

**CITY OF STORM LAKE
REGULAR COUNCIL MEETING, CITY HALL
COUNCIL CHAMBERS
AUGUST 1, 2016
5:00 PM**



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

AGENDA

1. Hear the Public
2. Consent Agenda
 - A. **Adopt Resolution No. 05-R-2016-2017 Approving the Consent Agenda**
 - B. **Buy Local Information**
 - C. Resolution Approving Requests Associated With the 2016 Step Up Running Event
 - D. Motion to Approve a Noise Variance and Permission to Erect a Gazebo for a Wedding in Scout Park
3. Resolution No. 06-R-2016-2017 Approving and Authorizing Execution of a First Amendment to the Development Agreement by and Between the City of Storm Lake and Storm Lake Development Group LLC.
4. Resolution No. 07-R-2016-2017 Determining the Necessity and Setting Dates of a Consultation and a Public Hearing on a proposed South School Urban Renewal Plan
5. Resolution No. 08-R-2016-2017 Setting A Public Hearing On A Proposal To Amend The City Code By Updating The Referenced Construction Codes and Standards To The Most Recent Editions.
6. Resolution No. 09-R-2016-2017 Approving Change Order #2 to the 2016 Erie Street CDBG Stormwater Improvements Project
7. Motion Approving The Third Amendment To The Engineer's Agreement For Phase 2 - Final Design And Construction Administration Sanitary Sewer Mitigation Project.
8. Resolution No. 10-R-2016-2017 Approving Submittal of a 2016 Reap City Parks and Open Spaces Grant Application
9. 2016 REAP City Parks and Open Spaces Purchase Offer
10. 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.*



Find us on Facebook <https://www.facebook.com/cityofstormlake>



Follow us on Twitter



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

Staff Summary

8/1/2016

Agenda Item # A.



City of Storm Lake

PO Box 1086

Storm Lake, IA 50588

p (712) 732-8000

f (712) 732-4114

REPORT TO: Honorable Mayor and City Council

FROM: Mayra Martinez, Deputy City Clerk

SUBJECT: **Adopt Resolution No. 05-R-2016-2017 Approving the Consent Agenda**

BACKGROUND: The Consent Agenda Includes:

- List of bills for approval
- King's Pointe disbursements for approval
- Sunrise Pointe bills for approval
- Approve July 18, 2016 City Council Minutes
- Approve liquor license renewals for Waterview (Knights of Columbus), El Mariachi, and Boz Wellz
- Approve request associated with the 2016 Step Up Running Event (See attached staff summary)
- Approve request associated with the noise variance and erection of Gazebo at Scout Park (see attached staff summary)

FISCAL IMPACT: The City will pay the following expenditures:

- List of Bills - \$649,809.68
- King's Pointe Bills - \$279,677.58
- Sunrise Pointe Golf Course Bills - \$7,262.12

The City will receive the following revenues:

- Liquor license renewal - \$2,535.00

RECOMMENDATION: Adopt Resolution 05-R-2016-2017 to Approve Consent Agenda

ATTACHMENTS:

Description	Type
☐ Resolution No. 05-R-2016-2017	Resolution
☐ List of Bills	List of Bills
☐ King's Pointe& Sunrise Pointe List of Bills	List of Bills
☐ Minutes - July 18, 2016	Minutes
☐ Waterview-Knights of Columbus Liquor Report	Backup Material
☐ El Mariachi Liquor Report	Backup Material
☐ Boz Wellz Liquor Report	Backup Material

RESOLUTION NO. 05-R-2016-2017

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, list of King's Pointe and Sunrise Pointe Golf Course bills and to prorate to the appropriate funds.

To further approve the minutes as presented to the Council for the regular City Council meeting July 18, 2016.

To further approve liquor license renewals for Waterview, El Mariachi, and Boz Wellz.

To further approve the request for the 2016 Step Up Running Event scheduled for Saturday, September 3, 2016 at 7:30am at Awaysis Park. Permission to use Awaysis Park, close West Awaysis Park parking lot between 6:00am to 12:00pm, noise variance for the Awaysis Park venue between 6:00am to 12:00 pm, issue a Run/Walk permit, and support from the Parks and Police Departments.

To further approve a noise variance from 3:00pm until 4:30pm and permission to erect a gazebo for a wedding in Scout Park on Saturday, August 6, 2016.

PASSED AND APPROVED this 1th day of August 2016.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

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

Checks for Approval Report

From: 07/19/16 To 08/01/16
User: tyler.gibbins

UNAVAILABLE

AFLAC	PR Batch 00553.07.2016 Aflac Pretax	75.32
AFLAC	PR Batch 00553.07.2016 Aflac After tax	50.21
AFLAC	PR Batch 00554.07.2016 Aflac Pretax	457.22
AFLAC	PR Batch 00554.07.2016 Aflac After tax	99.12
City of Storm Lake	PR Batch 00554.07.2016 Dental employee/child	6.00
City of Storm Lake	PR Batch 00554.07.2016 Dental insurance employee c	19.76
City of Storm Lake	PR Batch 00554.07.2016 Dental employee/spouse	12.78
City of Storm Lake	PR Batch 00554.07.2016 Dental insurance family	81.18
City of Storm Lake	PR Batch 00554.07.2016 125 Flexible Benefits	532.97
City of Storm Lake	PR Batch 00554.07.2016 Flex- Child Care	161.54
City of Storm Lake	PR Batch 00554.07.2016 Health Insurance Family	1,709.03
City of Storm Lake	PR Batch 00554.07.2016 Health Insurance Single	376.55
City of Storm Lake	PR Batch 00553.07.2016 Dental insurance employee c	1.13
City of Storm Lake	PR Batch 00553.07.2016 Dental employee/spouse	13.86
City of Storm Lake	PR Batch 00553.07.2016 Dental insurance family	24.45
City of Storm Lake	PR Batch 00553.07.2016 125 Flexible Benefits	265.21
City of Storm Lake	PR Batch 00553.07.2016 Flex- Child Care	62.50
City of Storm Lake	PR Batch 00553.07.2016 Health Insurance Family	597.20
City of Storm Lake	PR Batch 00553.07.2016 Health Insurance Single	24.00
Collection Services Center	PR Batch 00554.07.2016 Child Support Payments to I	222.00
Conseco Health Insurance Co	PR Batch 00554.07.2016 Cancer Pre Tax Insurance	41.04
EFTPS	PR Batch 00554.07.2016 Federal Income Tax	11,425.05
EFTPS	PR Batch 00554.07.2016 FICA Employee Portion	4,234.76
EFTPS	PR Batch 00554.07.2016 FICA Employer Portion	4,234.76
EFTPS	PR Batch 00554.07.2016 Medicare Employee Portion	1,556.11
EFTPS	PR Batch 00554.07.2016 Medicare Employer Portion	1,556.11
EFTPS	PR Batch 00553.07.2016 Federal Income Tax	5,869.80
EFTPS	PR Batch 00553.07.2016 FICA Employee Portion	1,985.97
EFTPS	PR Batch 00553.07.2016 FICA Employer Portion	1,985.97
EFTPS	PR Batch 00553.07.2016 Medicare Employee Portion	559.42
EFTPS	PR Batch 00553.07.2016 Medicare Employer Portion	559.42
ICMA Retirement Trust 457	PR Batch 00553.07.2016 ICMA	675.00
ICMA Retirement Trust 457	PR Batch 00553.07.2016 ICMA City Paid	550.01
ICMA Retirement Trust 457	PR Batch 00553.07.2016 ICMA City paid for Police	451.85
ICMA Retirement Trust 457	PR Batch 00554.07.2016 ICMA	1,585.00
Iowa Public Employees	PR Batch 00554.07.2016 IPERS	3,623.42
Iowa Public Employees	PR Batch 00554.07.2016 IPERS City Share	5,438.09
Iowa Public Employees	PR Batch 00553.07.2016 IPERS	1,243.01
Iowa Public Employees	PR Batch 00553.07.2016 IPERS City Share	1,865.53
ITT Hartford AMS RPVA	PR Batch 00553.07.2016 457 Hartford	100.00
ITT Hartford AMS RPVA	PR Batch 00554.07.2016 457 Hartford	225.00
Muni Fire/Police Retire	PR Batch 00554.07.2016 Muni Police/Fire Pension	3,045.92
Muni Fire/Police Retire	PR Batch 00554.07.2016 Muni Police/Fire Pension Ci	8,399.04
Muni Fire/Police Retire	PR Batch 00553.07.2016 Muni Police/Fire Pension	568.15
Muni Fire/Police Retire	PR Batch 00553.07.2016 Muni Police/Fire Pension Ci	1,566.64
Teamsters Local Union 554	PR Batch 00554.07.2016 Union Dues	168.50
Treasurer State Of Iowa	PR Batch 00554.07.2016 State Income Tax	4,165.03
Treasurer State Of Iowa	PR Batch 00553.07.2016 State Income Tax	2,053.19

UNAVAILABLE

Department Total = 74,523.82

Police Department

Bob's Garage LLC	Towing Services	90.00
Buena Vista Regional Medical Center	ID Tags for McDonald & Bravo	10.00
Buena Vista Stationery & Print Inc	Folders	16.99
Buena Vista Stationery & Print Inc	Binder	8.49

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

Checks for Approval Report

From: 07/19/16 To 08/01/16
User: tyler.gibbins

Central Bank	Fuel	43.24
City of Storm Lake	Health Ins Allocations Aug2016	23,897.92
Cole Chris J	IACP Conference Airline Ticket Reimbursement	352.70
Digital Ally Inc	Camara Clips	70.00
Genesis Development	June 2016 Janitorial Services	600.00
Herrera Jaime	Door Breach Repairs	536.26
Hy-Vee, Inc	Supplies	24.84
Iowa Office Supply Inc	Counterfeit Detector Pen	3.90
Iowa Office Supply Inc	Labels	35.68
Jack's Uniforms & Equipment	ASP for Bravo	98.94
Jack's Uniforms & Equipment	Wedges	35.80
Jack's Uniforms & Equipment	Wedges	70.89
Mangold Environmental Testing	Shipping	19.33
Mangold Environmental Testing	Shipping	18.25
Med-Tech Resource Inc	Radio Batteries	384.22
MidAmerican Energy Company	Electric Service May/June 2016	1,614.37
Midwest Radar & Equipment	Decator	280.00
Nepple Electric Inc	Ballast Replacement	78.81
O'Reilly Auto Parts	Lights	5.40
O'Reilly Auto Parts	Wiper Fluid	12.95
Platt Breanna	Dive Team Training- Mason City- Platt	227.60
Principal Life Ins Co	Insurance Premium August 2016	2,273.21
Prosser Mark	Reimbursement for Registion to Iowa Diversity Conf'	69.00
Prosser Mark	Iowa Diversity Conference- Des Moines- Prosser	81.00
Unity Point Health Trinity Regional Medical Center	Physical- Bravo	868.84
Wal Mart #01-1526	USB Drive	7.97
Wal Mart #01-1526	Batteries	11.97
Wal Mart #01-1526	Supplies	32.97
Wal Mart #01-1526	Supplies	23.82
Wal Mart #01-1526	Supplies	3.14
Wal Mart #01-1526	Supplies	3.84
Wal Mart #01-1526	Supplies	20.94
Wal Mart #01-1526	Supplies	12.56
Wal Mart #01-1526	Supplies	30.86
Wal Mart #01-1526	Supplies	12.96
Wal Mart #01-1526	Supplies	13.86
Wal Mart #01-1526	Weed Supplies	79.96
Wede's Lock Service Joe	Keys P-11	6.00
Yards & Etc	Mowing Services 609 W 6th	75.00
Yards & Etc	Mowing Services 609 Grand	75.00

Police Department **Department Total =** 32,239.48

Fire Department

Arnold Motor Supply, LLP	Filters- MoCom1	24.61
Arnold Motor Supply, LLP	Filters #78	110.89
Arnold Motor Supply, LLP	Filters #74	69.07
Buena Vista Regional Medical Center	FD Physical- Wahlberg	743.00
Buena Vista Regional Medical Center	FD Physical- Ramos	531.00
City of Storm Lake	Health Ins Allocations Aug2016	2,193.42
Hy-Vee, Inc	Supplies	21.52
North Lake Truck Repair	Betteries for Engine 74	761.64
Principal Life Ins Co	Insurance Premium August 2016	182.94
Storm City Auto Parts	Air Compressor	649.99

Fire Department **Department Total =** 5,288.08

Building Official

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

Checks for Approval Report

From: 07/19/16 To 08/01/16
User: tyler.gibbins

Accela, Inc #774375	FY2017 Annual Maintenance 10/1/2016 to 9/30/2017	4,635.80
Arnold Motor Supply, LLP	Blade	17.98
City of Storm Lake	Health Ins Allocations Aug2016	2,168.17
Olesen Scott E	Joist Hangar Reimbursement	7.50
Principal Life Ins Co	Insurance Premium August 2016	139.31

Building Official

Department Total = 6,968.76

Law Enforcement

Custodian of Petty Cash	7/26/2016 Investigation Buy Money	1,000.00
-------------------------	-----------------------------------	----------

Law Enforcement

Department Total = 1,000.00

Crime Prevention

Better Day Cafe	7/13/2016 Coffee With a Cop (Less Tax)	76.50
-----------------	--	-------

Crime Prevention

Department Total = 76.50

Roadway Maintenance

Accela, Inc #774375	FY2017 Annual Maintenance 10/1/2016 to 9/30/2017	4,635.80
Arnold Motor Supply, LLP	Nozzle	12.99
Buena Vista Stationery & Print Inc	Note Pads Cut	12.50
Central Iowa Distributing, Inc	Cleaning Supplies	265.00
City of Storm Lake	Health Ins Allocations Aug2016	6,799.17
CNH Industrial America LLC	Chain & Handle	95.38
CNH Industrial America LLC	Chain	12.83
CNH Industrial America LLC	Motor Head, Extensions, & Supplies	865.60
Color-ize Inc	Employee Recognition Dinner Supplies	67.67
Fastenal Company	Supplies	4.87
Hallett Materials	Cold Mix	1,200.60
Inobbar LLC	FY2017 NovusAgend Subscription through 10/23/201	700.00
Iowa Dept of Natural Resources	FY2017 Lake Avenue Trail Permit Fee	175.00
MidAmerican Energy Company	Electric Service May/June 2016	516.42
NW Iowa Planning & Development Commission	SHIELD Draw #1 FY2017	333.33
Principal Life Ins Co	Insurance Premium August 2016	463.81
ProBuild	Supplies	29.92
Vogel Traffic Services Inc	Pavement Marking Services	2,392.50
Wal Mart #01-1526	Supplies	47.93

Roadway Maintenance

Department Total = 18,631.32

Street Lighting

MidAmerican Energy Company	Electric Service May/June 2016	12,757.96
----------------------------	--------------------------------	-----------

Street Lighting

Department Total = 12,757.96

Snow Removal

City of Storm Lake	Health Ins Allocations Aug2016	2,228.08
Principal Life Ins Co	Insurance Premium August 2016	139.16

