

**CITY OF STORM LAKE
REGULAR COUNCIL MEETING, CITY HALL
COUNCIL CHAMBERS
JULY 5, 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. 01-R-2016-2017 Approving the Consent Agenda**
 - B. Resolution No. 01-R-2016-2017 Authorizing Requests Associated With the 2016 Kiwanis Sprint Triathlon
 - C. Resolution No. 01-R-2016-2017 Authorizing Requests Associated With the 2016 Santa's Castle Events & Kiwanis Car Show
 - D. **Buy Local Information**
3. Motion Approving The Purchase Of Real Property And Easement Rights
4. Resolution No. 02-R-2016-2017 Approving Amendment No. 2 to the Agreement with the Flood Mitigation Board
5. Stormwater Management Facilities Maintenance Covenant And Permanent Easement Agreement For Methodist Manor Retirement Community.
6. Motion to Approve the Hungry Herd 2016 Contract
7. Adjourn

Meeting Protocol

If you wish to speak today, please:

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

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

***Ordinances may be read at three consecutive meetings or readings may be waived and ordinances may be passed*

at only one or two meetings.



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Staff Summary

7/5/2016

Agenda Item # A.



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

FROM: Sue Vossberg, City Clerk

SUBJECT: **Adopt Resolution No. 01-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 June 20, 2016 City Council Minutes
- Approve Board & Commission Appointments
 - Maria Ramos - Planning & Zoning
 - Jean Camerer - Cemetery Board
 - Benjamin Maas - Storm Water Advisory
 - Bob Payer - Board of Adjustment
 - Danny Richardson - Airport Commission, Civil Service Commission
- Approve requests associated with the 2016 Kiwanis Sprint Triathlon (see attached staff summary)
- Approve requests associated with the 2016 Santa's Castle Events & Kiwanis Car show (see attached staff summary)
- Approve appointments to the Mayor's Advisory Committee on Trees, Trails, and Parks
 - 1 year terms
 - Allen Taphorn, Becky Stille, Paola Michell
 - 2 year terms
 - Bob Payer, Luis Mendez, Mary Beth Andrews
 - 3 year terms
 - Lynn Schable, Linda Carver, Mike Thompson

FISCAL IMPACT: The City will pay the following expenditures:

- List of Bills - \$597,985.31
- King's Pointe Bills - \$207,500.55
- Sunrise Pointe Golf Course Bills - \$8,265.32

RECOMMENDATION: Approve Consent Agenda

ATTACHMENTS:

Description	Type
📎 Resolution No. 01-R-2016-2017	Resolution
📎 List of Bills	List of Bills
📎 List of Bills - King's Pointe & Sunrise Pointe	List of Bills
📎 Minutes - June 20, 2016	Minutes

RESOLUTION NO. 01-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 June 20, 2016.

To further approve the appointment of Maria Ramos to the Planning & Zoning Commission, Jean Camerer to the Cemetery Board, Benjamin Maas to the Storm Water Advisory Committee, Bob Payer to the Board of Adjustment and Danny Richardson to the Airport Commission and Civil Service Commission.

To further approve the requests from the Hy-Noon Kiwanis Club for the 2016 Kiwanis Sprint Triathlon scheduled for Saturday, July 30, 2016. Requests include ride/run permit, use of Awaysis Park including the beach, gazebos and west parking lot from 4:00am until 12:00pm, closure of the West Awaysis Park parking lot from 4:00am until 12:00pm, access to electricity from equipment in Awaysis Park, noise variance from 7:00am until 12:00pm, closure of the southern eastbound lane of East Lakeshore drive from Flindt Drive east to Radio Road from 6:00am until post event and support from the Parks and Police Departments.

To further approve the requests for the 2016 Santa's Castle Events & Kiwanis Car Show scheduled for Sunday, September 4, 2016. Requests include use of Chautauqua Park from 8:00am until 5:00pm, permission to fence off the western half of Chautauqua Park for the car show, close Chautauqua Park Road from the park's maintenance building west to Lakeshore Drive from 8:00am until 5:00pm, permission for craft sales, food/beverage sales, inflatables and other attractions, and noise variance from 8:00am until 5:00pm.

To further approve the appointments to the Mayor's Advisory Committee of Trees, Trails and Parks. Appointed to one year terms Allen Taphorn, Becky Stille, Paola Michell. Appointed to two year terms Bob Payer, Luis Mendez, Mary Beth Andrews. Appointed to three year terms Lynn Schable, Linda Carver, Mike Thompson.

