is faulty, lost or

destroyed, may, without notification procedure, dispose of such motor vehicle if it lacks an engine, or two (2) or more wheels, or other structural part which renders the vehicle totally inoperable to a demolisher for junk without the title.

Section 8-6-8 Duties Of Demolisher

Any demolisher who purchases or otherwise acquires an abandoned motor vehicle for junk shall junk, scrap, wreck, dismantle or otherwise demolish such a motor vehicle. When a demolisher acquires a motor vehicle under 8-6-6 or 8-6-7 of this ordinance, the demolisher shall apply to the City Police for a certificate to demolish the vehicle. The application shall include the name and address of the applicant, the year, make, model and serial number of the motor vehicle. After the motor vehicle has been demolished, processed or changed so that it physically is no longer a motor vehicle, the demolisher shall surrender the auction sales receipt or certificate of authority to dispose of or demolish a motor vehicle at the state department of public safety for cancellation.

Section 8-6-9 Junk Vehicles And Machinery A Nuisance

It is hereby declared that storage within the corporate limits of a junk motor vehicle or junk machinery upon private property owned or controlled by the owner of the vehicle or machinery, or any other private individual, unless excepted by Section 8-6- 13 of this Chapter, constitutes a threat to the health and safety of the citizens and is a nuisance within the meaning of Section 657.1 of the Code of Iowa. If any junk motor vehicle or machinery is stored upon private property in violation thereof, the owner of said motor vehicle who is the owner or person in control of the property upon which it is stored shall be prima facie liable for said violation.

Section 8-6-10 Notice To Abate

Upon discovery of any junk motor vehicle or junk machinery stored upon private property within the corporate limits of this City in violation of 8-6-9, the Police Chief shall within ten (10) days notify by certified mail the owner of said motor vehicle or other property owner that:

1. The motor vehicle constitutes a nuisance under the provisions of this Ordinance;
2. That the owner must remove or repair the motor vehicle or machinery in accordance with the terms of 8-6-11 of this Ordinance; and
3. That failure to remove or repair the motor vehicle or machinery will be sufficient cause for its removal by the City at the owner's cost.

Section 8-6-11 Duty Of Owner To Remove Or Repair

The owner of a junk motor vehicle or junk machinery (who is the owner or person in control of the property upon which it is stored) which violates the provisions of 8-6-9 must within ten (10) days after receipt of written notice from the Police Chief remove the motor vehicle or machinery to an auto salvage yard or junk yard duly licensed by this City, or to a lawful place of storage outside the City limits, or

repair the defects which cause such motor vehicle or machinery to violate the provisions of this Ordinance, including licensing if a motor vehicle is not currently licensed.

Section 8-6-12 Abatement

If such owner of a junk motor vehicle or machinery shall fail to remove or repair the motor vehicle in accordance with the terms of 8-6-10, the City Police shall abate such nuisance by causing the motor vehicle to be removed and impounded and sold or disposed of as specified in 8-6-5, 8-6-6 or 8-6-7 and the cost of abatement shall be charged to the owner of the motor vehicle or other property owner.

Section 8-6-13 Exceptions

The provisions of this Ordinance shall not apply to a junk motor vehicle or junk machinery stored within:

- (1) A garage or other enclosed structure; or
- (2) An auto salvage yard or junk yard duly licensed by this City.

Section 8-6-14 Municipal Infraction

A violation of any of the provisions of this Chapter shall constitute a Municipal infraction subject to the penalties and alternative relief authorized by Title 1, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa.

Chapter 8-7

EXCESSIVE NOISE

Sections:

8-7-1	Definitions
8-7-2	Noises Prohibited
8-7-3	Miscellaneous Operations
8-7-4	Variance Permit May Be Granted
8-7-5	Enforcement
8-7-6	Municipal Infraction
Section 8-7-1	Definitions

The following definitions shall apply in the interpretation and enforcement of this Chapter:

(A) "DAY": The hours between seven o'clock (7:00) A.M. and eight o'clock (8:00) P.M.

(B) "NIGHT": The hours between eight o'clock (8:00) P.M. and seven o'clock (7:00) A.M.

(C) "NOISE": Unwanted or annoying sound.

(D) "PERSON": Any individual, firm or corporation.

(E) "VEHICLE": Any passenger vehicle, motorcycle, truck, truck trailer, trailer, semi-trailer or similar device intended to convey people and/or commodities which is propelled or drawn by mechanical power, but shall not include airplanes and toys.

Section 8-7-2 Noises Prohibited

Each of the following acts, among others, is hereby declared to be in violation of this Chapter, and is prohibited. The following enumerated acts shall not be construed as limited or precluding enforcement of any other provisions of this Chapter:

(A) Horns, Signaling Devices, Etc.: The sounding of any horn or signaling device of any automobile, motorcycle, bus or other vehicle on any street or public place of the City, except as a danger warning, for an unnecessary and unreasonable period of time. During nighttime hours, any sounding of horns except as a danger warning shall be considered unnecessary and for an unreasonable period of time.

(B) Hawkers And Peddlers: The sale by outcry within any area of the City zoned for residential uses. The provisions of this subsection shall not be construed to prohibit the selling by outcry of merchandise, food and beverages at licensed sporting events, parades, fairs, circuses and other similar licensed public entertainment events, nor to prohibit the selling of newspaper by outcry.

(C) Animals and Fowl: The keeping of, upon any premises, owned, occupied or controlled by any person, any animal or fowl otherwise permitted to be kept which, by any sound, barking or cry, shall cause annoyance or discomfort to a reasonable person of normal sensibilities.