Snow Removal

Department Total = 2,367.24

Airport

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

Checks for Approval Report

From: 07/19/16 To 08/01/16
User: tyler.gibbins

Amerigas	Propane	745.74
Bart's Flying Service	July 2016 Airport Manager's Contract	5,063.04
Eastern Aviation Fuels, Inc	Jet A Fuel	14,269.36
Iowa Lakes Regional Water	July 2016 Water Service	62.41
K&W Electric Inc	Re-Align PAPI Lights for FAA	467.50
MidAmerican Energy Company	Electric Service May/June 2016	779.73
Nepple Electric Inc	Pump Repairs	379.02
Nepple Electric Inc	Runway Light Repairs	3,610.52
Reding Gravel & Excavating Co., Inc	Tile Repairs	1,500.00
Wal Mart #01-1526	Restroom Supplies	52.70

Airport **Department Total =** 26,930.02

Transit

Regional Transit Authority	4th Qtr FY2016 Rides	257.00
----------------------------	----------------------	--------

Transit **Department Total =** 257.00

Library

Baker & Taylor, Inc	Books	51.19
Baker & Taylor, Inc	Books	14.56
Barnes & Noble Booksellers, Inc		31.34
Brodart Co	Books	109.21
Buena Vista Stationery & Print Inc	Paper	94.97
Buena Vista Stationery & Print Inc	Note Paper	6.29
Buena Vista Stationery & Print Inc	Planner	23.99
Central Iowa Distributing, Inc	Cleaning Supplies	58.30
City of Storm Lake	Health Ins Allocations Aug2016	5,668.83
Custodian of Petty Cash Kim Mehlenbacher	Postage	200.06
Genesis Development	June 2016 Janitorial Services	600.00
Houchen Bindery Ltd	Phase Box	45.10
Ingram Library Services, Inc	Books	16.79
Ingram Library Services, Inc	Books	19.09
Ingram Library Services, Inc	Books	16.78
Ingram Library Services, Inc	Books	16.19
Ingram Library Services, Inc	Books	17.37
Ingram Library Services, Inc	Books	16.78
Ingram Library Services, Inc	Books	17.34
Ingram Library Services, Inc	Books	32.44
Ingram Library Services, Inc	Books	31.28
Ingram Library Services, Inc	Books	16.79
Ingram Library Services, Inc	Books	16.21
Ingram Library Services, Inc	Books	6.04
JNB Acquisition Corporation	Copier Maintenance Agreement	18.10
Junior Library Guild	Graphic Novels High	207.60
MidAmerican Energy Company	Electric Service May/June 2016	927.83
Midwest Tape LLC	DVDs	69.97
Midwest Tape LLC	DVDs	33.99
Pilot Tribune	FY2017 Annual Subscription	65.00
Pilot Tribune	Help Wanter Advertising	297.22
Principal Life Ins Co	Insurance Premium August 2016	196.35
Recorded Books LLC	CDs	35.99
Recorded Books LLC	CDs	31.49
Recorded Books LLC	CDs	12.87
Seiler Plumbing & Heating Inc	Men's Restroom Repairs	110.00
Storm Lake Times The	Help Wanted Advertising	112.04

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

Checks for Approval Report

From: 07/19/16 To 08/01/16
User: tyler.gibbins

Turnquist Laura	Homebound Delivery Mileage- June 2016	16.20
Turnquist Laura	Material Repairs- State Library- Turnquist	157.68
Wal Mart #01-1526	Supplies (Will Show Return on Next Month Statement	33.24
Wal Mart #01-1526	Pest Supplies	31.07
Wal Mart #01-1526	Pest Supplies	3.98

Library	Department Total =	9,487.56
----------------	---------------------------	----------

Band

Central Bank	Band Supplies	96.32
--------------	---------------	-------

Band	Department Total =	96.32
-------------	---------------------------	-------

Parks Department

A & A Automotive	ABS Light Repairs- Fuel Truck	88.31
A & A Automotive	Tie Rod & Ball Joint Repairs	1,120.16
Alta Implement Company Inc	Rod, Seal, Pin & Supplies WW Mower	121.34
Arnold Motor Supply, LLP	Relay	18.93
Arnold Motor Supply, LLP	Belt	31.56
City of Storm Lake	Health Ins Allocations Aug2016	2,176.00
CNH Industrial America LLC	Weed Eater Base	9.72
Fastenal Company	Supplies	18.14
Koenig Jeff	Pot-A-Pot Rental & Cleaning	220.00
L & G Products, Inc	Shaws	666.00
MidAmerican Energy Company	Electric Service May/June 2016	664.65
Principal Life Ins Co	Insurance Premium August 2016	198.70

Parks Department	Department Total =	5,333.51
-------------------------	---------------------------	----------

Golf Course

Arnold Motor Supply, LLP	Filters	127.72
Arnold Motor Supply, LLP	Plier	36.99
City of Storm Lake	Health Ins Allocations Aug2016	620.50
Fastenal Company	Safety Glasses & Supplies	12.96
Island Sprinkler Supply	Pump, Rotor, Solenoid & Electrical Remote	1,011.17
MidAmerican Energy Company	Electric Service May/June 2016	340.57
Principal Life Ins Co	Insurance Premium August 2016	57.11
Zimco Supply Co	Herbicide	62.25
Zimco Supply Co	ArmorTech	78.00

Golf Course	Department Total =	2,347.27
--------------------	---------------------------	----------

Campgrounds

Arctic Glacier U.S.A., Inc.	Ice	90.25
Arctic Glacier U.S.A., Inc.	Ice	65.26
City of Storm Lake	Health Ins Allocations Aug2016	206.92
Evans Melissa	Campground Refund 5/31/2016	63.00
MidAmerican Energy Company	Electric Service May/June 2016	2,971.85
Principal Life Ins Co	Insurance Premium August 2016	19.04
ProBuild	Treated Wood for Picnic Tables	78.24
Thompson Cynthia	Campground Refund	50.00
Wal Mart #01-1526	Supplies	58.18
Wal Mart #01-1526	Supplies	14.76
Wal Mart #01-1526	Supplies	13.76

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

Checks for Approval Report

From: 07/19/16 To 08/01/16
User: tyler.gibbins

Campgrounds

Department Total = 3,631.26

UNAVAILABLE

MidAmerican Energy Company Electric Service May/June 2016 1,600.22

UNAVAILABLE Department Total = 1,600.22

Shelter House

MidAmerican Energy Company Electric Service May/June 2016 214.86

Shelter House Department Total = 214.86

UNAVAILABLE

Reinert Michael P Screw Pin Anchors 22.10

UNAVAILABLE Department Total = 22.10

Dohrman Trust

Century Business Products,Inc Copier Maintenance Agreement (Partial) 15.00

Dohrman Trust Department Total = 15.00

Economic Develop

Iowa Lakes Corridor Development Corp FY2017 Annual Support Fee 25,000.00
Simmering-Cory Inc Downtown Facade Admin Services 3rd & 4th Mileston 8,000.00

UNAVAILABLE Department Total = 33,000.00

Dredging

City of Storm Lake Health Ins Allocations Aug2016 158.42
Principal Life Ins Co Insurance Premium August 2016 20.69

Dredging Department Total = 179.11

Mayor, Council, Manager

City of Storm Lake Health Ins Allocations Aug2016 22.83
Principal Life Ins Co Insurance Premium August 2016 50.31

Mayor, Council, Manager Department Total = 73.14

Policy & Administration

City of Storm Lake Health Ins Allocations Aug2016 1,582.25
Principal Life Ins Co Insurance Premium August 2016 88.38

Policy & Administration Department Total = 1,670.63

City Hall Building

Genesis Development June 2016 Janitorial Services 200.00
MidAmerican Energy Company Electric Service May/June 2016 759.24
Steve's Window Svc Window Cleaning Services 37.00

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

Checks for Approval Report

From: 07/19/16 To 08/01/16
User: tyler.gibbins

City Hall Building

Department Total = 996.24

Tort Liability

Stille Pierce & Pertzborn	Add 2016 Ford Taurus	303.00
Stille Pierce & Pertzborn	Add 2016 Silverado	258.00

Tort Liability

Department Total = 561.00

Other Policy & Administration

Accela, Inc #774375	FY2017 Annual Maintenance 10/1/2016 to 9/30/2017	4,635.81
Central Bank	Iowa League of Cities Conf Registration- Kruse	205.00
Central Bank	Meeting Expense	170.64
Central Bank	Iowa League of Cities Summer Conf- Navratil	51.66
Central Bank	Iowa League of Cities Summer Conf- Patrick	51.66
Central Bank	Meeting Expense	47.22
Color-ize Inc	Employee Recognition Dinner Supplies	67.68
Genesis Development	June 2016 Shredding Services	4.88
Inobbar LLC	FY2017 NovusAgend Subscription through 10/23/201	700.00
Iowa League of Cities	2016 IaCMA Summer Conf- Pruden	25.00
La Prensa LLC	Boards & Commissions Advertising	118.75
NW Iowa Planning & Development Commission	SHIELD Draw #1 FY2017	333.33
Pitney Bowes Inc.	Lease Contract throguh 7/29/2016	100.00
Qualified Presort Service, LLC	City Tidbits	204.53
Wal Mart #01-1526	Supplies	65.93

Other Policy & Administration

Department Total = 6,782.09

Water Administration

Accela, Inc #774375	FY2017 Annual Maintenance 10/1/2016 to 9/30/2017	4,635.81
Buena Vista Stationery & Print Inc	Note Pad Cutting	20.55
Central Bank	Iowa League of Cities Summer Conf- Navratil	51.67
Central Bank	Iowa League of Cities Conf Registration- Patrick	205.00
Central Bank	Iowa League of Cities Summer Conf- Patrick	51.67
Central Bank	Clerk School- Martinez	187.50
City of Storm Lake	Health Ins Allocations Aug2016	3,090.49
Color-ize Inc	Employee Recognition Dinner Supplies	67.68
Genesis Development	June 2016 Janitorial Services	200.00
Inobbar LLC	FY2017 NovusAgend Subscription through 10/23/201	700.00
NW Iowa Planning & Development Commission	SHIELD Draw #1 FY2017	333.33
Pitney Bowes Inc.	Lease Contract throguh 7/29/2016	100.00
Principal Life Ins Co	Insurance Premium August 2016	203.17
Qualified Presort Service, LLC	Monthly Statements	383.00
Qualified Presort Service, LLC	ACH Statements	89.85
Qualified Presort Service, LLC	ACH Final Bills	2.76
Qualified Presort Service, LLC	Final Bills	6.84

Water Administration

Department Total = 10,329.32

Water Plant

Bolton & Menk, Inc	2016 Water Main Improvements through 7/5/2016	179.00
City of Storm Lake	Health Ins Allocations Aug2016	5,646.58
Color-ize Inc	Business Cards- Davis	92.25
Control System Specialists, LLC	Cleaned Condensing Units and added R-22	703.36
Diehl Donald P	FY2017 Lease Payment, Parcel 2, 3, & 4	625.00

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

Checks for Approval Report

From: 07/19/16 To 08/01/16
User: tyler.gibbins

Diehl Donald P	FY2017 Seeding	380.00
Diehl Golda	FY2017 Lease Payment	1,000.00
Environmental Resource Associates	Testing Service	266.71
Fastenal Company	Safety Glasses	61.35
Hawkins, Inc	Sodium Hypo	4,394.85
Hawkins, Inc	Fluoride	1,273.60
JNB Acquisition Corporation	Copier Maintenance Agreement	26.46
Johnson James Patrick	Camera Hwy 110 Sewer Line	230.00
Lou's Gloves, Inc	Lab Supplies	156.00
MidAmerican Energy Company	Electric Service May/June 2016	23,560.68
Mike's Lawn Service, Inc	Round Up	50.00
Mississippi Lime Company	Lime	4,822.20
Mississippi Lime Company	Lime	4,812.70
Mississippi Lime Company	Lime	4,603.70
Mississippi Lime Company	Lime	4,719.60
NCL of Wisconsin Inc	Lab Supplies	217.69
Northern Safety Co, Inc	Calib Gas & Regulator	307.76
PraxAir inc	Carbon Dioxide	996.49
Principal Life Ins Co	Insurance Premium August 2016	320.88
Stanley Mark	Welding Services	22.50
Vessco Inc	Pumphead	411.20
Wal Mart #01-1526	Supplies	104.00

Water Plant	Department Total =	59,984.56
--------------------	---------------------------	------------------

Water Distribution

City of Storm Lake	Health Ins Allocations Aug2016	1,557.00
City of Storm Lake	City Decals #128	72.54
Fastenal Company	Safety Glasses & Supplies	380.05
Fastenal Company	Traffic Cones	224.16
Fastenal Company	Knife, Blades, & Supplies	209.07
Fastenal Company	Tape & Supplies for High School Meter Replacement	24.83
Fastenal Company	Batteries	67.57
Fastenal Company	Supplies	14.42
Ferguson Enterprises Inc	Cap & Supplies	37.74
Iowa Dept of Natural Resources	Flindt Drive- 2016 Water Main Improvments	100.00
MidAmerican Energy Company	Electric Service May/June 2016	75.48
Pollard Co, Inc Joseph G	Hand Tools	139.30
Principal Life Ins Co	Insurance Premium August 2016	123.76
Underground Location Company	Locates	60.05
Utility Equipment Co	Hose	25.71

Water Distribution	Department Total =	3,111.68
---------------------------	---------------------------	-----------------

Water Meters

Buena Vista Power Equipment, Inc	Spark Arrestor, Valve, & Clamp	53.46
City of Storm Lake	Health Ins Allocations Aug2016	1,239.92
Principal Life Ins Co	Insurance Premium August 2016	55.87

Water Meters	Department Total =	1,349.25
---------------------	---------------------------	-----------------

Wastewater Administration

Accela, Inc #774375	FY2017 Annual Maintenance 10/1/2016 to 9/30/2017	4,635.80
Buena Vista Stationery & Print Inc	Note Pad Cutting	20.55
Central Bank	Iowa League of Cities Conf Registration- Navratil	205.00
Central Bank	Iowa League of Cities Summer Conf- Navratil	51.67

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

Checks for Approval Report

From: 07/19/16 To 08/01/16
User: tyler.gibbins

Central Bank	Clerk School- Martinez	187.50
Central Bank	Iowa League of Cities Summer Conf- Patrick	51.67
City of Storm Lake	Health Ins Allocations Aug2016	3,080.00
Color-ize Inc	Employee Recognition Dinner Supplies	67.68
Genesis Development	June 2016 Janitorial Services	200.00
Inobbar LLC	FY2017 NovusAgend Subscription through 10/23/201	700.00
NW Iowa Planning & Development Commission	SHIELD Draw #1 FY2017	333.33
Pitney Bowes Inc.	Lease Contract througuh 7/29/2016	100.00
Principal Life Ins Co	Insurance Premium August 2016	203.13
Qualified Presort Service, LLC	ACH Statements	89.85
Qualified Presort Service, LLC	Monthly Statements	383.00
Qualified Presort Service, LLC	Final Bills	6.84