PASSED AND APPROVED this 5th day of July 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: 06/21/16 To 07/05/16
User: tyler.gibbins

UNAVAILABLE

AFLAC	PR Batch 00554.06.2016 Aflac Pretax	457.22
AFLAC	PR Batch 00554.06.2016 Aflac After tax	99.12
AFLAC	PR Batch 00001.07.2016 Aflac Pretax	75.32
AFLAC	PR Batch 00001.07.2016 Aflac After tax	50.21
City of Storm Lake	PR Batch 00001.07.2016 Dental insurance employee c	1.13
City of Storm Lake	PR Batch 00001.07.2016 Dental employee/spouse	13.86
City of Storm Lake	PR Batch 00001.07.2016 Dental insurance family	24.45
City of Storm Lake	PR Batch 00001.07.2016 125 Flexible Benefits	265.21
City of Storm Lake	PR Batch 00001.07.2016 Flex- Child Care	62.50
City of Storm Lake	PR Batch 00001.07.2016 Health Insurance Family	597.20
City of Storm Lake	PR Batch 00001.07.2016 Health Insurance Single	24.00
City of Storm Lake	PR Batch 00554.06.2016 Dental employee/child	6.00
City of Storm Lake	PR Batch 00554.06.2016 Dental insurance employee c	19.76
City of Storm Lake	PR Batch 00554.06.2016 Dental employee/spouse	12.78
City of Storm Lake	PR Batch 00554.06.2016 Dental insurance family	81.18
City of Storm Lake	PR Batch 00554.06.2016 125 Flexible Benefits	532.97
City of Storm Lake	PR Batch 00554.06.2016 Flex- Child Care	161.54
City of Storm Lake	PR Batch 00554.06.2016 Health Insurance Family	1,709.03
City of Storm Lake	PR Batch 00554.06.2016 Health Insurance Single	376.55
Collection Services Center	PR Batch 00554.06.2016 Child Support Payments to I	222.00
Conseco Health Insurance Co	PR Batch 00554.06.2016 Cancer Pre Tax Insurance	41.04
EFTPS	PR Batch 00554.06.2016 Federal Income Tax	9,606.01
EFTPS	PR Batch 00554.06.2016 FICA Employee Portion	4,110.66
EFTPS	PR Batch 00554.06.2016 FICA Employer Portion	4,110.66
EFTPS	PR Batch 00554.06.2016 Medicare Employee Portion	1,450.37
EFTPS	PR Batch 00554.06.2016 Medicare Employer Portion	1,450.37
EFTPS	PR Batch 00001.07.2016 Federal Income Tax	4,371.06
EFTPS	PR Batch 00001.07.2016 FICA Employee Portion	1,697.23
EFTPS	PR Batch 00001.07.2016 FICA Employer Portion	1,697.23
EFTPS	PR Batch 00001.07.2016 Medicare Employee Portion	491.88
EFTPS	PR Batch 00001.07.2016 Medicare Employer Portion	491.88
FLOWERS JASON	Refund Check	121.66
ICMA Retirement Trust 457	PR Batch 00001.07.2016 ICMA	625.00
ICMA Retirement Trust 457	PR Batch 00001.07.2016 ICMA City Paid	550.01
ICMA Retirement Trust 457	PR Batch 00001.07.2016 ICMA City paid for Police	451.85
ICMA Retirement Trust 457	PR Batch 00554.06.2016 ICMA	1,585.00
Iowa Public Employees	PR Batch 00554.06.2016 IPERS	3,417.12
Iowa Public Employees	PR Batch 00554.06.2016 IPERS City Share	5,128.41
Iowa Public Employees	PR Batch 00001.07.2016 IPERS	1,346.77
Iowa Public Employees	PR Batch 00001.07.2016 IPERS City Share	2,021.27
ITT Hartford AMS RPVA	PR Batch 00001.07.2016 457 Hartford	100.00
ITT Hartford AMS RPVA	PR Batch 00554.06.2016 457 Hartford	225.00
LOPEZ-MUNOZ VERONICA	Refund Check	72.81
Muni Fire/Police Retire	PR Batch 00001.07.2016 Muni Police/Fire Pension	568.15
Muni Fire/Police Retire	PR Batch 00001.07.2016 Muni Police/Fire Pension Ci	1,566.64
Muni Fire/Police Retire	PR Batch 00554.06.2016 Muni Police/Fire Pension	2,803.48
Muni Fire/Police Retire	PR Batch 00554.06.2016 Muni Police/Fire Pension Ci	8,282.19
SMITH CHARLENE	Refund Check	25.94
SMITH CHARLENE	Refund Check	52.39
SMITH CHARLENE	Refund Check	18.49
SMITH CHARLENE	Refund Check	1.81
SMITH CHARLENE	Refund Check	8.70
Teamsters Local Union 554	PR Batch 00554.06.2016 Union Dues	168.50
Treasurer State Of Iowa	PR Batch 00554.06.2016 State Income Tax	3,631.89
Treasurer State Of Iowa	PR Batch 00001.07.2016 State Income Tax	1,727.01