(D) Radios, Televisions, Etc.: The use of radios, televisions, cassette and other tape recorders, public address systems, and other sound amplification devices, including any such devices incorporated into motor vehicles, in or within five hundred feet (500') of any residentially zoned district of the City when the level is maintained at a level such that it can be heard at or within premises adjacent to the premises, park or other locale where the device is being used, and:

1. During night hours which volume level a reasonable person would conclude could be expected to interfere with sleep or other quiet time activities at such adjacent premises; or
2. During day hours which volume level a reasonable person would conclude could be expected to interfere with normal daytime activities carried on at residential premises, or if the noise level is intentionally maintained at a particular level for the specific purposes of annoying a particular person; provided that nothing contained in this paragraph 2 shall be held to prohibit public speaking, the ordinary conduct of legitimate business, or other lawful expressions of opinion not in contravention of other laws.

(E) Schools, Courts, Churches, Hospitals: The creation of a loud and excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in the hospital.

(F) Construction or Repair of Buildings: The erection (including excavation), demolition, alteration or repair of any building other than between the hours of seven o'clock (7:00) A.M. and nine o'clock (9:00) P.M. of any day.

(G) Pile Drivers, Hammers, Etc.: The operation between the hours of six o'clock (6:00) P.M. and seven o'clock (7:00) A.M. of any pile driver, steam shovel, pneumatic hammer, derrick, power hoist or other construction equipment.

(H) Garbage Collection: The collection of garbage, waste or refuse by any person in any area zoned residential, except between the hours of six o'clock (6:00) A.M. and nine o'clock (9:00) P.M. of any day and then only in a manner so as not to create a loud or excessive noise.

(I) Vehicle Repairs: The repair or rebuilding of any motor vehicle within any residential area of the City between the hours of nine o'clock (9:00) P.M. and eight o'clock (8:00) A.M. in such a manner that a reasonable person of normal sensitivities residing in the area is caused discomfort or annoyance.

(J) Exhausts: The discharge into the open air of the exhaust of any steam engine, internal combustion engine, motor boat, or motor vehicle or discharge of air or other gases except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(K) Unlawful Use Of Buildings: No person owning, or in possession of or in control of any building or premises, shall use the same, permit the use of the same, or rent the same to be used for any business or employment or residential use, or for any purpose of pleasure or recreation, if such use shall, by the noise generated therefrom, disturb or interfere with the peace of the neighborhood in which such building or premises is situated.

(L) Lawn mowers, Garden Tools, Etc.: The use of lawn mowers, small lawn and garden tools, riding tractors and other powered equipment necessary for the maintenance of property during the hours of nine o'clock (9:00) P.M. through seven o'clock (7:00) A.M., inclusive. Snow blowers and other powered snow removal equipment are specifically excepted from this prohibition.

(M) Loud, Unnecessary Or Unusual Noise: Notwithstanding any other provision of this Chapter and in addition thereto, it shall be unlawful for any person to willfully make or continue or cause to be made or continued any loud, unnecessary or unusual noise which disturbs the peace or quiet of any neighborhood, or which causes discomfort or annoyance to any reasonable person or normal sensitivities residing in the area.

Section 8-7-3 Miscellaneous Operations

(A) Emergency Operation: Emergency short-term operations which are necessary to protect the health and welfare of the citizens, such as emergency utility and street repair, fallen tree removal or emergency fuel oil delivery, shall be exempt from the provisions of this Chapter, provided that reasonable steps shall be taken by those in charge of such operations to minimize noise emanating from the same.

(B) Noise Required By Law: The provisions of this Chapter shall not apply to any noise required specifically by law for the protection or safety of people or property.

(C) Airplanes: Aircraft operations which are controlled specifically by Federal law and enforcement shall be exempted from the provisions of this Chapter.

(D) Disorderly Conduct: Noise created by human behavior and generally considered to be disorderly conduct, shall, unless specifically described in Section 8-7-2, be exempted from the provisions of this Chapter and is instead regulated under Section 8-2-1(B) of this Code.

(E) Municipal Street Responsibilities: The provisions of this Chapter shall not apply to any noise produced by the operation of the City's street sweeper, by operation of the air compressor in connection with street painting operations, and by the operation of snow removal equipment during or following a snowfall event.

Section 8-7-4 Variance Permit May Be Granted

(A) Variance permits may be issued by the Police Department to exceed the noise standards set forth in this Chapter, as follows:

1. General: A temporary variance permit may be issued upon request to perform certain work activities outside the normal hours provided in Section 8-7-2 for such activity provided it is necessary to conduct the work activity at such times so as to promote public health and/or welfare and reasonable steps are taken to keep such noise at the lowest possible practical level.
2. Special Community Events: A temporary variance permit may be issued for special events, such as circuses, Fourth of July celebrations and similar community events, which are limited in duration and are generally acceptable to the people of the community; provided that precautions are taken to maintain the noises produced at the lowest practical level.
3. Procedure To Obtain A Variance Permit: Applications for temporary variance permits must be made in writing to the Police Department and shall contain all of the following pertinent information:

Dates requested;

Time and place of operation;
Equipment and operation involved;
Necessity for such permit;
Steps to be taken to minimize noise; and
Name of responsible person(s) who will be present at the site while the noise is produced.

4. Limitations and Revocation: The Police Chief may place such limitations upon the granting of a variance as the Chief and/or the Council may request; and, the Chief of Police is specifically authorized to revoke the granted variance if the applicant shall fail to meet the limitations placed upon the granting of the variance and/or other circumstances occurring subsequent to the granting of the variance requiring such revocation.