Wastewater Administration

Department Total = 10,316.02

Wastewater Treatment Plant

Arnold Motor Supply, LLP	Starter Fluid	5.98
Central Bank	Nutrient Removal Conference- Jacobsen	745.00
Century Link	July 2016 Phone Service	226.44
City of Storm Lake	Electrical Plug #127	26.45
City of Storm Lake	Health Ins Allocations Aug2016	5,207.08
Foundation Analytical Laboratory Inc	Testing	430.00
Foundation Analytical Laboratory Inc	Testing	1,169.00
Graham Tire	Service Call- Tube Repairs- Loader	277.65
Graham Tire	Service Call- Tube Repairs- Loader	277.65
MidAmerican Energy Company	Electric Service May/June 2016	13,130.10
Mike's Electronics Inc	Service Call- Scout Park	205.00
North Lake Truck Repair	Injector Replacement- Brown Bear	997.35
Northwest Electric, LLC	Hoffman Blower	7,650.00
Principal Life Ins Co	Insurance Premium August 2016	217.80
ProBuild	Plywood for A-Basin	20.86
ProBuild	Plywood for A-Basin	29.83
Recycle Center Harold Rowley	Recycling	40.56
Recycle Center Harold Rowley	Recycling	33.28
Recycle Center Harold Rowley	Recycling	40.56
Recycle Center Harold Rowley	Recycling	36.92
Sears	Shop Vac	72.89
US Peroxide, LLC	Facility & Maintenance Services	750.00
USA Blue Book	Sludge Valve	164.60
Veenstra & Kimm, Inc	Lift Station & Critical Sewer Evaluation through 7/22/	897.50
Wal Mart #01-1526	Supplies	8.53

Wastewater Treatment Plant

Department Total = 32,661.03

Wastewater Collection

City of Storm Lake	Health Ins Allocations Aug2016	1,557.00
Principal Life Ins Co	Insurance Premium August 2016	123.76
Underground Location Company	Locates	60.05

Wastewater Collection

Department Total = 1,740.81

Landfill

Accela, Inc #774375	FY2017 Annual Maintenance 10/1/2016 to 9/30/2017	4,635.80
Central Bank	Clerk School- Martinez	187.50
City of Storm Lake	Health Ins Allocations Aug2016	516.58
Genesis Development	June 2016 Janitorial Services	200.00

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

Checks for Approval Report

From: 07/19/16 To 08/01/16
User: tyler.gibbins

Inobbar LLC	FY2017 NovusAgend Subscription through 10/23/201	700.00
Principal Life Ins Co	Insurance Premium August 2016	31.49
Qualified Presort Service, LLC	Monthly Statements	383.00
Qualified Presort Service, LLC	ACH Statements	89.84
Qualified Presort Service, LLC	Final Bills	6.83

Landfill	Department Total =	6,751.04
-----------------	---------------------------	----------

Storm Water Administration

Accela, Inc #774375	FY2017 Annual Maintenance 10/1/2016 to 9/30/2017	4,635.80
Buena Vista Stationery & Print Inc	Note Pad Cutting	20.55
Central Bank	Clerk School- Martinez	187.50
City of Colleyville	Travel Reimb- Adrienne Lothery- LICMA Study	533.70
City of Storm Lake	Health Ins Allocations Aug2016	980.17
Color-ize Inc	Employee Recognition Dinner Supplies	67.67
Inobbar LLC	FY2017 NovusAgend Subscription through 10/23/201	700.00
King's Pointe Resort	LICMA Study- Room	122.08
King's Pointe Resort	LICMA Study- Room	349.69
King's Pointe Resort	LICMA Study- Room- Lothery	244.16
King's Pointe Resort	LICMA Study- Room	244.16
NW Iowa Planning & Development Commission	SHIELD Draw #1 FY2017	333.34
Principal Life Ins Co	Insurance Premium August 2016	40.20
Qualified Presort Service, LLC	Final Bills	6.84
Qualified Presort Service, LLC	ACH Statements	89.85
Qualified Presort Service, LLC	Monthly Statements	383.00
Skeffington-Vos Hadley	LICMA Study Reimbursement 7/18/2016	291.26

Storm Water Administration	Department Total =	9,229.97
-----------------------------------	---------------------------	----------

Storm Water Collection

City of Storm Lake	Health Ins Allocations Aug2016	623.75
H & W Contracting LLC	Pay Estimate #11 of NCSW	108,832.47
Hulstein Excavating Inc	Pay Estimate #2 of Erie Street CDBG SW Improveme	123,141.16
Mangold Environmental Testing	Soil Samples	200.00
Principal Life Ins Co	Insurance Premium August 2016	37.91
ProBuild	Intake Rehab Supplies	87.42

Storm Water Collection	Department Total =	232,922.71
-------------------------------	---------------------------	------------

Street Cleaning

City of Storm Lake	Health Ins Allocations Aug2016	517.16
City of Storm Lake	Wire Repairs #68	50.00
City of Storm Lake	New Batteries & Solenoids	834.96

Street Cleaning	Department Total =	1,402.12
------------------------	---------------------------	----------

Insurance

Auxiant - Claims Account	7/18/2016 Claims	15,930.10
Auxiant - Fixed Account	August 2016 Insurance Premium	15,907.31
Auxiant - Flex Account	7/13/2016 Flex Claims	183.77
Auxiant - Flex Account	7/21/2016 Flex Claims	130.00

Insurance	Department Total =	32,151.18
------------------	---------------------------	-----------

Vehicle Maintenance

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

Checks for Approval Report

From: 07/19/16 To 08/01/16
User: tyler.gibbins

Arnold Motor Supply, LLP	Electric Fan Returned	-81.94
Arnold Motor Supply, LLP	Electric Fan	81.94
Arnold Motor Supply, LLP	Trailer Light	39.99
Arnold Motor Supply, LLP	Bearings	71.56
Arnold Motor Supply, LLP	Starter Returned	-30.95
Arnold Motor Supply, LLP	Caliper Returned	-55.00
Arnold Motor Supply, LLP	Elec Fan & Air Chucks	103.97
Arnold Motor Supply, LLP	Creeper	34.99
Arnold Motor Supply, LLP	Caliper & Disk Pad	157.94
Arnold Motor Supply, LLP	Alternator Returned	-40.00
Arnold Motor Supply, LLP	Seam Sealer	7.69
Arnold Motor Supply, LLP	Alternator	158.10
Arnold Motor Supply, LLP	Fasteners	31.45
Arnold Motor Supply, LLP	Thermostat	3.35
Arnold Motor Supply, LLP	Trailer Light Returned	-39.99
Fastenal Company	Shop Supplies	170.45
Fastenal Company	Shop Supplies	2.49
Reinert Michael P	Tube	22.00
Reinert Michael P	Steel & Tube	66.20
Reinert Michael P	Alluminum & Steel	13.00
Reinert Michael P	Tube	9.00
Reinert Michael P	Steel	26.50
Storm Lake Hydraulics Co Inc	Pipe Supplies	16.56
Storm Lake Hydraulics Co Inc	Swivel Elbows	40.20

Vehicle Maintenance

Department Total = 809.50

Grand Total = 649,809.68

King's Pointe Resort
Disbursements July 13th to July 27th

Vendor Name	Description	Amount
Acco (2)	supplies	4427.05
Ace Hardware Inc.	supplies	342.24
American Red Cross National	services	159.00
Ameripride Services	supplies	1,224.40
Arnold Motor Supply	supplies	117.09
Mediacom Communications Corp	services	459.90
Bomgaars (2)	supplies	219.85
Booking.com	services	206.40
BV Stationary	supplies	215.07
Captial Sanitary Supply Co (2)	services	793.37
Carey's Furnature	supplies	2,159.88
Carroll Glass Co. Inc.	supplies	327.03
Cenaiko Productions Inc	supplies	575.00
Citadel Communications CO-KCAU	advertising	1,450.00
Colorize Inc	services	482.25
Comm 1st Braodcasting	services	120.00
Convergence LLC	supplies	200.00
Copyworks- Coraville	services	9.01
Counsel	services	607.49
Cox/Johnson Corporation	services	750.00
Crescent Electric	supplies	14.88
Daniels Filter Service (2)	services	1,369.97
The Designers	services	550.00
Dippin' Dots Inc	supplies	1,428.48
Ecolab Center- Chicago	services	272.51
Fastenal	supplies	144.73
Ferguson Enterprises Inc	supplies	52.19
Furniture & Floors for Less	supplies	495.00
Garbage Hauling Service	supplies	493.12
Grainger- Palatine	supplies	38.08
Graphic Edge Inc (2)	services	770.31
Hy-Vee Food Store (4)	food	671.67
Mid-American Energy (2)	utilities	22,985.48
Iowa Office Supply	supplies	221.96
ISAE	services	190.00
Joyce's Greenhouse	services	1,510.00
KCCI-TV	advertising	1,165.00
KDSN AM/FM	advertising	304.00
Kineth Hotel Corporation (2)	payroll, work comp	125,151.50
The Lifeguard Store Inc	supplies	461.00
Mangold Environmental Testing	testing	135.00
Media USA Advertising	advertising	700.00
Olsen Welding & Machine Shop	services	250.00
Orkin Exterminating Inc	services	80.68
Orkin Pest Control	services	143.25
Otis Elevator Co	services	603.60
Pepsi-Cola Bottling Co. (2)	beverages	3,346.92
Pilot Tribune	advertising	37.45
Precision Dynamics Corp	services	1,423.33
Probuild Company LLC	supplies	174.68
Rebnord Technologies	services	2,258.33
Rent-All Inc (2)	services	933.89

Schumacher Elevator Co	services	975.81
Safe Slide Resortation	services	20,950.00
Star Leasing LLC	services	230.13
Star Promotions	services	350.52
The Storm Lake Times (2)	advertising	295.60
Sysco Guest Supply (2)	supplies	2,885.37
Treasurer - State of Iowa (4)	sales tax	40,496.00
Ty Inc	services	875.56
United Parcel Service- Carl STM (2)	services	171.97
US Foods (2)	food	22,072.60
US Water Services Inc	supplies	458.33
Vast Broadband	supplies	2,839.07
Vizergy	web site maintenance	220.00
Al's Liquor (2)	beverages	1,439.46
Doll Distributing	beverages	866.85
Johnson Brothers/Iowa Wine & Bev	beverages	679.81
King's Pointe Resort	services	148.46
Misc POA Disbursements	refunds	500.00

Total 279,677.58

**Sunrise Pointe Golf Course
Disbursements July 13th to July 27th**

Ace Hardware	supplies	18.99
Buena Vista Stationary	supplies	33.99
Daniels Filter Services (2)	services	85.88
Mid American Energy	utilities	1,293.12
Kinseth Hotel Corporation	payroll, management fee	4,037.95
Orkin Pest Control	services	75.00
Pepsi-Cola Bottling Co (2)	beverages	709.02
Alliant Energy	utilities	31.95
US Foods Inc	food	592.66
Al's Liquor	beverages	65.76
Doll Distributing (3)	beverages	317.80

Totals 7,262.12

**REGULAR COUNCIL MEETING, CITY OF STORM LAKE, IOWA, CITY HALL,
JULY 18, 2016 5:00 P.M.**

Present: Mayor Pro-Tem Mike Porsch, Council Members Bruce Carlson, Dan Anderson, Tyson Rice, and Bruce Engelmann. Absent: Mayor Jon Kruse. Staff present: City Manager Jim Patrick, Asst. City Manager Keri Navratil, Public Safety Director Mark Prosser, Building Official Scott Olesen, Fire Chief Mike Jones, Public Works Director Jason Etnyre and Sue Vossberg City Clerk.

Mayor Pro-Tem Mike Porsch called the meeting to order at 5:00pm.

Hear the Public – None

Consent Agenda – Moved by Council Member Anderson to adopt Resolution No. 03-R-2016-2017 approving the Consent Agenda which included checks #52746 through #52876, minutes of the July 5, 2016 City Council meeting, liquor license renewals for Dyno's #33, El Mexicano, and Casey's General Store #3030, approve Noise Variance for The Bridge of Storm Lake Girls Camp to be held on July 22, 2016, approve requests from Buena Vista University authorizing street closures and no parking zone variances for student move in/move out dates for the 2016/17 school year, approve requests for the 2016 Wood, Wine, & Blues Event, approve request for the 2016 SLHS Music Department's "Beach Party," approve request for the 2016 Ridiculous Days Events. Seconded by Council Member Rice. Vote: All ayes. Motion carried.

Storm Lake United Quarterly Update – Gary Lalone and Kristi Davis presented to the Council a quarterly update on Storm Lake United's activities, marketing, and recruitment.

Abner Bell Created Wetland Project – Moved by Council Member Engelmann to reject the bids for the Abner Bell Created Wetland Project due to bids being higher than expected and uncompleted bid forms. Seconded by Council Member Anderson. Vote: All ayes. Motion carried.

13th Street Paving Improvement Project – Moved by Council Member Rice to adopt Resolution No. 04-R-2016-2017 approving the contract with Smith Concrete of Storm Lake for the 13th Street Paving Improvement Project in the amount of \$119,778. Seconded by Council Member Engelmann. Vote: All ayes. Motion carried.

Closed Session – Moved by Council Member Engelmann to go into closed session at 5:30pm in reference to Iowa Code 21.5 c to discuss strategy with counsel in matters of litigation. Seconded by Council Member Anderson. Vote: All ayes. Motion carried.

Attendance in closed session: Engelmann, Rice, Anderson, Carlson, Porsch, Navratil, Patrick, Havens, Vossberg

Open Session – Moved by Council Member Engelmann to go back into open session at 5:53pm. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

Council Member Rice had questions about the repairs at King's Pointe and what will need to be done in the future, and if there was anything that can be done against the contractor or engineer.

Adjournment – Moved by Council Member Anderson to adjourn the meeting at 5:57pm.
Seconded by Council Member Porsch. Vote: All ayes. Motion carried.

Mike Porsch, Mayor Pro-Tem

ATTEST:

Sue Vossberg, City Clerk

M E M O R A N D U M

TO: SUE VOSSBERG

FROM: MARK PROSSER

DATE: July 13, 2016

REFERENCE: LIQUOR LICENSE RENEWAL
KNIGHTS OF COLUMBUS
1507 E LAKESHORE DR

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

	07-28-2014 to 07-26-2015	07-27-2015 to 07-11-2016
INCIDENTS		
Animal Call	0	1
Bar Check	6	0
Business Assist	1	0
Business Security	126	99
Intoxicated Driver	1	1
Keys Locked In Car	2	0
Motorist Assist	1	1
Pedestrian Stop	0	1
PR/Talk/Presentation	6	6
Open Window/Door	1	0
Station Assignment	2	1
Street Beat	1	0
Traffic Project	1	0
Traffic Stop	18	1
ARRESTS		
	none	none

Recommendation: Approval of liquor license.

M E M O R A N D U M

TO: SUE VOSSBERG

FROM: MARK PROSSER

DATE: JULY 13, 2016

REFERENCE: LIQUOR LICENSE RENEWAL
EL MARIACHI
523 ERIE STREET

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

7-11-2015 to
7-11-2016

INCIDENTS

Business Security	6
Open Window/Door	4
PR/Talk/Presentation	1
Station Assignment	2
Suspicious Vehicle	2

ARRESTS

none

Recommendation: Approval of liquor license.

M E M O R A N D U M

TO: SUE VOSSBERG

FROM: MARK PROSSER

DATE: JULY 13, 2016

REFERENCE: LIQUOR LICENSE RENEWAL
BOZ WELLS
507 ERIE ST

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

	07-28-2014 to 07-26-2015	07-27-2015 to 07-11-2016
INCIDENTS		
Ambulance Call	1	0
Arrest	1	0
Business Assist	1	0
Business Security	2	7
City/County Department Assist	1	0
Keys Locked In Car	1	0
PR/Talk/Presentation	1	4
Scam	1	0
Station Assignment	5	1
Suspicious Person	0	1
Suspicious Vehicle	0	1
Traffic Stop	1	1
ARRESTS	none	none

Recommendation: Approval of liquor license.