UNAVAILABLE

Department Total = 68,810.51

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

Checks for Approval Report

From: 06/21/16 To 07/05/16
User: tyler.gibbins

Police Department

BV Rifle & Pistol Club	FY2017 Club Membership- Police	600.00
Central Iowa Distributing, Inc	Cleaning Supplies	133.11
Control System Specialists, LLC	Heater Coil Replacement	270.44
Custodian of Petty Cash	Postage	19.95
Custodian of Petty Cash	Postage	9.59
Custodian of Petty Cash	Postage	8.45
Custodian of Petty Cash	SLPD Postage	6.00
Custodian of Petty Cash	SLPD Postage	6.80
Digital Ally Inc	Battery Pack	70.00
Edwards Storm Lake	Spot Light	161.20
Jack's Uniforms & Equipment	Pants- Solem	44.95
Jack's Uniforms & Equipment	Wedge	17.90
Jack's Uniforms & Equipment	Bike Uniform- Solem	123.34
Logistic Systems, Inc	Police Record Management System	14,334.00
Logistic Systems, Inc	3rd Party System Software	1,431.00
Mangold Environmental Testing	Shipping	6.69
Mangold Environmental Testing	Shipping	21.05
MidAmerican Energy Company	Electric Service Apr/May 2016	733.02
Principal Life Ins Co	Insurance Premium July 2016	2,115.79
Rasmussen's	Removed a Fuse	90.08
Rebnord Technologies Inc	32 GB RAM Chip	300.00
Star Energy, LLC	Fuel May 2016	2,283.11
UPS Store The	Shipping	21.90

Police Department

Department Total = 22,808.37

Fire Department

City of Storm Lake	Serviced #74	137.75
City of Storm Lake	Serviced #72	131.38
Electronic Engineering	Pager Repairs	10.00
Heiman Inc	Calibration Gas	185.35
Hy-Vee, Inc	Supplies	11.97
Midwest Breathing Air LLP	Quality Air Test & Supplies	612.53
Principal Life Ins Co	Insurance Premium July 2016	180.40
Star Energy, LLC	Fuel May 2016	111.34

Fire Department

Department Total = 1,380.72

Building Official

Principal Life Ins Co	Insurance Premium July 2016	137.87
Star Energy, LLC	Fuel May 2016	75.14

Building Official

Department Total = 213.01

Crime Prevention

Hy-Vee, Inc	Supplies	27.61
Hy-Vee, Inc	PIE Picnic Supplies	73.84
Keenan John	Coffee With a Cop 6/20/2016- Less Tax	94.92