(B) Spontaneous Celebrations: Unusual noises associated with specific events, such as victory celebrations during or following athletic events and motor vehicle processions following weddings shall be considered as having occurred pursuant to permit provided in subsection (A) of this Section provided that such demonstration or celebration is of reasonably short duration, does not occur after ten o'clock (10:00) P.M., and is otherwise ceased if requested by police or other appropriate public officials.

Section 8-7-5 Enforcement

It shall be the duty of the Police Department to enforce the provisions of Sections 8-7- 1 through 8-7-6, inclusive.

Section 8-7-6 Municipal Infraction

A violation of any of the provisions of this Chapter shall constitute a Municipal infraction subject to the penalties and alternative relief authorized by Title 1, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa.

Chapter 10-1

SIDEWALK REGULATIONS

- 10-1-1 Permanent Sidewalks**
- 10-1-2 Plans And Specifications**
- 10-1-3 Gaps In Sidewalk; Service Of Notice**
- 10-1-4 Contract For Sidewalk**
- 10-1-5 Payments Of Costs**
- 10-1-6 New Subdivisions**
- 10-1-7 Repair Of Sidewalks**
- 10-1-8 Sidewalk Inspection**
- 10-1-9 Owner's Responsibility On Receipt Of Notice Of Repair**
- 10-1-10 Repairing Sidewalks Upon Failure Of Owner To Comply With Notice To Repair**
- 10-1-11 Appeal Of Notice To Repair Or Notice of Assessment**
- 10-1-12 Cleaning**
- 10-1-13 Grades**
- 10-1-14 Liability**
- 10-1-15 Municipal Infraction**

10-1-1 Permanent Sidewalks

All sidewalks now or hereafter to be constructed upon any street or part of street, or tract of land abutting said streets shall be in conformity with the established grade of said street, or part of street, and all sidewalks now or hereafter constructed upon any street, part of street, or parcel of land where said grades have been or hereafter may be established, are hereby declared to be permanent sidewalks, and all permanent sidewalks now or hereafter built shall be constructed of cement, and shall conform with the grade now or hereafter to be established.

(Ord. No. 309495, Amended, 06/19/95)

10-1-2 Plans And Specifications

All sidewalks built or rebuilt shall be constructed in accordance with the official City plans and specifications applicable to sidewalks, including specifications as to width and thickness, and which specifications shall be adopted, and may from time to time be amended, by resolution of the City Council.

If standards determined pursuant to the Americans with Disability Act (ADA) require construction to a higher standard, the ADA Standard shall apply.

(Ord. No. 309495, Amended, 06/19/95) (Ord. 05-O-2013-2014, Amended, 02/17/2014)

10-1-3 Gaps In Sidewalk; Service Of Notice

Whenever non-sidewalk lots create a gap in an area of the City where sidewalks generally exist, or whenever other compelling circumstances require the installation of a sidewalk

where none has previously existed, the City Council may require the installation of sidewalks by the owner or owners of the lots without sidewalk. Whenever the Council shall, in accordance with the provisions of this Section, order any permanent sidewalk to be built, it shall be the duty of the Clerk to prepare a notice of said requirement and it shall be the duty of the Code Enforcement Officer to serve a copy of the notice of said order on the owner or owners of each of said lots or parts of lots or tracts of land fronting, abutting or lying along said contemplated improvement. The notice and return shall be filed with the Clerk and by him/her preserved among the records of the City. When such officer has reported that no one is found upon whom such service can be made, the said notice shall be published at least once in one of the newspapers published in the City and shall require the owner of said lot, lots, part of lot or pieces of ground to construct such sidewalk within the time so ordered by the Council, and that if the owner shall fail to do so, the same will be done at the owner's cost as provided in this Chapter; and such publication made after such return by the officer attempting to serve such notice shall in all cases be sufficient service upon such owner.

The Notice shall provide that the owner must obtain a permit to make such sidewalk improvements at such cost for the permit as is prescribed from time to time by resolution by the Council, and shall provide a time limit in which the construction of the sidewalk must be completed, and which time limit shall not be less than 120 days.

(Ord. No. 309495, Amended, 06/19/95) (Ord. 05-O-2013-2014, Amended, 02/17/2014)

10-1-4 Contract For Sidewalk

If the owner or owners of any lot, lots, or part of a lot or piece of ground along or across which said contemplated improvements are made, shall refuse, fail or neglect to have said sidewalk constructed and finished by the time limit set by the resolution or order of the Council, the City may procure the same to be done by contract as provided by resolution to be adopted by said Council, and the work shall be let to the lowest responsible bidder, and in all cases said work shall be done in conformance with City plans and specifications applicable to sidewalks.

(Ord. No. 309495, Amended, 06/19/95)

10-1-5 Payments Of Costs

The cost of the work done under such contracts as provided in Section 10-1-4 shall be paid to the contractor out of City funds and the Council shall levy and assess the whole amount of such expense, including that of advertisement, and all expenses incidental to the work upon the several lots or pieces of lands and owners thereof, in front of, alongside, or across which said sidewalk shall have been constructed, apportioning the same among the several lots and owners thereof in proportion to the number of feet of each lot in front of, along, or across which said sidewalk shall have been laid; and the amount so apportioned to each lot and the owner thereof shall constitute a special tax against such lots and owners, and the same with all interests, penalties and costs accruing thereon, including but not limited to the cost of the City's sidewalk repair permit fee, shall be a lien upon the lot, lots or piece of land until paid, and the same shall by resolution be certified to the County Auditor for collection along with other City taxes.