Staff Summary

8/1/2016
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, Deputy 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:

	Total Expenses	Calculated Expenses	Local	%	BV Co	%	Non Local	%
City	\$649,809.68	\$230,186.02	\$92,180.27	40.05	\$16,616.98	7.21	\$121,388.77	52.74
King's Pointe	\$279,677.58	\$114,030.08	37,084.96	32.53			\$76,945.12	67.47
Golf Course	\$7,262.12	\$3,224.17	\$1,443.81	44.78			\$1,780.36	55.22

RECOMMENDATION: Review Buy Local Information

Staff Summary

8/1/2016

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 Approving Requests Associated With the 2016 Step Up Running Event

BACKGROUND: Attached is a written request submitted by Angie Snyder related to the 2016 Step Up Running Event scheduled for Saturday, 9-3-2016 at 7:30am.

Specific requests are as follows:

- Permission to use Awaysis Park for the event venue
- The closure of the West Awaysis Park parking lot on 9-3-2026 between the hours of 6:00am and 12:00pm
- Noise Variance for the Awaysis Park venue on 9-3-2016 between the hours of 6:00am and 12:00pm
- Appropriate Run Permit to be issued
- Appropriate support from the Parks and Police Departments

This event begins on Sunrise Park Road, transitions to the Lake Trail, proceeds out to Emerald Park via the Lake Trail and returns ending in Awaysis Park.

This request is consistent with previous years. It further reflects that the appropriate insurance certificate is forthcoming.

I will issue the Noise Variance upon receiving a consensus in the affirmative by the city council.

FISCAL IMPACT: Parks and police will have staff time assigned to this event which will be absorbed in their normal operational budgets.

RECOMMENDATION: Pass Resolution

ATTACHMENTS:

Description		Type
	Letter and Permit	Permit

Mark Prosser

From: Step Up <stepupstormlake@yahoo.com>
Sent: Monday, July 18, 2016 10:21 PM
To: Mark Prosser
Subject: Step Up Labor Day Event

Hello! We're getting r

eady for our Labor Day run again! Again I need to request a permit. I'll apply for park reservation at city hall tomorrow

I followed last year's format. I have applied for the third party insurance certificate and expect it within a couple weeks. Please let me know anything else that you will need. Thanks so much for your support on this event every year!

Event: 2016 Step Up Running Event

Issue To Name: Angie Snyder (Coordinator)

Organization: Step Up

Address: 1820 Perkins Ave

Nemaha, IA 50567

Phone: Cell(712)660-8089

Date of Event: Saturday September 3, 2016

Times of Event: See below

Expiration of Permit: September 6, 2016

Location/Area of Use: Noise Variance - Awaysis Park - 6:00am-12:00pm

Run-7:30am Sunrise Park Road - Lake Trail - Emerald Park

Type of Permit:

xxx	1. Noise Variance -8-7-4	6:00am-12:00pm
xxx	2. Ride/Run/Walk	7:30am
xxx	8. Other	Close West Awaysis Parking Lot 6:00am-12:00pm



**Public Safety
Police & Fire
PERMIT**

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

Event: 2016 Step Up Running Event

Issued To:

Name: Angie Snyder

Organization: Run Coordinator

Address: 1820 Perkins Avenue, Nemaha, IA 50567

Phone: 712-660-8089

Date(s) of Event: Saturday, 9-3-2016

Time(s) of Event: 7:30am

Expiration of Permit: 9-4-2016

Location / Area
of Use:

Sunrise Park Road - Lake Trail - Emerald Park Streets

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:

8-2-2016

Please Print

Signature:

Title:

Public Safety Director



**Public Safety
Police & Fire
PERMIT**

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

Event: 2016 Step Up Running Event

Issued To:

Name: Angie Snyder

Organization: Run Coordinator

Address: 1820 Perkins Avenue, Nemaha, IA 50567

Phone: 712-660-8089

Date(s) of Event: Saturday, 9-3-2016

Time(s) of Event: 6:00am until 12:00pm

Expiration of Permit: 9-4-2016

Location / Area
of Use:

Awaysis 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:

8-2-2016

Please Print

Signature:

Title:

Public Safety Director

Staff Summary

8/1/2016

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: Sue Vossberg, City Clerk

SUBJECT: Motion to Approve a Noise Variance and Permission to Erect a Gazebo for a Wedding in Scout Park

BACKGROUND: Attached is a park registration form and letter for the use of Scout Park for a wedding on Saturday, August 6, 2016 submitted by Jarrod Roth. This park registration form was originally submitted in August of 2015 and since that time the applicant has decided to erect a Gazebo in the park and will be using amplified music. Council will need to give permission for the placement of the Gazebo and a noise variance between the hours of 3:00pm until 4:30pm.

The applicant will need to provide proof of insurance to the City for the placement of the Gazebo.

Chief Prosser will issue the noise variance upon receiving a consensus in the affirmative by the City Council.

FISCAL IMPACT: None

RECOMMENDATION: Approve requests.

ATTACHMENTS:

Description	Type
Request for use of Scout Park	Application

ON AUGUST 6TH, 2016, WE WILL BE HOLDING
A WEDDING CEREMONY AT 3:30 IN THE AFTERNOON.
WE ARE REQUESTING ~~THE~~ USE OF A METAL GAZEBO
TO BE LOCATED IN THE OPEN SPACE OF SCOUT
PARK. WE ARE ALSO REQUESTING THE PERMISSION
OF SEATING OF APPROXIMATELY 250-300 PEOPLE
AND THE USE OF AN AMPLIFIER. IF THERE ARE
ANY QUESTIONS, PLEASE CALL ME (JARROD) AT
(605) 630-9490.

Jarrold

City of Storm Lake
PO Box 1086
Storm Lake, Iowa 50588
712-732-8000
cityclerk@stormlake.org
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: JARRON ROTH Phone #: (605) 630-9490
Mailing Address: 902 WRAYWOOD DRIVE Email: rothjar.bvu.edu@gmail.com
City: FORT DOUGLAS State: IOWA Zip: 50501
Cell Phone: (605) 630-9490
2nd Contact: CINDY BARAHONA Position/Relationship: FIANCÉ
Email: baracin@gmail.com Cell Phone: (712) 291-2687

Requested Park: SCOUT PARK Event Date: 8/6/2016
Event Type: WEDDING CEREMONY Event Start Time: 3:00
Event End Time: 3:30

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)

YES

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.)

No

☐ 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.)

No

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

No Yes

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

300

Do you have electrical needs?

YES

Identify:

AMPLIFIERS FOR MICROPHONES/MUSIC PLAYER

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.

Are you requesting Street closures?

No

Which Streets?

Starting Time:

12:00

Ending Time:

4:30

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

Jarrod Roth

Date:

8/7/2015

Staff Summary

8/1/2016

Agenda Item # 3.



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

REPORT TO: Honorable Mayor and City Council

FROM: Keri Navratil, Assistant City Manager

SUBJECT: Resolution No. 06-R-2016-2017 Approving and Authorizing Execution of a First Amendment to the Development Agreement by and Between the City of Storm Lake and Storm Lake Development Group LLC.

BACKGROUND: This First Amendment to the agreement provides a technical clarification for the minimum assessment agreement with the Storm Lake Development Group LLC. Minimum Improvements and Development Property shall not be less than One Million Four Hundred Thousand Dollars (\$1,400,000) (including taxable equipment value). The previous agreement did not include the taxable equipment value.

FISCAL IMPACT: There is no fiscal impact.

RECOMMENDATION: Approve Resolution

ATTACHMENTS:

Description	Type
☐ Resolution No.06-R-2016-2017	Resolution
☐ First Amendment	Contract

RESOLUTION NO. 06-R-2016-2017

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF STORM LAKE AND STORM LAKE DEVELOPMENT GROUP LLC

WHEREAS, by Resolution No. 08-R-2010-2011 adopted July 19, 2010, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Storm Lake North #1 - Bargloff Urban Renewal Plan (the "Plan") for the Storm Lake North #1 - Bargloff Urban Renewal Area (the "Urban Renewal Area" or "Area") described therein, which Plan, as amended, is on file in the office of the Recorder of Buena Vista County; and

WHEREAS, it is desirable that properties within the Area be redeveloped as part of the overall redevelopment area covered by said Plan; and

WHEREAS, on the 16th day of May, 2016 the City of Storm Lake, Iowa ("City") and Storm Lake Development Group LLC ("Developer") entered into a Development Agreement (the "Agreement") pursuant to which the City and Developer agreed to undertake certain activities including, but not limited to, the construction of an approximately 20,375 square foot building on the Development Property; and

WHEREAS, the City and the Developer have agreed to an amendment, in the form of a First Amendment to the Agreement (the "First Amendment"), pursuant to which the City and Developer agree to amend the Original Agreement specifically amending the Certificate of Assessor contained in the Minimum Assessment Agreement; and

WHEREAS, the Agreement provides that it may only be amended by a subsequent writing signed by the parties.

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

Section 1. That the form and content of the First Amendment, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the Mayor and the City Clerk be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver the First Amendment for and on behalf of the City in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the First Amendment, the Mayor and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the First Amendment as executed.

PASSED AND APPROVED this 1st day of August, 2016.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF STORM LAKE
AND STORM LAKE DEVELOPMENT GROUP LLC

THIS FIRST AMENDMENT ("First Amendment" or "Amendment") to that certain Development Agreement by and between the City of Storm Lake and Storm Lake Development Group LLC dated _____, 2016 (the "Original Agreement"), is made as of the _____ day of _____, 2016, between the City of Storm Lake, Iowa ("City") and Storm Lake Development Group LLC ("Developer").

WHEREAS, the parties previously executed the Original Agreement in which Developer is obligated to construct an approximately 20,375 square foot building as more particularly described and depicted in Exhibit B and Exhibit B-1 to the Original Agreement, and in consideration of Developer's obligations, the City agreed to provide certain incentives to Developer; and

WHEREAS, the parties have now agreed to amend the Original Agreement specifically amending the Certification of Assessor contained in the Minimum Assessment Agreement (Exhibit G); and

WHEREAS, the City and Developer are agreeable to the proposal under the terms and conditions of this Amendment.

NOW, THEREFORE, it is agreed by the parties:

1. All capitalized words used herein and not specifically defined shall have the same definitions as in the Original Agreement.
2. The Certification of Assessor in the Minimum Assessment Agreement (Exhibit G) of the Original Agreement is hereby deleted in its entirety and a new Certification of Assessor in the Minimum Assessment Agreement (Exhibit G) of the Original Agreement is inserted in lieu thereof as follows:

“CERTIFICATION OF ASSESSOR

The undersigned, having reviewed the plans and specifications for the Minimum Improvements to be constructed, and being of the opinion that the minimum market value contained in the foregoing Minimum Assessment Agreement appears reasonable, hereby certifies as follows: The undersigned Assessor, being legally responsible for the assessment of the Development Property described in the foregoing Minimum Assessment Agreement, certifies that upon completion of the Minimum Improvements the actual value assigned to the Minimum Improvements and Development Property shall not be less than One Million Four Hundred Thousand Dollars (\$1,400,000) (including taxable equipment value) all until the Assessment Agreement Termination Date of this Minimum Assessment Agreement.

Assessor for Buena Vista County, Iowa.

Date

STATE OF IOWA)
) ss
COUNTY OF BUENA VISTA)

Subscribed and sworn to before me by _____, Assessor for Buena Vista County, Iowa.

Notary Public in and for the State of Iowa

Consistent with Iowa Code §403.6(19)(b), filed with this assessor certification is a copy of subsection 19 as follows:

19. a. A municipality, upon entering into a development or redevelopment agreement pursuant to section 403.8, subsection 1, or as otherwise permitted in this chapter, may enter into a written assessment agreement with the developer of taxable property in the urban renewal area which establishes a minimum actual value of the land and completed improvements to be made on the land until a specified termination date which shall not be later than the date after which the tax increment will no longer be remitted to the municipality pursuant to section 403.19, subsection 2. The assessment agreement shall be presented to the appropriate assessor. The assessor shall review the plans and specifications for the improvements to be made and if the minimum actual value contained in the assessment agreement appears to be reasonable, the assessor shall execute the following certification upon the agreement:

The undersigned assessor, being legally responsible for the assessment of the above described property upon completion of the improvements to be made on it, certifies that the actual value assigned to that land and improvements upon completion shall not be less than \$

b. This assessment agreement with the certification of the assessor and a copy of this subsection shall be filed in the office of the county recorder of the county where the property is located. Upon completion of the improvements, the assessor shall value the property as required by law, except that the actual value shall not be less than the minimum actual value contained in the assessment agreement. This subsection does not prohibit the assessor from assigning a higher actual value to the property or prohibit the owner from seeking administrative or legal remedies to reduce the actual value assigned except that the actual value shall not be reduced below the minimum actual value contained in the assessment agreement. An assessor, county auditor, board of review, director of revenue, or court of this state shall not reduce or order the reduction of the actual value below the minimum actual value in the agreement during the term of the agreement regardless of the actual value which may result from the incomplete construction of improvements, destruction or diminution by any cause, insured or uninsured, except in the case of acquisition or reacquisition of the property by a public entity. Recording of an assessment agreement complying with this subsection constitutes notice of the assessment agreement to a subsequent purchaser or encumbrancer of the land or any part of it, whether voluntary or involuntary, and is binding upon a subsequent purchaser or encumbrancer..”

3. Except as amended and/or modified by this First Amendment, the Original Agreement is hereby ratified and confirmed and all other terms of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the City has caused this First Amendment to be duly executed in its name and behalf by its Mayor and its seal to be hereunto duly affixed and attested by its City Clerk, and Developer has caused this First Amendment to be duly executed in its name and behalf by its Authorized Representative, all on or as of the date first written above.

[Remainder of page intentionally left blank; signature pages to follow]

CITY OF STORM LAKE, IOWA

ATTEST:

STATE OF IOWA)
) SS
COUNTY OF BUENA VISTA)

On this _____ day of _____, 2016, before me a Notary Public in and for said State, personally appeared Jon F. Kruse and Sue Vossberg, to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Storm Lake, Iowa, a Municipality created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipality, and that said instrument was signed and sealed on behalf of said Municipality by authority and resolution of its City Council, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipality by it voluntarily executed.

Notary Public in and for the State of Iowa

[Signature pages to First Amendment – City of Storm Lake]

STORM LAKE DEVELOPMENT GROUP LLC,
a Wisconsin limited liability company

By: _____
Richard W. Johnson, Managing Member

ATTEST:

By: _____
Nick A. Feira, Managing Member

STATE OF _____)
COUNTY OF _____) ss:

On this _____ day of _____, 2016, before me the undersigned, a Notary Public in and for said State, personally appeared Richard W. Johnson and Nick A. Feira, to me personally known, who, being by me duly sworn, did say that they are the Managing Members of Storm Lake Development Group LLC, and that said instrument was signed on behalf of said limited liability company; and that the said Richard W. Johnson and Nick A. Feira as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company, by them voluntarily executed.