Crime Prevention

Department Total = 196.37

Roadway Maintenance

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

Checks for Approval Report

From: 06/21/16 To 07/05/16
User: tyler.gibbins

Certified Testing Services, Inc	Geotechnical Report	1,900.00
City of Storm Lake	Serviced #20	377.60
City of Storm Lake	Hyd Hose #35	92.84
City of Storm Lake	Airfilter #16	96.99
City of Storm Lake	Serviced #64	40.74
CNH Industrial America LLC	Oil	35.75
Doolittle Oil Co, Inc	Oil	177.30
Iowa Prison Industries	Reserved Parking Signs & Brackets	1,565.00
MidAmerican Energy Company	Electric Service Apr/May 2016	491.83
Principal Life Ins Co	Insurance Premium July 2016	466.33
Sanford Health Network	2016 Drug/Alcohol Supervisor Training- Etnyre	40.00
Sanford Health Network	2016 Drug/Alcohol Supervisor Training- Bonebrake	40.00
Sherwin William Co	Filters	26.80
Star Energy, LLC	Fuel May 2016	2,346.10
Roadway Maintenance	Department Total =	7,697.28
Street Lighting		
MidAmerican Energy Company	Electric Service Apr/May 2016	12,753.79
Street Lighting	Department Total =	12,753.79
Signs & Signals		
General Traffic Controls Inc	Traffic Signal Supplies	414.49
General Traffic Controls Inc	Traffic Signal Service Call- 12th & Lake	504.11
Signs & Signals	Department Total =	918.60
Snow Removal		
City of Storm Lake	Electrical Joystick #59S	1,126.73
Graham Tire	New Tires (2)	875.52
Principal Life Ins Co	Insurance Premium July 2016	137.09
Snow Removal	Department Total =	2,139.34
Airport		
Bart's Flying Service	Airport Contract June 2016	4,963.85
Iowa Lakes Regional Water	Water Service	79.77
MidAmerican Energy Company	Electric Service Apr/May 2016	593.54
Recycle Center Harold Rowley	Recycling	49.30
Airport	Department Total =	5,686.46
Transit		
Color-ize Inc	Cab Coupons	348.75
Transit	Department Total =	348.75
Library		
Baker & Taylor, Inc	Books	56.21
Baker & Taylor, Inc	Books	1,136.75
Baker & Taylor, Inc	Books	7.88
Baker & Taylor, Inc	Books	7.88

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From: 06/21/16 To 07/05/16
User: tyler.gibbins

Barnes & Noble Booksellers, Inc	Books	28.00
Barnes & Noble Booksellers, Inc	Books	41.18
Barnes & Noble Booksellers, Inc	Books	-17.59
Brodart Co	Books	270.48
Brodart Co	Books	297.25
Buena Vista Stationery & Print Inc	Library Cards	149.60
Buena Vista Stationery & Print Inc	Office Supplies	53.45
Central Iowa Distributing, Inc	Cleaning Supplies	97.64
Custodian of Petty Cash Kim Mehlenbacher	Postage May 2016	233.85
Demco, Inc	Shelves	1,011.29
Houchen Bindery Ltd	Books	87.20
Ingram Library Services, Inc	Books	16.21
Ingram Library Services, Inc	Books	10.84
Ingram Library Services, Inc	Books	16.21
Ingram Library Services, Inc	Books	16.22
Ingram Library Services, Inc	Books	16.78
Ingram Library Services, Inc	Books	15.06
Ingram Library Services, Inc	Books	6.04
Ingram Library Services, Inc	Books	16.22
Ingram Library Services, Inc	Books	16.79
Ingram Library Services, Inc	Books	11.03
Ingram Library Services, Inc	Books	10.46
Ingram Library Services, Inc	Books	6.04
Ingram Library Services, Inc	Books	17.37
Ingram Library Services, Inc	Books	51.51
Ingram Library Services, Inc	Books	16.79
Ingram Library Services, Inc	Books	11.61
Iowa Division of Labor	Boiler Inspection	540.00
JNB Acquisition Corporation	Copier Maintenance Agreement	35.64
MidAmerican Energy Company	Electric Service Apr/May 2016	616.11
Midwest Tape LLC	DVDs	39.99
Midwest Tape LLC	DVDs	28.98
Midwest Tape LLC	DVDs	231.93
Principal Life Ins Co	Insurance Premium July 2016	194.47
Recorded Books LLC	CDs	111.59
Recorded Books LLC	CDs	40.49
Turnquist Laura	Mileage Reimbursement May 2016	14.04
UW-Madison Continuing Studies Registrations	Registration for Conference- Miller	135.00
Library	Department Total =	5,704.49
Band		
Hoferman Clint	Music Stand Reimbursement	280.00
Band	Department Total =	280.00
Agencies		
Witter Gallery Inc	1st Quarter FY2017 Agency Funding	2,000.00
Agencies	Department Total =	2,000.00
Parks Department		
A & A Automotive	New Tire for Toolcat	130.87
A & A Automotive	New Tire	149.07
Alta Body Shop	Spring	26.40
Alta Implement Company Inc	Spindle- Airport Machine	422.00