When the City assesses the cost of constructing a sidewalk across the property where no sidewalk has previously existed, the property owner may elect to make the payments in equal payments over

a period of not more than four years plus interest at the rate of five percent.

(Ord. No. 309495, Amended, 06/19/95) (Ord. 09-O-2014-2015, Amended, 06/15/2015; Ord. 05-O-2013-2014, Amended, 02/17/2014)

10-1-6 New Subdivisions

From and after the date of this ordinance, the Council shall not approve the platting of a new subdivision within the City of Storm Lake unless the platting documents include a plan for the installation of sidewalks by the developer or pursuant to a special assessment project wherein all property owners waive all possible objections to the City constructing said sidewalks pursuant to a special assessment project.

(Ord. No. 309495, Amended, 06/19/95)

10-1-7 Repair Of Sidewalks

It shall be the duty of the owners of lots and lands to keep in repair all sidewalks in front of or abutting any property owned by them. The Council may at any time by Resolution condemn any sidewalk now or hereafter in use, which is so constructed of material or in a manner different from what the City specifications provide, or for any cause is dangerous and unsafe, and may order and compel the sidewalk to be repaired or replaced in conformity with Section 10-1-2. The cost of all repairs, replacements and installation shall be the responsibility of the property owner.

Any deviation, separation or variation greater than the maximum allowable as established by the sidewalk inspection criteria adopted by resolution of the Council, and as the same shall be amended from time to time hereafter, it hereby declared to be per se dangerous and unsafe, and the Code Enforcement Officer is hereby authorized to notify the property owner of the defect and to order the repair or replacement of the defective sidewalk without the necessity of obtaining a resolution of condemnation from the Council.

(Ord. No. 309495, Amended, 06/19/95)

10-1-8 Sidewalk Inspection

For the purpose of discovering defects in existing sidewalks, the City Manager is directed to establish a sidewalk inspection program whereby sidewalks in the business district of the City are inspected every year and sidewalks in the balance of the City are inspected not less than once every four years. Persons designated by the City Manager to make sidewalk inspections shall note any deviation, separation, or variation greater than the maximum allowable as set forth in the sidewalk inspection criteria established by a separate resolution of the Council, and the Code Enforcement Officer shall in turn notify the property owner or owners to correct the noted problems as authorized in 10-1-7. The City Manager shall schedule the inspection so that to the greatest extent possible, all notices of correction work required will be mailed out by June 1 of each year.

(Ord. No. 309495, Amended, 06/19/95) (Ord. 05-O-2013-2014, Amended, 02/17/2014)

10-1-9 Owner's Responsibility On Receipt Of Notice Of Repair

Upon receipt of Notice to Repair Sidewalks, all homeowners shall, within sixty (60) calendar days thereafter, first obtain a permit from the Code Enforcement Officer and pay the charge for said permit.

The Application for the permit shall include the name of the contractor purposed to do the repair or replacement, or alternatively, provide notice that the owner will personally do the work and provide the tentative date of the repairs and provide notice as to whether the owner intends to repair or replace the sidewalk.

Following the issuance of this permit and within the same sixty (60) day time frame set forth above, all sidewalk repair or replacement as required in the Notice to the property owner shall be completed. For good cause shown, the City Manager is hereby authorized to extend the period of time for completion of sidewalk repair or replacement beyond the sixty (60) day period for such additional period of time as the manager deems reasonable.

(Ord. No. 309495, Amended, 06/19/95) (Ord. 05-O-2013-2014, Amended, 02/17/2014)

10-1-10 Repairing Sidewalks Upon Failure Of Owner To Comply With Notice To Repair

If a property owner shall fail to complete required repair or replacement of their sidewalk within the time frame provided by Section 10-1-9, the City Manager may cause to be repaired all such broken or defective sidewalks found to be dangerous or defective or found to be not in compliance with the sidewalk inspection criteria previously referred to. If the City Manager does so act, the provisions of Sections 10-1-3, 10-1-4 and 10-1-5 of this Chapter with respect to assessing the costs of installation of sidewalk against the property owner shall be applicable to effect the construction of the repairs.

Homeowners are given notice that if they fail to make the repairs required and if the City must then proceed, pursuant to this Section, to make the repair, it will be the policy of the City to make all repairs by removing the affected sections of the sidewalk and replacing them with new concrete notwithstanding that the homeowner might have pursued other possible remedies to bring the sidewalk into compliance. For assessments made pursuant to this Section, the property owner shall have the option of paying the assessment over a two (2) year period with interest at five percent (5%).

(Ord. No. 309495, Amended, 06/19/95) (Ord. 05-O-2013-2014, Amended, 02/17/2014)

10-1-11 Appeal Of Notice To Repair Or Notice of Assessment

Any property owner desiring to appeal a notice requiring the property owner to install and repair or replace sidewalk adjacent to or adjoining the owner's property must file a notice of appeal with the City Clerk within fifteen (15) days of the date on which the Code Enforcement Officer or such

officer's designee mailed the notice to the property owner by certified mail. The appeal shall be heard at the earliest possible date thereafter by three members of the City staff designated by the City Manager. In no case shall the appeal be heard by the City staff member who made the original inspection and determined the necessity of repairs. The three City staff members hearing the appeal shall affirm, reverse, or modify the decision of the Code Enforcement Officer or his designee to order the property owner to repair or replace sidewalk. If the City makes the repairs required upon failure of the property owner to do so and thereafter gives notice to the property owner of an assessment against the property for the cost of the repairs and for such other costs as may be assessed under this Chapter 10-1, and the property owner desires to appeal from that notice of assessment, the property owner shall file a notice of appeal with the City Clerk within fifteen (15) days of the date on which notice of the assessment was mailed to the property owner by certified mail. The appeal of the assessment shall be heard at the next regular city council meeting following the receipt of the notice of appeal by the City Clerk, provided the City Clerk's receipt of the appeal notice is three or more days before that regular council meeting; otherwise, at the second regular council meeting following the receipt by the Clerk of the notice of appeal. At the conclusion of the hearing on that property owner's appeal, the City Council shall affirm, reverse, or modify the original assessment order.