Notary Public in and for said State

[Signature page to First Amendment – Storm Lake Development Group LLC]

01259789-1\11149-076

Staff Summary

8/1/2016

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: Keri Navratil, Assistant City Manager

SUBJECT: Resolution No. 07-R-2016-2017 Determining the Necessity and Setting Dates of a Consultation and a Public Hearing on a proposed South School Urban Renewal Plan

BACKGROUND: The City is considering providing economic development grants to assist Foutch Brother, LLC in renovating blighted property, South School, currently owned by Storm Lake School District.

The project consists of renovating two vacant school buildings into 39 market rate apartments. Construction is anticipated to be in 2017-2019, contingent upon receiving historical tax credits from the State of Iowa. The overall cost of the project is \$4,200,000.

In order to move forward with the project, City Council will need to set a Consultation meeting with the affected taxing entities and set a public hearing date.

Consultation meeting is recommended to be held on August 10, 2016 at 10:00 a.m. in Council Chambers.

Public Hearing is recommended to be held on September 6, 2016 at 5:00 p.m. in Council Chambers.

FISCAL IMPACT: Publication and postage costs

RECOMMENDATION: Approve Resolution No. 07-R-2016-2017

ATTACHMENTS:

Description	Type
☐ Resolution No. 07-R-2016-2017	Resolution

RESOLUTION NO. 07-R-2016-2017

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED SOUTH SCHOOL URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY OF STORM LAKE, STATE OF IOWA

WHEREAS, it is hereby found and determined that one or more blighted areas, as defined in Chapter 403, Code of Iowa, exist within the City and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the City; and

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and has caused there to be prepared a proposed South School Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the South School Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit 1; and

WHEREAS, this proposed Urban Renewal Area includes and consists of:

LOTS ONE (1), TWO (2), THREE (3), FOUR (4), AND FIVE (5), BLOCK FORTY (40) ORIGINAL TOWN OF STORM LAKE, IOWA **EXCEPT** THE EAST ONE HUNDRED SEVENTY-TWO FEET (E. 172') OF THE NORTH SIXTY-FIVE FEET (N. 65') OF LOT ONE (1), BLOCK FORTY (40), ORIGINAL TOWN OF STORM LAKE, IOWA;

Together with the following-described parts of street rights-of-way abutting the above-described property:

The Third Street right-of-way commencing at its intersection with the western boundary of the Irving Street right-of-way on the West and extending one hundred twenty-eight feet (128') eastward;

And

The Irving Street right-of-way commencing at its intersection with the northern boundary of the Third Street Right-of-way on the North and extending five hundred feet (500') southward;

And

The Cayuga Street right-of-way commencing one hundred sixty feet (160') north of its intersection with the southern boundary of the Second Street right-of-way on the South and extending three hundred thirty-five feet (335') northward.

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan; and

WHEREAS, City staff has caused there to be prepared a form of Plan, a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to form the South School Urban Renewal Area suitable for residential development and blight remediation activities and to include a list of proposed projects to be undertaken within the Urban Renewal Area; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed South School Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole prior to Council approval of such Plan, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Council within thirty (30) days of its receipt of such proposed South School Urban Renewal Plan; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed South School Urban Renewal Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed South School Urban Renewal Plan subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Plan and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

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

That the consultation on the proposed South School Urban Renewal Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on the 10th day of August, 2016, in the Council Chambers, City Hall, 620 Erie Street, Storm Lake, Iowa, at 10:00 A.M., and the Assistant City Manager, or her delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of this Resolution and the proposed South School Urban Renewal Plan, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN
THE CITY OF STORM LAKE, STATE OF IOWA AND ALL
AFFECTED TAXING ENTITIES CONCERNING THE
PROPOSED SOUTH SCHOOL URBAN RENEWAL PLAN FOR
THE CITY OF STORM LAKE, STATE OF IOWA

The City of Storm Lake, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 10:00 A.M. on August 10, 2016, in the Council Chambers, City Hall, 620 Erie Street, Storm Lake, Iowa concerning a proposed South School Urban Renewal Plan, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Plan. Note that the Plan includes an analysis of alternative development options and funding for public building(s) and why such options are less feasible than the proposed urban renewal project(s).

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Assistant City Manager, or her delegate, as the designated representative of the City of Storm Lake, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed South School Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Storm Lake, State of Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this _____ day of _____, 2016.

City Clerk, City of Storm Lake, State of Iowa

(End of Notice)

That a public hearing shall be held on the proposed South School Urban Renewal Plan before the City Council at its meeting which commences at 5:00 P.M. on September 6, 2016, in the Council Chambers, City Hall, 620 Erie Street, Storm Lake, Iowa.

That the City Clerk is authorized and directed to publish notice of this public hearing in the Storm Lake Times, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL
OF A PROPOSED SOUTH SCHOOL URBAN RENEWAL
PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE
CITY OF STORM LAKE, STATE OF IOWA

The City Council of the City of Storm Lake, State of Iowa, will hold a public hearing before itself at its meeting which commences at 5:00 P.M. on September 6, 2016 in the Council Chambers, City Hall, 620 Erie Street, Storm Lake, Iowa, to consider adoption of a proposed South School Urban Renewal Plan (the "Plan") concerning a proposed South School Urban Renewal Area in the City of Storm Lake, State of Iowa, legally described as follows:

LOTS ONE (1), TWO (2), THREE (3), FOUR (4), AND FIVE (5), BLOCK FORTY (40) ORIGINAL TOWN OF STORM LAKE, IOWA **EXCEPT** THE EAST ONE HUNDRED SEVENTY-TWO FEET (E. 172') OF THE NORTH SIXTY-FIVE FEET (N. 65') OF LOT ONE (1), BLOCK FORTY (40), ORIGINAL TOWN OF STORM LAKE, IOWA;

Together with the following-described parts of street rights-of-way abutting the above-described property:

The Third Street right-of-way commencing at its intersection with the western boundary of the Irving Street right-of-way on the West and extending one hundred twenty-eight feet (128') eastward;

And

The Irving Street right-of-way commencing at its intersection with the northern boundary of the Third Street Right-of-way on the North and extending five hundred feet (500') southward;

And

The Cayuga Street right-of-way commencing one hundred sixty feet (160') north of its intersection with the southern boundary of the Second Street right-of-way on the South and extending three hundred thirty-five feet (335') northward.

which land is to be included as part of this proposed Urban Renewal Area.

A copy of the Plan is on file for public inspection in the office of the City Clerk, City Hall, City of Storm Lake, Iowa.

The City of Storm Lake, State of Iowa is the local public agency which, if such Plan is approved, shall undertake the urban renewal activities described in such Plan.

The general scope of the urban renewal activities under consideration in the Plan is to rehabilitate, conserve and redevelop land, buildings and other improvements within such area through the elimination and containment of conditions of blight so as to improve the community through the establishment of effective land use controls, through use of an effective program of rehabilitation of existing buildings and elimination of those structures which cannot be economically rehabilitated, with a limited amount of acquisition, clearance, resale and improvement of land for various purposes specified in the Plan. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The Plan provides that the City may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Plan initially provides that the Plan may be amended from time to time.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Storm Lake, State of Iowa, as provided by Section 403.5 of the Code of Iowa.

Dated this _____ day of _____, 2016.

City Clerk, City of Storm Lake, State of Iowa

(End of Notice)

That the proposed South School Urban Renewal Plan, attached hereto as Exhibit 1, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed South School Urban Renewal Plan referred to in the notices for purposes of such consultation and hearing and that a copy of the Plan shall be placed on file in the office of the City Clerk.

That the proposed South School Urban Renewal Plan be submitted to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

PASSED AND APPROVED this 1st day of August, 2016.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

Exhibit 1

SOUTH SCHOOL URBAN RENEWAL PLAN

for the

SOUTH SCHOOL URBAN RENEWAL AREA

CITY OF STORM LAKE, IOWA

SEPTEMBER 2016

SIMMERING-CORY, INC.

TABLE OF CONTENTS

SECTION

- A. INTRODUCTION
- B. DESCRIPTION OF THE URBAN RENEWAL AREA
- C. AREA DESIGNATION
- D. HISTORY AND PURPOSE
- E. BASE VALUE
- F. DEVELOPMENT PLAN
- G. PLAN OBJECTIVES
- H. TYPES OF RENEWAL ACTIVITIES
- I. ELIGIBLE URBAN RENEWAL PROJECTS
- J. FINANCIAL INFORMATION
- K. URBAN RENEWAL FINANCING
- L. PROPERTY ACQUISITION/DISPOSITION
- M. RELOCATION
- N. STATE AND LOCAL REQUIREMENTS
- O. AGRICULTURAL LAND
- P. SEVERABILITY
- Q. PROPERTY WITHIN AN URBAN REVITALIZATION AREA
- R. URBAN RENEWAL PLAN AMENDMENTS
- S. EFFECTIVE PERIOD

EXHIBITS

- A. LEGAL DESCRIPTION OF SOUTH SCHOOL URBAN RENEWAL AREA
- B. SOUTH SCHOOL URBAN RENEWAL AREA MAPS

**South School Urban Renewal Plan
for the
South School Urban Renewal Area
City of Storm Lake, Iowa**

A. INTRODUCTION

The South School Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the South School Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials alleviate blighting conditions and influences in the City of Storm Lake, Iowa (the “City”). The urban renewal projects undertaken to alleviate blight pursuant to this Plan will also stimulate private investment in housing and residential development.

In order to achieve this objective, the City intends to undertake Urban Renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the *Code of Iowa*, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Urban Renewal Area is described in Exhibit “A” and illustrated in Exhibit “B.”

The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

The City of Storm Lake designates this Urban Renewal Area as a blighted area that is appropriate for promoting projects that help to alleviate blighting conditions and influences.

In May 2016, an assessment was conducted to evaluate the presence of blighting conditions in the Area. The assessment confirmed that blighting conditions exist in the Urban Renewal Area. In general, this finding is the result of the presence of a combination of blighting influences including deteriorating structures, presence of mold and asbestos, and potential impacts to adjoining properties.

In combination, these factors substantially impair the sound growth of the Area, constitute an economic and social liability, and are a menace to the public welfare.

As such, this Area is appropriate for blight remediation, revitalization, and redevelopment.

D. HISTORY AND PURPOSE

The proposed Urban Renewal Area is being created in order to remediate blighting influences.

The Urban Renewal Area includes two vacant school buildings and one pole building that is still in use as a batting cage. The main school building is approximately 88 years old. School District officials as well as the City have considered a number of options for the property including renovating the buildings into something the school can use, a community center, and a business incubator; however, all of these options included renovation costs between \$4,000,000 to \$7,000,000. School officials and the City determined that it was more cost effective to build new facilities rather than renovate the 88-year-old building. As a result, an option on the property has been granted to Foutch Brothers, LLC for redevelopment.

The outdated condition of the buildings, problems associated with continued vacancy, and the obsolescent nature of its operating systems impairs the development potential of the Area. These conditions resulted a blight finding on this property, triggering the establishment of the Urban Renewal Area. Due to the excessive costs associated with redevelopment of the obsolete and outdated buildings, incentives to the developer are necessary in order for the residential conversion to be feasible.

E. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) Ordinance is adopted, and debt is certified prior to December 1, 2016, the taxable valuation as of January 1, 2015, will be considered the frozen “base valuation.” If a TIF Ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2016, the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF Ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Area.

F. DEVELOPMENT PLAN

Storm Lake has a general plan for the physical development of the City as a whole, outlined in the Comprehensive Plan – Storm Lake 2030, adopted by the City in 2013. The goals and objectives identified in this Plan, and the urban renewal projects described herein, are in conformity with the goals, objectives, and recommendations identified in Comprehensive Plan – Storm Lake 2030.

This Urban Renewal Plan does not in any way replace the City’s current land use planning or zoning regulation process. Currently the Area is zoned as IN-2, Institutional Facilities. Multi-family residential, as proposed, is an allowable use in the IN-2 district. The City doesn’t anticipate any change in zoning as a result of the proposed development.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area are set forth in this Plan. As the Area continues to develop, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

G. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites for new residential development within the Area. More specific objectives for development within the Urban Renewal Area are as follows:

1. To eliminate blighting influences and promote revitalization, through public action and commitment, or by providing incentives to private persons or businesses, to acquire, rehabilitate, renovate, demolish, and/or redevelop existing structures or property.
2. To stimulate, through public action and commitment, private investment in new residential development and redevelopment. The City realizes that the availability of decent, safe, and sanitary housing is important in enhancing the economic viability of the community.
3. To plan for and provide sufficient land for residential development in a manner that is efficient from the standpoint of providing municipal services.
4. To help develop a sound economic base that will serve as the foundation for future growth and development.
5. To provide for the installation and upgrade of public works, infrastructure, and related facilities which contribute to the sound development of the Area.
6. To provide a more marketable and attractive investment climate.
7. To preserve the health, safety, living environment, general character, and general welfare of Storm Lake, Iowa.
8. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

H. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments, including blight remediation projects.
2. To acquire property and to hold, clear, or prepare the property for redevelopment.
3. To dispose of property so acquired.

4. To provide for the construction of site specific improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
5. To demolish structures and to clear the land for future development so as to revitalize the Area and alleviate blighting conditions.
6. To arrange for or cause to be provided the construction or repair of public infrastructure, including, but not limited to, streets and sidewalks, traffic lights, pedestrian safety measures, water mains, sanitary sewers, storm sewers, public utilities, or other facilities in connection with urban renewal projects which serve to revitalize the area and alleviate blighting conditions.
7. To make loans, forgivable loans, tax rebate payments, or other types of grants or incentives to private persons or businesses for revitalization or blight remediation purposes, including residential projects, on such terms as may be determined by the City Council.
8. To use tax increment financing to facilitate urban renewal projects, including, but not limited to, financing to achieve a more marketable and competitive land offering price and to provide for necessary physical improvements and infrastructure.
9. To use tax increment revenues to help leverage grants, loans, or other assistance from the state and federal governments (such as providing the local match for such assistance) in support of projects or businesses that advance the objectives of this plan.
10. To finance programs or projects which will directly benefit housing conditions and/or increase the availability of multi-family housing opportunities for residents of the community.
11. To borrow money and to provide security therefor.
12. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Program or specific urban renewal projects.
13. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic and housing conditions for the City of Storm Lake and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

I. ELIGIBLE URBAN RENEWAL PROJECTS

Although certain project activities may occur over a period of years, the Proposed Urban Renewal Projects under this Urban Renewal Plan include:

1. Development Agreements: The City expects to consider requests for Development Agreements for the following projects that are consistent with this Plan, in the City's sole discretion.

A. Foutch Brothers, LLC (or a related entity): The City expects to consider providing incentives to assist Foutch Brothers, LLC (or a related entity), who may be renovating blighted property currently owned by the Storm Lake School District and which the City expects will be sold to Foutch Brothers, LLC (or a related entity) prior to the start of the project. The project involves the conversion of two vacant school buildings, into approximately 39 market-rate apartments. The existing auditorium space may be left as it is currently and may be redeveloped in the future. Construction is anticipated to take place in 2017-2019. Overall project costs are expected to be approximately \$4,200,000. The City expects to make grants to the developer in the form of rebates of incremental taxes generated by the project, not to exceed \$800,000.

B. Future Development Agreements: The City expects to consider requests for Development Agreements for projects that are consistent with this Plan, in the City's sole discretion. Such Agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including, but not limited to, land, loans, grants, tax rebates, public infrastructure assistance, and other incentives. The costs of such Development Agreements will not exceed \$250,000 - \$500,000.