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Alta Implement Company Inc	Wheel- Airport Machine	462.00
CNH Industrial America LLC	Carburetor	56.54
CNH Industrial America LLC	Nylon Rope	73.90
CNH Industrial America LLC	Chain	12.83
CNH Industrial America LLC	Comm Line	14.95
Crescent Electric Supply Co	Light	18.01
Crescent Electric Supply Co	Light	175.32
Doolittle Oil Co, Inc	Oil	177.30
Fastenal Company	Lakefest Cable Tie	3.75
Fastenal Company	Lakefest Cable Tie	3.75
Grainger Inc W.W.	KP Sprinkler System Supplies	67.42
Iowa Office Supply Inc	Toner	76.45
Koenig Jeff	Pot Rental & Cleaning	222.00
MidAmerican Energy Company	Electric Service Apr/May 2016	482.02
Principal Life Ins Co	Insurance Premium July 2016	196.34
ProBuild	Door & Supplies	376.40
R & R Products, Inc	Roller Returned	-257.35
Star Energy, LLC	Fuel May 2016	2,787.88

Parks Department

Department Total = 5,677.85

Golf Course

MidAmerican Energy Company	Electric Service Apr/May 2016	242.16
Principal Life Ins Co	Insurance Premium July 2016	87.14
R & R Products, Inc	Wheel & Gauge	280.19
Storm Lake Hydraulics Co Inc	O-Rings	8.94
Storm Lake Hydraulics Co Inc	O-Ring Elbow	31.30
Turfwerks	Rotor, Wire, & Other Supplies	1,647.86
Turfwerks	Field Deco	810.68

Golf Course

Department Total = 3,108.27

Campgrounds

Arctic Glacier U.S.A., Inc.	Ice	154.72
Keller Ken	Repaired Stool & Shower	782.33
MidAmerican Energy Company	Electric Service Apr/May 2016	1,335.97
Principal Life Ins Co	Insurance Premium July 2016	29.05

Campgrounds

Department Total = 2,302.07

UNAVAILABLE

MidAmerican Energy Company	Electric Service Apr/May 2016	719.37
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UNAVAILABLE

Department Total = 719.37

Shelter House

MidAmerican Energy Company	Electric Service Apr/May 2016	164.61
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Shelter House

Department Total = 164.61

UNAVAILABLE

Reding Gravel & Excavating Co., Inc	Rock for Pool Repairs	356.73
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UNAVAILABLE

Department Total = 356.73

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Enrich Iowa

Demco, Inc	Shelves	1,732.71
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Enrich Iowa	Department Total =	1,732.71
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Library Memorial

Demco, Inc	Shelves	130.00
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Library Memorial	Department Total =	130.00
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Dohrman Trust

Century Business Products,Inc	Copier Maintenance Agreement (Partial)	15.00
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Dohrman Trust	Department Total =	15.00
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Economic Develop

Havens & Havens	Legal Services- May 2016	370.00
Havens & Havens	Legal Services- May 2016	1,295.00

Economic Develop	Department Total =	1,665.00
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Bargloff TIF

Havens & Havens	Legal Services- May 2016	252.84
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Bargloff TIF	Department Total =	252.84
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The Reserves - TIF

Buena Vista Co Recorder	Storm Lake Affordable Parnters Recording Fee	34.00
Havens & Havens	Legal Services- May 2016	817.08

The Reserves - TIF	Department Total =	851.08
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Dredging

Principal Life Ins Co	Insurance Premium July 2016	20.27
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Dredging	Department Total =	20.27
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Mayor, Council, Manager

Principal Life Ins Co	Insurance Premium July 2016	49.98
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Mayor, Council, Manager	Department Total =	49.98
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Policy & Administration

Principal Life Ins Co	Insurance Premium July 2016	81.82
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Policy & Administration	Department Total =	81.82
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Legal Services