(Ord. No. 309495, Amended, 06/19/95) (Ord. 09-O-2014-2015, Amended 6/15/2015; Ord. 05-O-2013-2014, Amended, 02/17/2014)

10-1-12 Cleaning

It shall be the duty of the owners or occupants of all lots or lands to keep all sidewalks in front of or adjoining the property owned or occupied by them, free and clear from all snow and ice and other accumulations from the abutting property. In the event that snow and ice or other accumulations from the abutting property be permitted to remain upon any sidewalk for a period of seventy two (72) hours, the City may, without notice to the property owner, cause the same to be removed, in which case the expense thereof shall be specially assessed against the abutting property and the owner thereof in an amount not exceeding one and one-half (1

10-1-13 Grades

The grades of all permanent sidewalks heretofore constructed in the City, are hereby confirmed, ratified and approved as the established grade. The grade for new sidewalk construction shall be established by the City Manager and a book shall be maintained in the office of the City clerk setting forth the grades of all sidewalks in the City and the clerk shall furnish the same to any person requesting such information. It shall be the duty of the City Manager to establish the grades for permanent sidewalks where none presently have been established.

(Ord. No. 309495, Enacted, 06/19/95) (Ord. 05-O-2013-2014, Amended, 02/17/2014)

10-1-14 Liability

Each property owner with sidewalk adjacent to their property shall have the primary liability for any injury or property damage suffered by third parties as a result of a breach of the duty of the property owner to keep their sidewalk in good repair, as required by Section 10-1-7, or to

keep their sidewalk clean as required by Section 10-1-12, and each said property owner shall hold the City of Storm Lake harmless with respect to any such liability to third parties suffering injuries or property damage.

(Ord. No. 309495, Enacted, 06/19/95)

10-1-15 Municipal Infraction

A violation of any provision of this Chapter, specifically including the failure to obtain permits that are required by this Chapter or failure to pay the permit fee, shall constitute a municipal infraction subject to the penalties and alternative relief authorized by Title I, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa.

(Ord. No. 309495, Enacted, 06/19/95) (Ord. 05-O-2013-2014, Amended, 02/17/2014)

Staff Summary

5/7/2018

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: Keri Navratil, City Manager

SUBJECT: **Worksession- Garbage Storage and Collection**

BACKGROUND: Review and discussion of Garbage Storage and Collection City Code

FISCAL IMPACT:

RECOMMENDATION:

ATTACHMENTS:

Description	Type
▣ Garbage Storage and Collection City Code	Ordinance
▣ Letter Received	Letter

Chapter 3-1

GARBAGE STORAGE AND COLLECTION

Sections:

3-1-1	Purpose
3-1-2	Definitions
3-1-3	Duty To Provide Cans
3-1-4	Accumulation And Deposit Of Garbage Or Recyclable materials Prohibited
3-1-5	Optional Means of Collection
3-1-6	Necessity Of Permit
3-1-7	Minimum Collection Service
3-1-8	Separation Of Yard Waste
3-1-9	Bagging Of Recyclable Materials
3-1-10	Fee Structure - Residential Customers
3-1-11	Collection Equipment
3-1-12	Alley Embargo
3-1-13	Disposal
3-1-14	Municipal Infraction

Section 3-1-1 Purpose

The purpose of this Chapter is to eliminate unhealthy, unsanitary and unsightly conditions in the City caused by deposits and accumulation of garbage and to regulate the collection of same.
(Ord. 15-O-2003-2004, Amended, 06/21/2004)

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; and of a size that may be conveniently handled by the collector.
- (B) "COLLECTOR": Any person, business, private contractor, specifically including the City of Storm Lake, which picks up and removes garbage, recyclable materials, or yard waste for a fee.
- (C) "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.
- (D) "PERSON": Any individual, firm, corporation, trust or other organized group, or any governmental unit.

(E) "RECYCLABLE MATERIAL": Materials which may be designated as recyclable by the Buena Vista County Recycling Center 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 Recycling Center may make from time to time.

(F) "RESIDENTIAL CUSTOMER": Any property involving three or fewer residential units.

(G) "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.

(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-3 Duty To Provide Cans

Each person who shall store garbage or recyclable materials out of doors on premises owned or occupied by that person shall provide and use cans suitable in capacity for the storage of garbage and recyclable materials accumulating in a normal collection period. 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 reoccurring.

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 persons storing garbage in commercially zoned districts or residential complexes of 4 or more units may store garbage and recyclable materials discretely on their own property or in the alley in cans or other commercial containers if such cans or containers are stored immediately adjacent to the adjoining building.