2. Planning, Engineering Fees (for Urban Renewal Plans), Attorney Fees, Other Related Costs to Support Urban Renewal Projects and Planning:

Project	Estimated Date	Estimated Cost
Fees and Costs	Undetermined	Not to Exceed \$50,000

J. FINANCIAL INFORMATION

1.	July 1, 2016, Constitutional Debt Limit	\$24,083,708
2.	Current Outstanding General Obligation Debt	\$18,102,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately as stated in the next column:	\$1,100,000 – 1,350,000 This does not include financing costs related to debt issuance, which may be incurred over the life of the Area.

K. URBAN RENEWAL FINANCING

The City of Storm Lake intends to utilize various financing tools, such as those described below to successfully undertake the proposed urban renewal actions. The City of Storm Lake has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. Tax Increment Financing.

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives, or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

B. General Obligation Bonds.

Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area and for other urban renewal projects or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of Storm Lake. It may be, the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates, or other incentives to developers or private entities in connection with the urban renewal projects identified in this Plan. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

L. PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and disposition of property upon the terms and conditions in the discretion of the City Council.

M. RELOCATION

The City does not expect there to be any relocation required of residents or businesses as part of the proposed urban renewal project; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

N. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to State and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

O. AGRICULTURAL LAND

Because this Urban Renewal Area does not contain land defined as “agricultural land” pursuant to *Code of Iowa* Section 403.17(3), no agricultural landowner consents are required.

P. SEVERABILITY

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

Q. PROPERTY WITHIN AN URBAN REVITALIZATION AREA

The Urban Renewal Area may (now or in the future) also be located within an established Urban Revitalization Area. The Storm Lake City Council, at its sole discretion, shall determine which incentives are available through either: (a) this Plan, for urban renewal incentives, if any urban renewal incentives are offered by the City; or (b) tax abatement incentives through Urban Revitalization; or (c) a combination of these incentives.

R. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying goals or types of renewal activities.

The City Council may amend this Plan in accordance with applicable State law.

S. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and shall remain in effect until terminated by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, during the life of this Plan, the City Council may designate all or any portion of the property covered by this plan as a “tax increment area.” With respect to this Urban Renewal Area, there is no statutory limit on the number of years in which tax increment revenues may be collected by the City for its project indebtedness. This Urban Renewal Area contains blighted conditions, and therefore, the Area is not subject to the statutory limit on the number of years in which tax increment revenues may be collected by the City.

EXHIBIT A

LEGAL DESCRIPTION OF SOUTH SCHOOL URBAN RENEWAL AREA

LEGAL DESCRIPTION:

LOTS ONE (1), TWO (2), THREE (3), FOUR (4), AND FIVE (5), BLOCK FORTY (40) ORIGINAL TOWN OF STORM LAKE, IOWA **EXCEPT** THE EAST ONE HUNDRED SEVENTY-TWO FEET (E. 172') OF THE NORTH SIXTY-FIVE FEET (N. 65') OF LOT ONE (1), BLOCK FORTY (40), ORIGINAL TOWN OF STORM LAKE, IOWA;

Together with the following-described parts of street rights-of-way abutting the above-described property:

The Third Street right-of-way commencing at its intersection with the western boundary of the Irving Street right-of-way on the West and extending one hundred twenty-eight feet (128') eastward;

And

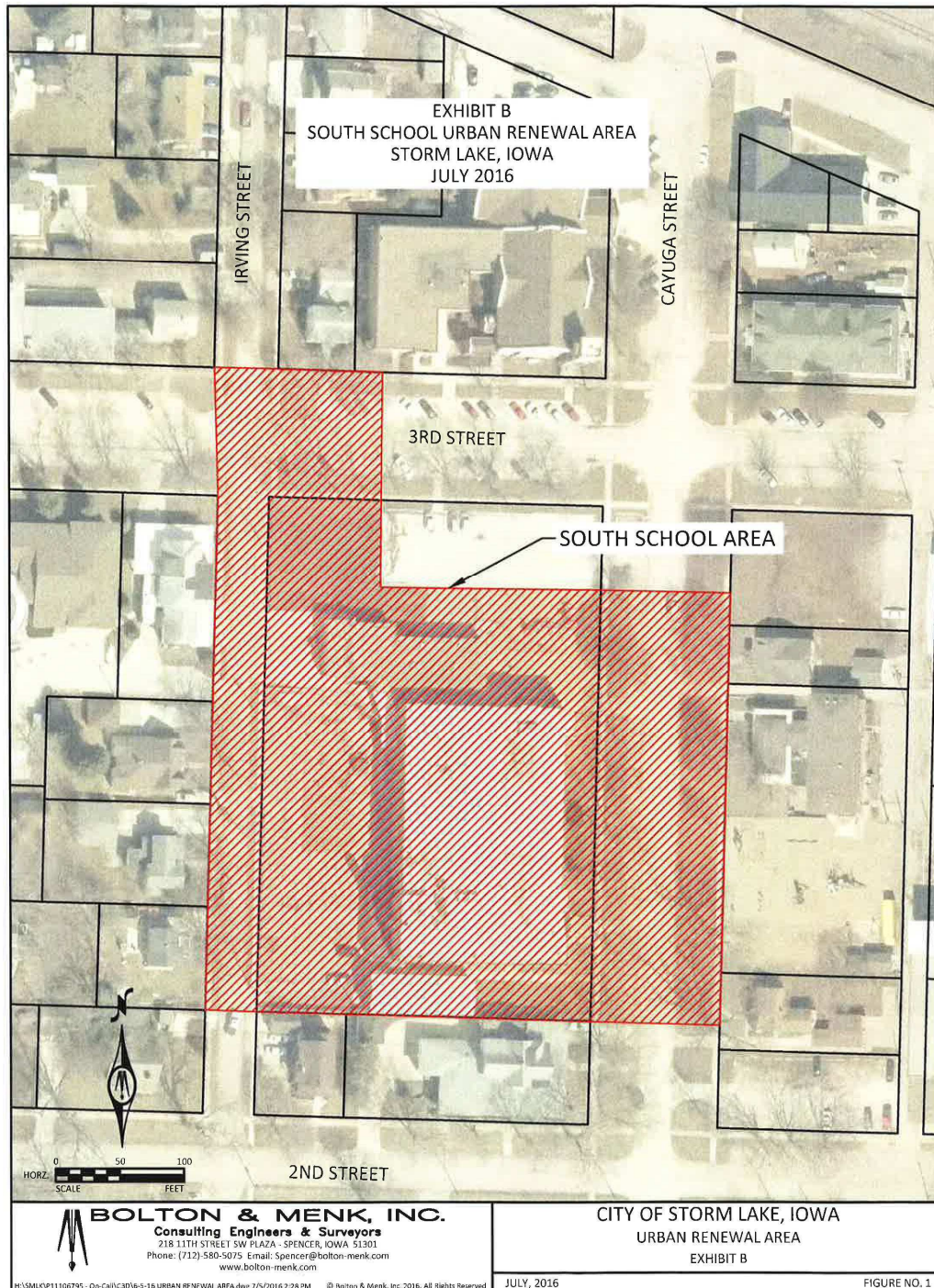
The Irving Street right-of-way commencing at its intersection with the northern boundary of the Third Street Right-of-way on the North and extending five hundred feet (500') southward;

And

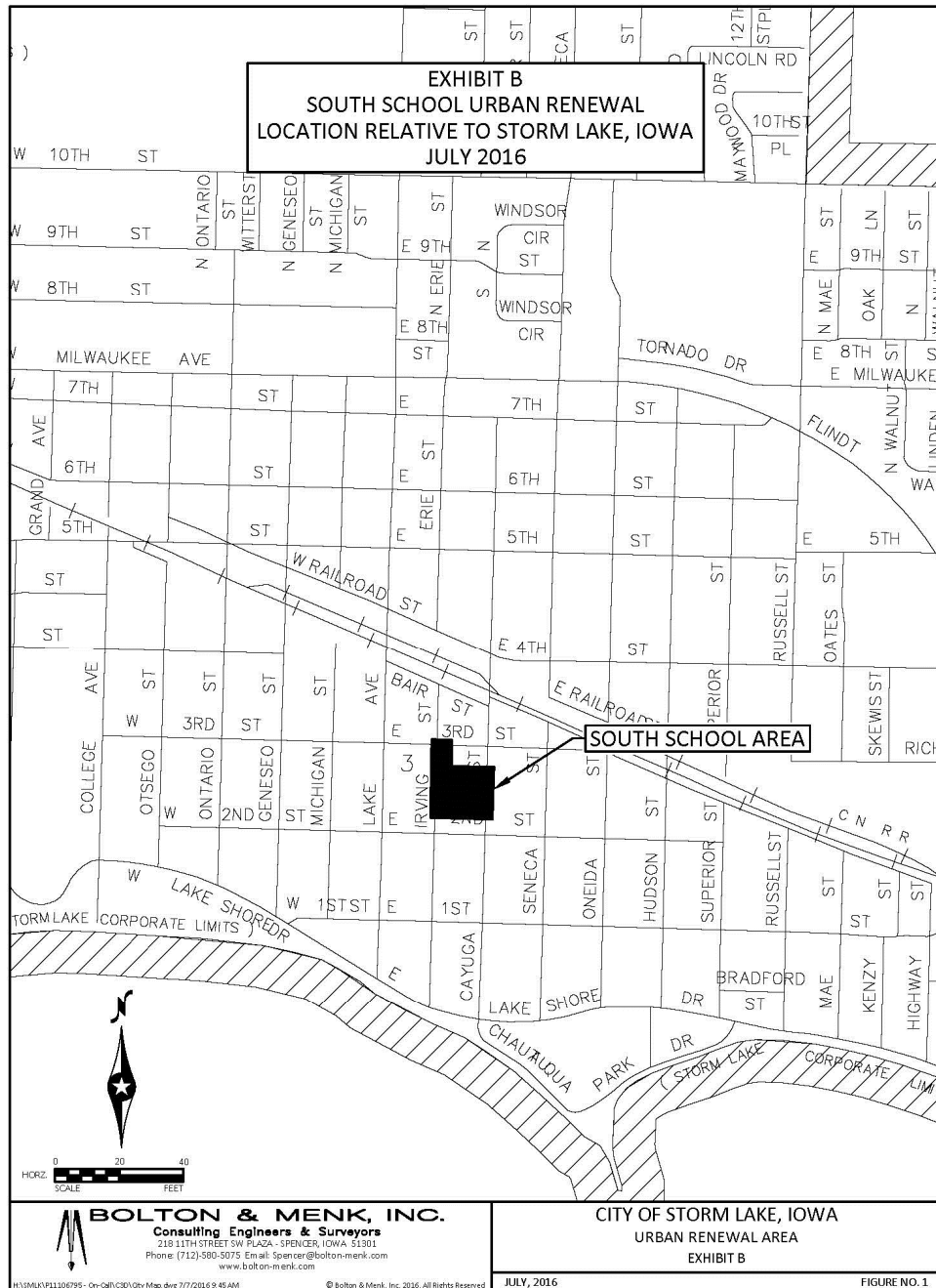
The Cayuga Street right-of-way commencing one hundred sixty feet (160') north of its intersection with the southern boundary of the Second Street right-of-way on the South and extending three hundred thirty-five feet (335') northward.

EXHIBIT B

MAP OF SOUTH SCHOOL URBAN RENEWAL AREA



MAP OF SOUTH SCHOOL URBAN RENEWAL AREA



Staff Summary

8/1/2016

Agenda Item # 5.



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

REPORT TO: Honorable Mayor and City Council

FROM: Scott Olesen, Building Official

SUBJECT: Resolution No. 08-R-2016-2017 Setting A Public Hearing On A Proposal To Amend The City Code By Updating The Referenced Construction Codes and Standards To The Most Recent Editions.

BACKGROUND:

The City Code adopts by reference the International Building, Residential, Fire, and Mechanical Codes, as well as the Uniform Plumbing Code and National Electrical Code.

These codes are produced by the International Code Council, the National Fire Protection Association, and the International Association of Plumbing and Mechanical Officials. Each of these organizations updates their codes on a three year cycle.

At this time, City staff is proposing to update from the 2009 versions of the International Building, Fire, Residential, and Mechanical codes, as well as the Uniform Plumbing Code to the 2015 version. The National Electrical Code is on a different three year cycle and therefore we will be updating to the 2014 National Electrical Code.

Updating to the current code editions will bring the City into line with the codes adopted by the State of Iowa and other jurisdictions. Additionally, the City of Storm Lake is reviewed every three years by the Insurances Services Offices (ISO), which provides ratings for building departments which is then used for setting insurance rates. A City's ISO rating is also used by FEMA in responding to natural disasters. Adopting more current codes will help to maintain our current rating.

Council must hold a Public Hearing on the proposed amendments to the current City Code. The Hearing will be held at the regular

Council meeting at 5:00PM Monday, August 15th, 2016 at City Hall.

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

RECOMMENDATION: Set the Public Hearing for Monday, August 15th, 2016 at 5:00PM

ATTACHMENTS:

Description	Type
📎 Resolution No. 08-R-2016-2017	Resolution

RESOLUTION NO. 08-R-2016-2017

RESOLUTION SETTING HEARING ON A PROPOSAL TO ADOPT BY REFERENCE PARTS OR ALL OF CERTAIN STATEWIDE OR NATIONALLY RECOGNIZED STANDARD CODES AND IOWA CODE SECTIONS AS PART OF AN ORDINANCE AMENDING THE CITY'S BUILDING CODE, PLUMBING CODE, ELECTRICAL CODE, MECHANICAL CODE, RESIDENTIAL BUILDING CODE, FIRE CODE, AND HOUSING CODE; AND PRESCRIBING NOTICE

WHEREAS, the City Council of the City of Storm Lake, Iowa has, from time to time, adopted by reference the provisions of certain statewide or nationally recognized standard codes or portions of such codes by ordinances which identify the codes by subject matter, source, and date, without setting them forth in full, as permitted by Iowa Code Section 380.10;

WHEREAS, the City Council of the City of Storm Lake, Iowa has, from time to time, adopted by reference the provisions of certain portions of the Code of Iowa related to such statewide or nationally recognized standard codes or portions of such codes by ordinances without setting them forth in full, also as permitted by Iowa Code Section 380.10;

WHEREAS, the City's Building Code, Plumbing Code, Electrical Code, Mechanical Code, Residential Building Code, Fire Code, and Housing Code are included among such codes that are adopted in whole or part by reference to statewide or nationally recognized standard codes and portions of the Code of Iowa;

WHEREAS, the City Council now intends to consider adopting an ordinance that amends and updates such codes by reference to updated statewide or nationally recognized standard codes and portions of the Code of Iowa;

WHEREAS, the updated statewide or nationally recognized standard codes to be adopted in whole or part by reference include the International Building Code, 2015 Edition; the Uniform Plumbing Code, 2015 Edition; the National Electrical Code, 2014 Edition; the International

Mechanical Code, 2015 Edition; the Residential Building, 2015 Edition; the Uniform Housing Code, 1994 Edition (by its references to portions of the other Codes set forth herein); and the International Fire Code, 2015 Edition;

WHEREAS, the Iowa Code sections to be adopted in whole or part by reference are 100.1(5), 100.35, 103.6, and 105.4(1)(a);

WHEREAS, Iowa Code Section 380.10 requires the Council to hold a public hearing on any proposed standard code or on the portion of the standard code to be adopted by reference and to hold a public hearing on any portion of the Code of Iowa to be adopted by reference; and

WHEREAS, copies of the standard codes or portions thereof and the portions of the Iowa Code proposed to be adopted by reference are available for review by members of the public at the office of the City Clerk of the City of Storm Lake, City Hall, 620 Erie Street, Storm Lake, Iowa.