City of Storm Lake
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Havens & Havens	Legal Services- May 2016	524.17
Legal Services	Department Total =	524.17
City Hall Building		
MidAmerican Energy Company	Electric Service Apr/May 2016	318.68
Steve's Window Svc	Window Cleaning Service	37.00
City Hall Building	Department Total =	355.68
Tort Liability		
Stille Pierce & Pertzborn	FY15-16 GL Audit Premium	6,391.00
Stille Pierce & Pertzborn	FY15-16 WC Audit Premium	9,046.00
Tort Liability	Department Total =	15,437.00
Other Policy & Administration		
Buena Vista Co Recorder	Flanigan Water Service Agreement Recording Fee	37.00
Custodian of Petty Cash	Postage	22.95
Iowa City/County Mgmt Assoc	FY2017 Membership- Navratil	83.33
Iowa City/County Mgmt Assoc	FY2017 Membership- Patrick	83.34
Iowa League of Cities	FY2017 Membership	1,348.66
Iowa Office Supply Inc	Office Supplies	12.31
La Prensa LLC	May 2016 Boards & Commission Ads	118.75
NW Iowa Planning & Development Commission	FY2017 Dues	1,192.50
Slavin Management Consultants	Finance Manager Search (2 of 4)	4,594.00
Other Policy & Administration	Department Total =	7,492.84
Water Administration		
Custodian of Petty Cash	Zero Out Drawer 4A FY2016	38.39
Custodian of Petty Cash	NSF #12441	3.00
Healy John J.	Pay Estimate #1 (Final) of Bio-Reactor Construction	48,784.55
Iowa City/County Mgmt Assoc	Field Day Bus Charter	1,400.00
Iowa City/County Mgmt Assoc	FY2017 Membership- Navratil	83.34
Iowa City/County Mgmt Assoc	FY2017 Membership- Patrick	83.33
Iowa League of Cities	FY2017 Membership	1,348.67
Iowa Office Supply Inc	Office Supplies	12.31
NW Iowa Planning & Development Commission	FY2017 Dues	1,192.50
Principal Life Ins Co	Insurance Premium July 2016	194.80
Qualified Presort Service, LLC	Monthly Statements	388.50
Water Administration	Department Total =	53,529.39
Water Plant		
Iowa Association of Municipal Utilities	Wtr/WW Workshop- Davis	175.00
Larson Oil & Distributing Co, Inc	Fuel	653.95
MidAmerican Energy Company	Electric Service Apr/May 2016	12,557.98
Mississippi Lime Company	Lime	4,694.90
Mississippi Lime Company	Lime	4,729.10
PraxAir inc	Carbon Dioxide	1,365.39
Principal Life Ins Co	Insurance Premium July 2016	301.58
Recycle Center Harold Rowley	Recycling	40.00
Recycle Center Harold Rowley	Recycling	15.58

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Sanford Health Network	2016 Drug/Alcohol Supervisor Training- Davis	40.00
Star Energy, LLC	Fuel May 2016	83.35
Zone Home Entertainment LLP	Fuse	19.99

Water Plant	Department Total =	24,676.82
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Water Distribution

Ferguson Enterprises Inc	Erie Street Main Supplies	66.07
Ferguson Enterprises Inc	Erie Street Main Supplies	316.11
MidAmerican Energy Company	Electric Service Apr/May 2016	66.43
Principal Life Ins Co	Insurance Premium July 2016	122.67
Star Energy, LLC	Fuel May 2016	188.14

Water Distribution	Department Total =	759.42
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Water Meters

Principal Life Ins Co	Insurance Premium July 2016	53.66
Star Energy, LLC	Fuel May 2016	125.41

Water Meters	Department Total =	179.07
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Wastewater Administration

Iowa City/County Mgmt Assoc	FY2017 Membership- Navratil	83.33
Iowa City/County Mgmt Assoc	FY2017 Membership- Patrick	83.33
Iowa League of Cities	FY2017 Membership	1,348.67
Iowa Office Supply Inc	Office Supplies	12.31
NW Iowa Planning & Development Commission	FY2017 Dues	1,192.50
Principal Life Ins Co	Insurance Premium July 2016	194.73
Qualified Presort Service, LLC	Monthly Statements	388.49

Wastewater Administration	Department Total =	3,303.36
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Wastewater Treatment Plant