(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-4 Accumulation And Deposit Of Garbage Or Recyclable materials Prohibited

No person shall permit garbage or recyclable materials to accumulate upon premises owned or occupied by him or her if such accumulation would violate the purpose of this Chapter as set out in 3-1-1 nor shall any person deposit any garbage or recyclable materials upon any other premises except the County Landfill unless such person has been authorized by the owner of the premises to deposit such materials there.

(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-5 Optional Means of Collection

It shall be optional whether the City:

(A) Collects garbage, recyclable materials and yard waste with its own equipment and employees;

(B) Makes a contract with a qualified person to collect garbage, recyclable materials, or yard waste;

or

(C) Issues a permit to a qualified person to collect garbage, recyclable materials and yard waste.

The Council by resolution shall elect the method or methods to be used in the collection of garbage, recyclable materials and yard waste.

If the City, by proper action of its Council, elects to own the equipment or to contract for the collection of garbage, recyclable materials and yard waste, it shall defray this cost as provided by State law.

If the City, by action of its Council, elects to permit the collection of garbage, recyclable materials and yard waste other than by contract, the Council may issue permits to applicants upon the payment of a permit fee, in the amount set by Council Resolution. Each permit shall expire one year from the date of issuance. No person may be issued a permit for the collection of garbage, recyclable materials and yard waste unless the person shall demonstrate that he or she has a proper vehicle, as described in Section 3-1-11, duly registered and licensed, and that in addition such person has General Liability Insurance-Combined Single Limit for Bodily Injury and Property Damage Liability (including Premises and Operations, Products and Completed Operation and Contractual Liability) in an amount not less than of One Million Dollars (\$1,000,000.00) per occurrence plus Automobile Liability Insurance in an amount not less than One Million Dollars (\$1,000,000.00) per accident plus Worker's Compensation Insurance with Employer's Liability limits of at least Five Hundred Thousand Dollars (\$500,000.00)/Five Hundred Thousand Dollars (\$500,000.00)/Five Hundred Thousand Dollars (\$500,000.00). The General Liability and Automobile Liability policies must name the City of Storm Lake, Iowa as an additional insured. The period of the insurance coverage required shall be at least sufficient to coincide with the period being requested. The Council may also establish other regulations necessary to protect the public health which each permit holder must obey. Upon the holder's failure to comply with the rules established or the provisions of this Chapter, the Council may revoke the permit.

(Ord. 12-O-2004-2005, Amended, 12/06/2004; Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-6 Necessity Of Permit

No person shall collect garbage or recyclable materials except his own unless authorized by contract or permit.

(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-7 Minimum Collection Service

Every collector of garbage and recyclable materials shall at a minimum collect garbage not less than once a week, recyclable materials not less than once a week, and have the capability to pick up yard waste and discarded items too large for garbage cans for which special arrangements have been made at least once weekly (other than weeks that involve a major holiday).

(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-8 Separation Of Yard Waste

Each person intending to have yard waste removed from the property owned or occupied by that person shall insure that yard waste is separated from all other forms of garbage or recycling materials. Each such person shall further insure that all yard waste that is bagged will be clearly identifiable as yard waste so

that said yard waste will not be mistakenly collected at such times as garbage or recyclable materials are collected by the garbage collection services.
(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-9 Bagging Of Recyclable Materials

All persons residing in residential units desiring to have recyclable materials picked up on the day designated for recyclable materials shall bag such recyclable materials only in clear or color transparent plastic bags so that the collector can readily identify the contents of the bags as recyclable materials.
(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-10 Fee Structure - Residential Customers

Every collector from residential customers shall establish a monthly collection fee in an amount to be determined by the collector which will entitle the customer to have picked up on average three 33 gallon bags of garbage per week, or such equivalent amount as would fit within three 33 gallon cans and with no bag or can weighing more than 25 lbs. apiece. This same base fee shall entitle the customer to have picked up an unlimited amount of recyclable materials unless the collector determines in its own judgment that the amount of recyclable materials is excessive for a given residential unit. Each collector shall also establish a pricing system to charge for additional quantities of garbage over and above the weekly average limit and which price shall be sufficient to encourage customers to separate and recycle to the greatest extent possible. All solid waste haulers must provide evidence of unit based pricing to do business within the City limits of Storm Lake.
(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-11 Collection Equipment

All garbage and recyclable materials as well as yard waste must be transported in factory-made compaction equipment as recognized by the waste industry.
(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-12 Alley Embargo

The Mayor is hereby authorized to place an embargo on the use of all unpaved alleys for the purpose of collection of garbage, recyclable materials and yard waste when weather and ground conditions are such that the use of the alleys by garbage collection equipment would cause unusual damage to the alley. When such embargoes are in effect, all persons shall, on collection days, place their garbage cans or bags next to the street for collection.
(Ord. 15-O-2003-2004, Add, 06/21/2004)

Section 3-1-13 Disposal

All persons collecting garbage, recyclable materials and yard waste by contract or under permit shall utilize an approved landfill or other approved disposal facility for the deposit of such collected garbage and rubbish.
(Ord. 15-O-2003-2004, Add, 06/21/2004)

Section 3-1-14 Municipal Infraction

A violation of any of the provisions of this Chapter shall constitute a Municipal infraction subject to the penalties and alternative relief authorized by Title 1, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa."