NOW, THEREFORE, be it hereby resolved that this proposal to adopt by reference parts or all of such statewide or nationally recognized standard codes and Iowa Code sections as part of an Ordinance amending the City's Building Code, Plumbing Code, Electrical Code, Mechanical Code, Residential Building Code, Fire Code, and Housing Code shall be scheduled for public hearing at the Council Chambers at City Hall at the regular council meeting scheduled August 15, 2016, at 5:00 p.m. The City Clerk is directed to have a copy of this Resolution published in the Storm Lake Times on a date not less than four (4) days nor more than twenty (20) days prior to said meeting. The City Clerk is further directed to have available in the City Clerk's office at the Clerk's address shown above copies of the standard codes or portions thereof and the portions of the Iowa Code proposed to be adopted by reference for review by members of the public.

Passed and approved this 1st day of August, 2016.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

Staff Summary

8/1/2016

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: Jason Etnyre, Public Works Director

SUBJECT: Resolution No. 09-R-2016-2017 Approving Change Order #2 to the 2016 Erie Street CDBG Stormwater Improvements Project

BACKGROUND: While excavating near the intersection of Milwaukee and Erie, it was determined that the soils within this area contained some petroleum residue. Due to Iowa DNR and EPA laws and regulations, the City of Storm Lake is responsible for addressing these types of issues within our work zone. Exploratory excavation was needed to determine the boundaries of the contaminated soils (\$1,800), contaminated soils were excavated and hauled to the Carroll landfill (\$1,050), and the plastic storm sewer pipe within this area was replaced with reinforced concrete pipe (\$3,072).

Also included in the change order is an additional 3 working days added to the contract due to time required for the removal of the contaminated soils.

Total cost of this change order is \$5,922.

FISCAL IMPACT: Original contract price: \$1,044,186.04
Change order No.1: \$8,152.70
Change order No. 2: \$5,922.00

RECOMMENDATION: Contract Price with all approved Change Orders: \$1,058,260.74
Staff recommends that Council adopt Resolution No. 09-R-2016-2017 approving Change Order No.2 in the amount of \$5,922.

ATTACHMENTS:

Description	Type
☐ Resolution No. 09-R-2016-2017	Resolution
☐ Change Order #2	Change Order

RESOLUTION NO. 09-R-2015-2016

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

To approve Change Order No. 2 to the contract with Hulstein Excavating Inc. for the Erie Street CDBG Stormwater Improvements Project, an increase of \$5,922 to the contract for the removal of contaminated soil found on the corner of Erie and E. Milwaukee Street and installation of concrete pipe required by DNR.

Also included in the change order is the addition of 3 days to the contract due to the time required for the removal of the contaminated soils.

Total cost of Change Order #2 is an increase of \$5,922.00 to the contract and the addition of 3 days added to the contract. Total contract cost after change order #2 is \$1,058,260.74.

PASSED AND APPROVED this 1st day of August 2016.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

CHANGE ORDER

No. 002

PROJECT: Erie Street CDBG Stormwater Improvements

DATE OF ISSUANCE: July 26, 2016

EFFECTIVE DATE: July 26, 2016

OWNER: City of Storm Lake

ENGINEER'S Project No.: P11.109398

CONTRACTOR: Hulstein Excavating Inc.

ENGINEER: Bolton & Menk, Inc.

You are directed to make the following changes in the Contract Documents.

Description:

Cost Difference

Item 67 Contaminated Soil Removal -- Unit Price: \$35.00 per CY. Add 30 CY	\$1,050.00
Item 68 Storm Sewer, RCP, 12" -- Unit Price: \$96.00 per foot. Add 32 Ft	\$3,072.00
Item 69 Exploratory Excavation -- Unit Price: \$1800.00 Lump Sum.	\$1,800.00

Reason for Change Order:

Contaminated soil found on the corner of Erie and E. Milwaukee. Concrete pipe required by DNR.

Attachments: Hulstein Excavating Change Order Price

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price	Original Contract Times
<u>\$1,044,186.04</u>	Substantial Completion: <u>November 11, 2016</u> days or dates
	Ready for Final Payment: _____ days or dates
Net Changes from Previous Change Orders	Net Changes from Previous Change Orders
<u>\$8,152.70</u>	<u>0</u> days
Contract Price Prior to this Change Order	Contract Times Prior to this Change Order
<u>\$1,052,338.74</u>	Substantial Completion: <u>0</u> days or dates
	Ready for final payment: <u>0</u> days or dates
Net Increase of this Change Order	Net Change of this Change Order
<u>\$5,922.00</u>	<u>3</u> days
Contract Price with all approved Change Orders	Contract Times with all approved Change Orders
<u>\$1,058,260.74</u>	Substantial Completion: <u>November 16, 2016</u> days or dates
	Ready for final payment: _____ days or dates

RECOMMENDED: Bolton & Menk, Inc.

Approved: City of Storm Lake

Accepted: Hulstein Excavating, Inc.

By: _____
Engineer (Authorized Signature)

By: _____
Owner (Authorized Signature)

By: [Signature]
Contractor (Authorized Signature)

Date: _____

Date: _____

Date: 7/27/16

Staff Summary

8/1/2016

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: James H. Patrick, City Manager

SUBJECT: Motion Approving The Third Amendment To The Engineer's Agreement For Phase 2 - Final Design And Construction Administration Sanitary Sewer Mitigation Project.

BACKGROUND: During a final review of the Engineer Agreement is for Phase 2 - Final Design and Construction Administration for the Sanitary Sewer System Mitigation Project it was noted that there are three needed modifications to the agreement.

The fee for geotechnical engineering services needs to be decreased from \$22,420 by \$11,120 to reflect a final contract amount of \$11,300.

The fee for final design needs to increase by \$13,212.08 to incorporate the cost of printing plans for distribution to bidders. The original agreement required the City to reimburse the engineers for the cost of printing lan drawings but did not have the total cost of the printing not knowing how many would be distributed. The cost totaled \$13,212.08.

During he construction of the project, the City requested that the engineer pay a \$750.00 licensing permit fee to the railroad for construction across the railroad right-of-way. This amendment incorporates the reimbursement of \$750 for construction administration services.

FISCAL IMPACT: This amendment to the Phase 2 - Final Design and Construction Administration Agreement increases the contract total by \$2,842.08.

RECOMMENDATION: Council Approve the Third Amendment To The Engineer's Agreement For Phase 2 - Final Design And Construction

Administration Sanitary Sewer Mitigation Project.

ATTACHMENTS:

Description	Type
 Amendment #3 to Contract	Backup Material

THIRD AMENDMENT TO AGREEMENT

PHASE 2 – FINAL DESIGN AND CONSTRUCTION ADMINISTRATION SANITARY SEWER MITIGATION PROJECT (DR-1763-IA 0165) CITY OF STORM LAKE, IOWA

THIS THIRD AMENDMENT TO AGREEMENT, made and entered into this __ day of _____, 2016, by and between the **CITY OF STORM LAKE, IOWA**, hereinafter referred to as the **City**, party of the first part, and **VEENSTRA & KIMM, INC.**, a corporation organized and existing under the laws of the State of Iowa with principal offices in West Des Moines, Iowa, party of the second part, hereinafter referred to as the **Engineers**.

WITNESSETH, THAT WHEREAS, the City entered into an Agreement with the Engineers dated July 29, 2011 for the final design and construction administration of the Sanitary Sewer Mitigation Project (DR-1763-IA 0165), or the **Project**, and

WHEREAS, the Agreement dated July 29, 2011 provided for final design services, geotechnical engineering and construction administration services for the Project, and

WHEREAS, the final design and construction of the Sanitary Sewer Mitigation Project has been completed, and

WHEREAS, the Agreement dated July 29, 2011 provided the City would reimburse the Engineers the cost for the printing of plans to be distributed to bidders at no cost, and

WHEREAS, the Agreement dated July 29, 2011 did not include a fee for the cost of printing of plan drawings, and

WHEREAS, during the construction of the project the City requested the Engineers to advance the funds for a permit application to the Canadian National Railroad in order to expedite the processing of the permit, and

WHEREAS, the payment of permit fees was not included in the original Agreement for construction administration services, and

WHEREAS, the City desires to amend the Agreement dated July 29, 2011, as amended, to incorporate two fee modifications and to reduce the fee for geotechnical services to the actual fee incurred for geotechnical services.

NOW, THEREFORE, it is agreed by and between the parties hereto that the Agreement dated July 29, 2011, as amended on April 6, 2015 and on March 9, 2016, is amended with the following additions, deletions and modifications to wit:

1. Under **"21. COMPENSATION"** add the following:
 - "j) For geotechnical engineering services for the Project under this Third Amendment to Agreement the maximum fee shall be reduced to Eleven Thousand Three Hundred Dollars (\$11,300) to reflect the actual cost of geotechnical engineering services under 11. GEOTECHNICAL ENGINEERING. With this Third Amendment to Agreement the fee for geotechnical engineering is reduced by Eleven Thousand One-hundred Twenty Dollars (\$11,120) from the original not to exceed fee of Twenty-two Thousand Four Hundred Twenty Dollars (\$22,420) to a maximum not to exceed fee of Eleven Thousand Three Hundred Dollars (\$11,300).
 - k) For final design and bidding services for the Project under this Third Amendment to Agreement the maximum fee for printing of plan drawings as set forth in 4. PLANS AND SPECIFICATIONS of the Agreement dated July 29, 2011 shall be Thirteen Thousand Two Hundred Twelve and 08/100 Dollars (\$13,212.08). With this Third Amendment to Agreement the fee for design services shall increase from Four Hundred Nineteen Thousand Six Hundred Dollars (\$419,600) to a maximum not to exceed fee of Four Hundred Thirty-two Thousand Eight Hundred Twelve and 08/100 Dollars (\$432,812.08) or an increase of Thirteen Thousand Two Hundred Twelve and 08/100 Dollars (\$13,212.08).
 - l) For construction administration services for the Project under this Third Amendment to Agreement the maximum fee shall be increased in an amount of Seven Hundred Fifty Dollars (\$750) to reflect the Engineers payment of a permit fee to the Canadian National Railroad. With this Third Amendment to Agreement the fee for construction engineering services increases from a previously revised maximum of Two Seventy-five Thousand Seven Hundred Dollars (\$275,700) to a maximum not to exceed fee of Two Seventy-six Thousand Four Hundred Fifty Dollars (\$276,450).
 - m) The total change in the maximum fee for all engineering services for the three modifications set forth in this Third Amendment to Agreement shall be an increase in the aggregate total fee by Two Thousand Eight Hundred Forty-two and 08/100 Dollars (\$2,842.08)."
2. Except as modified herein, the provisions of the Agreement dated July 29, 2011, as amended on April 6, 2015 and March 9, 2016, shall remain in full force and effect.

The undersigned do hereby covenant and state this Third Amendment to Agreement is executed in duplicate as though each were an original and that there are no oral agreements that have not been reduced to writing in this instrument.

It is further covenanted and stated that there are no other considerations or monies contingent upon or resulting from the execution of this Third Amendment to Agreement nor have any of the above been implied by or for any party to this Third Amendment to Agreement.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names on the date first written above.

CITY OF STORM LAKE, IOWA

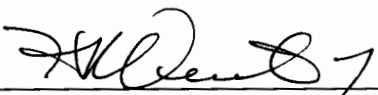
ATTEST:

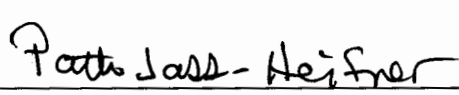
By _____
Mayor

By _____
City Clerk

VEENSTRA & KIMM, INC.

ATTEST:

By  _____
H. R. Veenstra Jr., President

By  _____

Staff Summary

8/1/2016

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: Jason Etnyre, Public Works Director

SUBJECT: Resolution No. 10-R-2016-2017 Approving Submittal of a 2016 Reap City Parks and Open Spaces Grant Application

BACKGROUND: Every year the Iowa DNR, through the REAP program seeks applications for the City Parks and Open Space grant. REAP funds are appropriated by the Iowa Legislature and signed into law by the Governor. 15% of all allocated REAP funds, or \$2,400,000, are utilized to increase the numbers of parks throughout the State of Iowa. Due to the population of the City of Storm Lake, we can seek up to \$125,000 in grant funding.

These grants are 100%, so local matching funds are not required. This grant program is very competitive. Funds are not available for single or multipurpose athletic fields, baseball or softball diamonds, tennis courts, golf courses, and other organized sport facilities. Swimming pools and playground equipment are also ineligible. Parkland expansion and multi-purpose recreation developments are typical projects funded under this REAP program. The DNR administers the city grant program. City officials representing the Iowa Park and Recreation Association and League of Cities select which projects receive funding.

The property that City staff is asking Council to support the purchase of is the former Joyce's Greenery location at the corner of 5th and Russell. This location has been in a blighted state for several years and the City acquiring this property for parkland would ensure the cleanup of this property. The neighborhood surrounding this property has several multifamily dwelling units within close proximity and a quick drive through this area will reveal a lot of homes with young children playing. This neighborhood does not have a readily accessible park for these residents to enjoy. The demographics of this neighborhood would show a mixed diversity of population, low to moderate income housing

units, and a populace with younger children.

FISCAL IMPACT:

Grants through REAP for purchase of parkland are 100%. The City serves only as a procurement agency. The purchase price of this property would be \$60,000 and if awarded would be funded by REAP.

The City's financial input would be as follows:

1. Staff has utilized Attorney Havens to draft the Purchase Offer for the property.
2. If the grant is awarded, the City will be responsible for securing an appraisal for the property through a DNR-approved real estate appraiser.
3. If the grant is awarded, the City will again use Attorney Havens to represent the City in the closing of said property.

In regards to any additional costs, staff has asked Bolton & Menk to develop a schematic for what this park space could look like in the future. Development costs could vary from extremely minimal with the planting of a few trees all the way up to the construction of a picnic shelter/gazebo or a playground. Decisions of this matter would be made by staff, Council, the public, and the Mayor's advisory board in the future. Any costs associated with development would be handled through the CIP and annual Parks budget.

RECOMMENDATION:

Staff recommends that Council approve Resolution No. 10-R-2016-2017 for the submission of the 2016 REAP City Parks and Open Spaces grant application.

ATTACHMENTS:

Description	Type
☐ Resolution No. 10-R-2016-2017	Resolution

RESOLUTION NO. 10-R-2016-2017

**A RESOLUTION IN SUPPORT OF SUBMITTING AN REAP GRANT APPLICATION
FOR A NEIGHBORHOOD PARKS PROJECT**

WHEREAS the City of Storm Lake, Iowa recognizes the importance of providing parks and opens spaces to the Citizens of Storm Lake, and

WHEREAS the Resource Enhancement and Protection (REAP) is a State of Iowa program that invests in the enhancement and protection of the state's natural and cultural resources, and

WHEREAS the REAP funds are available to cities through competitive grants, and

WHEREAS the REAP grant is a 100% grant so local matching funds are not required, and

WHEREAS, the City of Storm Lake desires to submit an application to the program to procure funds to create a neighborhood park.