(Ord. 15-O-2003-2004, Add, 06/21/2004)

5-1-2018

Keri, this is to let you know how I feel about this doggone garbage container that the council would like to implement! I'm definitely against it. To begin with if they place these containers on 5th Street - What a hazard that will be to the traffic with them sitting on the curb. Its bad enough now with peoples garbage cans in the street after garbage has been pick up as the empties are laying in the street after pick up. They get blown over and hit by cars. There is Heavy Traffic all along there especially during school! Not only that, I take my own garbage out to the recycle center and it only costs us \$10.00 for a Big Load. I will not have that darn container sitting on my front yard any time!!! I'm not the only one that feels this way! If Mr Rice doesn't want others putting their garbage in his dumpsters - Then he needs to put a lock on them! I know some that have had to do that. I think the Sunshine Haulage service dose a very good job. People can't afford to have this added to our water bills - Mine is high enough as it is. Thank You Keri for listening to me. I appreciate it.

Sincerely

Altha Stephan.

Another thing people think the council is acting just like the government. Some of their doings are just as bad! Some if I stepped on the wrong toes!

Staff Summary

5/7/2018

Agenda Item # 12.



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

FROM: Keri Navratil, City Manager

SUBJECT: **Worksession- Removal of Rental Inspections**

BACKGROUND:

FISCAL IMPACT:

RECOMMENDATION:

ATTACHMENTS:

	Description	Type
□	Housing Code	Ordinance

Chapter 5-8

HOUSING CODE

Sections:

5-8-1	PURPOSE
5-8-2	APPLICATION
5-8-3	HOUSING CODE ADOPTED
5-8-4	AUTHORITY
5-8-5	PARTS NOT APPLICABLE
5-8-6	COMPLIANCE - MODIFICATION
5-8-7	SUBSTANDARD BUILDINGS INAPPLICABLE SECTIONS
5-8-8	CODE CITATIONS IN SUPPORT OF SUBSTANDARD BUILDING STANDARDS
5-8-9	REGISTRATION; REGISTRATION FEES
5-8-10	HOUSING ADVISORY AND APPEALS BOARD
5-8-11	MUNICIPAL INFRACTION

Section 5-8-1 PURPOSE

The purpose of this Chapter shall be to establish the authority of the City with regard to rental housing within the City and to provide for the adoption of a uniform housing code.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-2 APPLICATION

The provisions of this Chapter shall apply to all residential units, including single family homes, duplexes, apartments, rural houses or condominiums which are leased for consideration to a person or persons other than the owner.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-3 HOUSING CODE ADOPTED

Pursuant to published notice and public hearing as required by law, the Uniform Housing Code, 1994 Edition, as published by the International Conference of Building Officials, is hereby adopted, except to the extent modified hereafter, as the housing code for the City applicable to all rental housing, and it is hereby incorporated by reference.

A copy of the Uniform Housing Code, 1994 Edition shall be maintained in the office of the Code Enforcement Officer and shall be available for public inspection during all normal business hours.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-4 AUTHORITY

The use of the term "building official" within the Uniform Housing Code shall mean the Code Enforcement Officer for the City of Storm Lake, or the Fire Chief, or such other persons as may be designated by the City Administrator or the Fire Chief.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-5 PARTS NOT APPLICABLE

Chapters 15 and 16 and Section 504.1 through 504.3 of the Uniform Housing Code, 1994 edition, shall not be applicable within the City of Storm Lake, Iowa.

(Ord. No. 079596, Enacted, 12/18/95; Ord. No. 119596, Amended, 05/06/96)

Section 5-8-6 COMPLIANCE - MODIFICATION

The second sentence of Section 1401.1 shall not apply within the City of Storm Lake. Instead, a violation of any of the provisions of this Chapter shall constitute a municipal infraction subject to the penalties and alternative relief authorized by Title I, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa.

(Ord. No. 079596, Enacted, 12/18/95)

Section 5-8-7 SUBSTANDARD BUILDINGS INAPPLICABLE SECTIONS

The following Sections of Chapter 10 of the Uniform Housing Code relating to substandard buildings shall not apply within the City of Storm Lake.

(A) Subsections 2, 4, 7, 8, 9, 11, 12, 13 and 15 of Section 1001.2 as well as the words "include, but not" contained in the definition of inadequate sanitation set forth in the introductory portion of Section 1001.2.

(B) Subsections 1 and 9 of Section 1001.3 as well as the words "include, but not" contained in the definition of structural hazards set forth in the introductory portion of Section 1001.3.

(C) Section 1001.4.

(D) Section 1001.10.

(E) Section 1001.11 to the extent that it would apply to owners of leased premises, provided, however, that owners shall be subject to Section 1001.11 if the occupant responsible for the accumulation no longer resides in the premises. Section 1001.11 shall remain in effect as to occupants of leased premises."

(Ord. No. 079596, Enacted, 12/18/95; Ord. No. 119596, Amended, 05/06/96)

Section 5-8-8 CODE CITATIONS IN SUPPORT OF SUBSTANDARD BUILDING STANDARDS

The following references to substandard building standards set forth in Chapter 10 of the Uniform Housing Code and set out in the left column below shall be held to mean a condition which does not meet the standards set forth in the code section or sections set forth opposite that standard:

Substandard Building Standard Support Code Section

1001.2(1)	UHC 505.1, UPC 401.2
1001.2(3)	UHC 505.3, UPC 420.0
1001.2(5)	Definitions/Chapter 4, UHC
1001.2(6)	UHC 701.1, IBC 1204.1
1001.2(8) (Ventilation only)	UHC 504
1001.2(10)	UHC 504.4, UHC 701.2
1001.2(14)	UHC 1001.2, Section 3-2-2(d) Storm Lake City Code
1001.3(2)	UHC 1001.3, Tables 2308.4.2.1(1), 2308.4.2.1(2), IBC
1001.3(3)	UHC 101.3, Tables 2308.4.2.1(1), 2308.4.2.1(2), IBC
1001.3(5)	Table 2308.5.1 IBC
1001.3(7)	Tables 2308.7.1(1), (2) and 2308.7.2(3) IBC
1001.3(8)	UHC 1001.3
1001.5	<u>Control Panel</u> Access IFC 605.3 Labeled IFC 605.3.1 Openings NEC 110.12(A) <u>Outlets</u> Covered NEC 406.6 Open Wires/Splices IFC 605.6 Extension Cords IFC 605.5 Proper Overcurrent Protection NEC 310.15(B)(16) Electrical Service Sized To Loads Imposed NEC 230.23
1001.6	Plumbing Which Has Not Been Maintained In Good Condition UHC 1001.6 Plumbing Which Has Cross Connections Or Siphonage Between Fixtures UPC 602.0
1001.7	Water Heaters and Boilers Which Do not have the Pressure Relief Valve Piped To Within 6" To The Floor UPC 608.5 Fuel Fired Equipment Without A Shutoff Valve Installed in the Gas Piping Within 6' of the Appliance UPC 1212.5
1001.9	Buildings Not Designed For Occupancy UHC 1001.14 Improper Number of Exits Provided For Occupancy Load IBC 1006 Improper Storage Class I and II NFPA 30, Chapter 9.3.6 and 9.3.7 Flammable Containers IFC 30404.3.4 Smoke Detectors - IFC 907.2.11 Fire Alarm Systems - IFC 907.2.9 Fire Extinguishers - IFC 906

(Ord. No. 079596, Enacted, 12/18/95) (Ord. 01-O-2016-2017, Amended, 09/06/2016; Ord. 15-O-2010-2011, Amended, 05/02/2011)

Section 5-8-9 REGISTRATION; REGISTRATION FEES

The owner or owners of each residential unit held out for rental to the public shall register that rental unit and their ownership thereof with the City by filling out a form approved by the City Manager. Such registration shall be done annually during the period July 1 of each fiscal year through and including August 31 of such fiscal year. For new rental housing, housing newly converted to rental housing, or new ownership of rental housing, such registration shall take place within the thirty (30) day period immediately following the change of ownership or first occupancy of a rental unit by a tenant or tenants. Owners shall pay a registration fee of fifteen dollars (\$15.00) which shall include a base registration fee to cover the structure and one (1) rental unit within that structure plus an additional seven dollars (\$7.00) for each rental unit in excess of one (1). The owner or owners shall pay an additional fifty dollar (\$50.00) late registration fee for any rental unit which is not registered within the time frame set forth above. If a rental unit is registered for the fiscal year July 1 to June 30 of the following year and it is sold or conveyed to a new owner during the fiscal year, the old owner shall notify the City Clerk of the change of ownership. The City shall not assess a fee for recording a change of ownership.

The base fee for timely registrations shall be reduced from fifteen dollars (\$15.00) to ten dollars (\$10.00), and the fee for additional units from seven dollars (\$7.00) to five dollars (\$5.00), if the owner has proof that the owner or the owner's designated manager attended a training session for rental unit owners given by the City within the preceding twelve (12) months. The housing inspectors providing such training shall provide persons attending such training with a certificate which documents their attendance.

The City Housing Inspector is hereby authorized to schedule such inspections of the rental units as are required to ensure compliance and shall attempt to work with the owner or owners to find a mutually agreeable time during business hours to make the inspection. At the time scheduled for the inspection, the owner or owners shall ensure that one or more of them are available to show the premises or they may arrange to have the premises shown by any other responsible adult they may designate. If the inspector arrives at the time scheduled and no person is available to show the premises to him, the owner or owners shall pay a fifty dollar (\$50.00) "no show" fee and the inspection shall be rescheduled for the earliest appropriate time.

If the housing inspector discovers conditions not in compliance with the housing code, the inspector shall so notify the owner or owners and shall set a date by which the violations shall be brought into compliance. The amount of time allowed by the inspector shall vary depending upon the circumstances with the greatest urgency being required for those violations which pose a serious threat to human health or safety. At the expiration of the time in which the violation must be brought into compliance, the housing inspector shall reinspect the premises to determine compliance. A fee of thirty-five dollars (\$35.00) shall be charged for the first reinspection and all additional reinspections which are required in a given year.

(Ord. No. 079596, Enacted, 12/18/95) (Ord. 10-O-2011-2012, Amended, 01/03/2012; Ord. 12-O-2004-2005, Amended, 12/06/2004)

Section 5-8-10 HOUSING ADVISORY AND APPEALS BOARD

Notwithstanding the provisions of Section 203.1 of the Uniform Housing Code, 1994 Edition, the City Council shall constitute the Housing Advisory and Appeals Board. If both the appellant and the City Council agree, they may waive any or all of the procedures of Chapter 13 of the Uniform Housing Code in connection with a hearing requested by the appellant.

(Ord. No. 079596, Enacted, 12/18/95; Ord. No. 119596, Amended, 05/06/96)

Section 5-8-11 MUNICIPAL INFRACTION

Violation of any of the requirements set forth in this Chapter shall constitute a municipal infraction. Normally, if the Housing Inspector/Building Official discovers deficiencies that require correction, a municipal infraction will not be filed unless the owner fails to correct the deficiencies within the time allowed but they may, if circumstances warrant, file a municipal infraction upon initial discovery of a violation.

(Ord. 10-O-2011-2012, Add, 01/03/2012)