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

The submittal of the grant application is hereby approved for submittal to the State of Iowa REAP program.

PASSED AND APPROVED this 1st day of August, 2016.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

Staff Summary

8/1/2016

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: Jason Etnyre, Public Works Director

SUBJECT: 2016 REAP City Parks and Open Spaces Purchase Offer

BACKGROUND: City of Storm Lake Public Works staff is applying for funding through the Iowa DNR REAP City Parks and Open Spaces grant process. Money to purchase properties to increase parkland within cities is 100% funded via REAP.

The Purchase Offer for consideration by Council is with William and Joyce Smith for their property located at the intersection of 5th and Russell. This location is more commonly known as the former Joyce's Greenery location. City staff and City Attorney Havens have spoken with the Smiths and a price of \$60,000 has been negotiated for the acquisition of this property.

Highlights of the Purchase offer include: the property being cleared of all existing structures and concrete, no commitment to purchase by the City unless the grant is awarded, and no fault to the City if the property fails to appraise for the purchase price if the grant is awarded.

FISCAL IMPACT: REAP would be 100% responsible for the \$60,000 purchase price if awarded the grant.

If the grant is awarded, the City of Storm Lake would be responsible for any appraisal, attorney costs for closing on said real estate, and the City would also be responsible for any development to the property in the future.

RECOMMENDATION: Staff recommends that Council approve the Purchase Offer in the amount of \$60,000 with Bill and Joyce Smith.

ATTACHMENTS:

Description	Type
Real Estate Contract	Contract

**REAL ESTATE CONTRACT
(SHORT FORM)
THE IOWA STATE BAR ASSOCIATION
Official Form No. 143
Recorder's Cover Sheet**

Preparer Information: (name, address and phone number)

Philip E. Havens, 716 Lake Avenue, PO Box 426, Storm Lake, IA 50588, Phone: (712) 732-7262

Taxpayer Information: (name and complete address)

City of Storm Lake, Storm Lake, Iowa, PO Box 1086, Storm Lake, IA 50588

Return Document To: (name and complete address)

Philip E. Havens, 716 Lake Avenue, PO Box 426, Storm Lake, IA 50588

Grantors:

William J. Smith

Joyce Smith

Grantees:

City of Storm Lake, Iowa

Legal Description: See Page 2

Document or instrument number of previously recorded documents:

**REAL ESTATE CONTRACT
(SHORT FORM)**

IT IS AGREED between William J. Smith and Joyce M. Smith, husband and wife, ("Sellers"); and City of Storm Lake, Iowa, an Iowa municipal corporation ("Buyers").

Sellers agree to sell and Buyers agree to buy real estate in Buena Vista County, Iowa, described as:

South Four (4) Feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Five (5), Thomas and Bradford's North Addition to the City of Storm Lake, Iowa,

with any easements and appurtenant servient estates, but subject to the following: a. any zoning and other ordinances; b. any covenants of record; and c. any easements of record for public utilities, roads and highways; (the "Real Estate"), upon the following terms:

1. **PRICE.** The total purchase price for the Real Estate is Sixty Thousand and 0/100 Dollars (\$ 60,000.00) of which No and 0/100 Dollars (\$ 0.00) has been paid. Buyers shall pay the balance to Sellers at Havens and Havens, 716 Lake Avenue, PO Box 426, Storm Lake, IA 50588 or as directed by Sellers, as follows:

\$60,000.00 shall be paid at closing when Sellers deliver the warranty deed for the Real Estate to Buyers.

2. **REAL ESTATE TAXES.** Sellers shall pay a) all real estate taxes delinquent if not paid April 1, 2016, October 1, 2016, and April 1, 2017; b) a prorated amount of real estate taxes accruing in the fiscal year ending June 30, 2017 but payable in the fiscal year ending June 30, 2018 (those taxes delinquent if not paid October 1, 2017 and April 1, 2018) equal to the amount of the taxes for the fiscal year ending June 30, 2017, multiplied by a fraction, the numerator of which is the number of days from July 1, 2016 through the date of closing, and the denominator of which is three hundred sixty five (365); and c) any unpaid real estate taxes payable in prior years. Buyers shall pay all subsequent real estate taxes. Any proration of real estate taxes on the Real Estate shall be based upon such taxes for the year currently payable unless the parties state otherwise.

3. **SPECIAL ASSESSMENTS.** Sellers shall pay all special assessments which are a lien on the Real Estate as of the date of this contract. All other special assessments shall be paid by Buyers.

4. **POSSESSION / CLOSING.** Sellers shall give Buyers possession of the Real Estate on the date of closing, provided Buyers are not in default under this contract. Closing shall be as soon as practical after the Buyers' receipt of notification from the Iowa Department of Natural Resources ("DNR") that the Buyers have been awarded a City Parks and Open Spaces grant for the full amount of the purchase price (for which grant the Buyers will apply by August 15, 2016), after Buyers' receipt of notification from DNR that the appraisal of the Real Estate (to be completed at the Buyers' cost following the grant award notification) satisfies the requirements

of such grant to permit the DNR to disburse funds to the Buyers, and after the satisfaction or removal of any other DNR conditions for disbursement of grant funds. The closing, in any event, shall be held within thirty (30) days of the date on which the Buyers have received from DNR a notification that any grant funds awarded can be disbursed because of the satisfaction of all conditions precedent thereto. Sellers and Buyers understand that notification of any tentative award of such grant, subject to appraisal and any other conditions precedent to disbursement, should be received by Buyers by October 15, 2016.

5. INSURANCE. Sellers shall maintain existing insurance upon the Real Estate until the date of possession. Buyers shall accept insurance proceeds instead of Sellers replacing or repairing damaged improvements. After possession and until full payment of the purchase price, Buyers shall keep the improvements on the Real Estate insured against loss by fire, tornado, and extended coverage for a sum not less than 80 percent of full insurable value payable to the Sellers and Buyers as their interests may appear. Buyers shall provide Sellers with evidence of such insurance.

6. ABSTRACT AND TITLE. Sellers, at their expense, shall obtain an abstract of title to the Real Estate continued through a date not more than thirty days before closing, and deliver it to Buyers for examination. It shall show merchantable title in Sellers in or conformity with this contract, Iowa law and the Title Standards of the Iowa State Bar Association. The abstract shall become the property of the Buyers when the purchase price is paid in full. However, Buyers reserve the right to occasionally use the abstract prior to full payment of the purchase price. Sellers shall pay the costs of any additional abstracting and title work due to any act or omission of Sellers, including transfers by or the death of Sellers or their assignees.

7. FIXTURES. All property that integrally belongs to or is part of the Real Estate, whether attached or detached, such as light fixtures, shades, rods, blinds, awnings, windows, storm doors, screens, plumbing fixtures, water heaters, water softeners, automatic heating equipment, air conditioning equipment, wall to wall carpeting, built-in items and electrical service cable, outside television towers and antenna, fencing, gates and landscaping shall be considered a part of Real Estate and included in the sale except: (no exceptions).

8. CARE OF PROPERTY. Buyers shall take good care of the property; shall keep the buildings and other improvements now or later placed on the Real Estate in good and reasonable repair and shall not injure, destroy or remove the property during the term of this contract. Buyers shall not make any material alteration to the Real Estate without the written consent of the Sellers.

9. DEED. Upon payment of purchase price, Sellers shall convey the Real Estate to Buyers or their assignees, by warranty deed, free and clear of all liens, restrictions, and encumbrances except as provided herein. Any general warranties of title shall extend only to the date of this contract, with special warranties as to acts of Sellers continuing up to time of delivery of the deed.

10. REMEDIES OF THE PARTIES. a. If Buyers (a) fail to make the payments aforesaid, or any part thereof, as same become due; or (b) fail to pay the taxes or special

assessments or charges, or any part thereof, levied upon said property, or assessed against it, by any taxing body before any of such items become delinquent; or (c) fail to keep the property insured; or (d) fail to keep it in reasonable repair as herein required; or (e) fail to perform any of the agreements as herein made or required; then Sellers, in addition to any and all other legal and equitable remedies which they may have, at their option, may proceed to forfeit and cancel this contract as provided by law (Chapter 656 Code of Iowa). Upon completion of such forfeiture Buyers shall have no right of reclamation or compensation for money paid, or improvements made; but such payments and/or improvements if any shall be retained and kept by Sellers as compensation for the use of said property, and/or as liquidated damages for breach of this contract ; and upon completion of such forfeiture, if the Buyers, or any other person or persons shall be in possession of said real estate or any part thereof, such party or parties in possession shall at once peacefully remove therefrom, or failing to do so may be treated as tenants holding over, unlawfully after the expiration of lease, and may accordingly be ousted and removed as such as provided by law.

b. If Buyers fail to timely perform this contract, Sellers, at their option, may elect to declare the entire balance immediately due and payable after such notice, if any, as may be required by Chapter 654, The Code. Thereafter this contract may be foreclosed in equity and the court may appoint a receiver to take immediate possession of the property and of the revenues and income accruing therefrom and to rent or cultivate the same as the receiver may deem best for the interest of all parties concerned, and such receiver shall be liable to account to Buyers only for the net profits, after application of rents, issues and profits from the costs and expenses of the receivership and foreclosure and upon the contract obligation.

It is agreed that if this contract covers less than ten (10) acres of land, and in the event of the foreclosure of this contract and sale of the property by sheriff's sale in such foreclosure proceedings, the time of one year for redemption from said sale provided by the statutes of the State of Iowa shall be reduced to six (6) months provided the Sellers, in such action file an election to waive any deficiency judgment against Buyers which may arise out of the foreclosure proceedings; all to be consistent with the provisions of Chapter 628 of the Iowa Code. If the redemption period is so reduced, for the first three (3) months after sale such right of redemption shall be exclusive to the Buyers, and the time periods in Sections 628.5, 628.15 and 628.16 of the Iowa Code shall be reduced to four (4) months.

It is further agreed that the period of redemption after a foreclosure of this contract shall be reduced to sixty (60) days if all of the three following contingencies develop: (1) The real estate is less than ten (10) acres in size; (2) the Court finds affirmatively that the said real estate has been abandoned by the owners and those persons personally liable under this contract at the time of such foreclosure; and (3) Sellers in such action file an election to waive any deficiency judgment against Buyers or their successor in interest in such action. If the redemption period is so reduced, Buyers or their successors in interest or the owner shall have the exclusive right to redeem for the first thirty (30) days after such sale, and the time provided for redemption by creditors as provided in Sections 628.5, 628.15 and 628.16 of the Iowa Code shall be reduced to forty (40) days. Entry of appearance by pleading or docket entry by or on behalf of Buyers shall be presumption that the property is not abandoned. Any such redemption period shall be consistent with all of the provisions of Chapter 628 of the Iowa Code. This paragraph shall not be construed to limit or otherwise affect any other redemption provisions contained in Chapter 628 of the Iowa Code. Upon completion of such forfeiture Buyers shall have no right of

reclamation or compensation for money paid, or improvements made; but such payments and for improvements if any shall be retained and kept by Sellers as compensation for the use of said property, and/or as liquidated damages for breach of this contract; and upon completion of such forfeiture, if Buyers, or any other person or persons shall be in possession of said real estate or any part thereof, such party or parties in possession shall at once peacefully remove therefrom, or failing to do so may be treated as tenants holding over, unlawfully after the expiration of a lease, and may accordingly be ousted and removed as such as provided by law.

c. If Sellers fail to timely perform their obligations under this contract, Buyers shall have the right to terminate this contract and have all payments made returned to them.

d. Buyers and Sellers are also entitled to utilize any and all other remedies or actions at law or in equity available to them.

e. In any action or proceeding relating to this contract the successful party shall be entitled to receive reasonable attorney's fees and costs as permitted by law.

11. JOINT TENANCY IN PROCEEDS AND IN REAL ESTATE. If Sellers, immediately preceding this contract, hold title to the Real Estate in joint tenancy with full right of survivorship, and the joint tenancy is not later destroyed by operation of law or by acts of Sellers, then the proceeds of this sale, and any continuing or recaptured rights of Sellers in the Real Estate, shall belong to Sellers as joint tenants with full right of survivorship and not as tenants in common; and Buyers, in the event of the death of either Seller, agree to pay any balance of the price due Sellers under this contract to the surviving Seller and to accept a deed from the surviving Seller consistent with paragraph 9.

12. JOINDER BY SELLER'S SPOUSE. Seller's spouse, if not a titleholder immediately preceding acceptance of this offer, executes this contract only for the purpose of relinquishing all rights of dower, homestead and distributive shares or in compliance with Section 561.13 of the Iowa Code and agrees to execute the deed for this purpose.

13. TIME IS OF THE ESSENCE. Time is of the essence in this contract.

14. PERSONAL PROPERTY. If this contract includes the sale of any personal property, Buyers grant the Sellers a security interest in the personal property and Buyers shall execute the necessary financing statements and deliver them to Sellers.

15. CONSTRUCTION. Words and phrases in this contract shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

16. RELEASE OF RIGHTS. Each of the Seller hereby relinquishes all rights of dower, homestead and distributive share in and to the property and waives all rights of exemption as to any of the property.

17. CERTIFICATION. Buyers and Sellers each certify that they are not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of

Foreign Assets Control; and are not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Each party hereby agrees to defend, indemnify and hold harmless the other party from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to my breach of the foregoing certification.

18. INSPECTION OF PRIVATE SEWAGE DISPOSAL SYSTEM. Seller represents and warrants to Buyer that the Property is not served by a private sewage disposal system, and there are no known private sewage disposal systems on the property.

19. ADDITIONAL PROVISIONS. a. This contract is subject to and contingent upon the award of a City Parks and Open Spaces grant to the Buyers by the DNR for the full amount of the \$60,000.00 purchase price. For the purpose of this Paragraph 19, Subparagraph a, the grant shall not be considered awarded until all conditions or contingencies for actual receipt of the grant money have been satisfied and disbursement of the grant money to the Buyers has been approved by the DNR, including but not limited to the completion of an appraisal approved by the DNR establishing that the value of the Real Estate satisfies the requirements of the grant. If the Buyers are not awarded such grant, if the appraised value is not sufficient for the DNR to authorize or approve the disbursement of grant funds, or if the DNR does not approve the disbursement of funds pursuant to the grant for any reason, this contract shall be void and unenforceable. Buyers shall arrange and pay for the required appraisal.

b. In addition to the contingency set forth above, this contract is subject to its approval by the City Council of Storm Lake, Iowa on August 1, 2016. If not so approved, this contract shall be void and unenforceable.

c. The Real Estate now has the remains of certain structures left on it following a fire. Sellers, at Sellers' expense, shall cause to be removed from the Real Estate the remains of all structures, foundations, concrete, and debris from the Real Estate before the date of closing. This provision shall be a condition precedent for closing. Buyers may elect to void this contract or delay the closing if Sellers fail to comply with this provision.

Dated: _____

William J. Smith, Seller

Joyce Smith, Seller

CITY OF STORM LAKE, IOWA, Buyer

By: _____
Jon F. Kruse, Mayor

Attest: _____
Sue Vossberg, City Clerk