A1 Janitorial Supply	Sewer Drain Solution	343.26
Century Link	Phone Service	192.99
Cintas First Aid & Safety	First Aid Supplies- Less Tax	27.69
Color-ize Inc	Lab Books	65.72
Electric Pump Inc	FY2016 Capital- GC Lift Station Pump	25,988.39
Fastenal Company	Supplies for Aer Basin Mixer	317.81
Fastenal Company	Fasteners	41.23
Foundation Analytical Laboratory Inc	Testing	344.00
Foundation Analytical Laboratory Inc	Testing	975.00
Graham Tire	Tire Repairs for Brown Bear	19.55
H-O-H Water Technology, Inc	Polymer	3,505.93
Holstein Electric Ltd	Electrical Box for Aeration Basin	2,550.00
MidAmerican Energy Company	Electric Service Apr/May 2016	11,846.13
Principal Life Ins Co	Insurance Premium July 2016	348.37
Recycle Center Harold Rowley	Recycling	27.56
Recycle Center Harold Rowley	Recycling	29.64
Rehab Systems Inc.	Vac Service at WWTP	1,500.00
Sanford Health Network	2016 Drug/Alcohol Supervisor Training- Jacobsen	40.00
Stanton Electric, Inc	Pump Motor Repairs	75.00
Stanton Electric, Inc	Lift Station Repairs	161.90
Star Energy, LLC	Fuel May 2016	393.19

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

Checks for Approval Report

From: 06/21/16 To 07/05/16
User: tyler.gibbins

Wastewater Treatment Plant

Department Total = 48,793.36

Wastewater Collection

Principal Life Ins Co	Insurance Premium July 2016	122.67
Rehab Systems Inc.	Jet Vac Cleaning Sewer Lines- Windsor Circle	9,125.00
Star Energy, LLC	Fuel May 2016	96.92

Wastewater Collection

Department Total = 9,344.59

Landfill

NW Iowa Planning & Development Commission	FY2017 Dues	1,192.50
Principal Life Ins Co	Insurance Premium July 2016	30.49
Qualified Presort Service, LLC	Monthly Statements	388.49
Recycle Center Harold Rowley	1st Quarter FY 2017 Landfill Assessment	92,750.00

Landfill

Department Total = 94,361.48

Storm Water Administration

Custodian of Petty Cash	Postage	4.98
Custodian of Petty Cash	Postage	1.78
Principal Life Ins Co	Insurance Premium July 2016	39.08
Qualified Presort Service, LLC	Monthly Statements	388.49

Storm Water Administration

Department Total = 434.33

Storm Water Collection

Foundation Analytical Laboratory Inc	Testing	480.00
H & W Contracting LLC	Pay Estimate #10 of NCSW	49,399.99
Havens & Havens	Legal Services- May 2016	462.50
Havens & Havens	Legal Services- May 2016	111.00
Healy John J.	Pay Estimate #9 of Expansion Blvd	78,048.51
Principal Life Ins Co	Insurance Premium July 2016	37.05
Recycle Center Harold Rowley	Recycling	10.00

Storm Water Collection

Department Total = 128,549.05

Insurance

Auxiant - Claims Account	6/20/2016 Claims	43,497.38
Auxiant - Fixed Account	July 2016 Insurance Premium	17,538.43
Auxiant - Flex Account	6/15/2016 Flex Claims	187.04
Auxiant - Flex Account	6/22/2016 Flex Claims	296.37

Insurance

Department Total = 61,519.22

Vehicle Maintenance

Fastenal Company	Shop Supplies	18.83
IState Truck, Inc	Switch & Housing	102.95
North Lake Truck Repair	Fuel Shut Off Kit	380.96
Storm Lake Hydraulics Co Inc	Hose Ends for Backhoe	81.84
Storm Lake Hydraulics Co Inc	Tube Expander	7.58
Storm Lake Hydraulics Co Inc	JIC Union	64.78
Storm Lake Hydraulics Co Inc	O-Ring	3.30

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

Checks for Approval Report

From: 06/21/16 To 07/05/16
User: tyler.gibbins

Vehicle Maintenance

Department Total = 660.24
Grand Total = 597,985.31

King's Pointe Resort
Disbursements 6/15/2016 to 6/28/2016

Vendor Name	Description	Amount
Acco (3)	supplies	9410.37
Ace Hardware Inc. (4)	supplies	360.35
American Red Cross National (2)	services	1,180.00
Ameripride Services (2)	supplies	1,696.41
Bomgaars	supplies	119.97
BV Stationary	supplies	96.96
Bunkers Feed & Supply Co	supplies	2.48
Carey's Furniture	supplies	5,779.78
Citadel Communications CO-KCAU	advertising	1,450.00
Colorize Inc (2)	services	2,069.25
Comm 1st Braodcasting	services	320.00
Continental Fire Sprinkler	services	1,225.00
Convergence LLC	supplies	200.00
Counsel	services	605.82
Fastenal	supplies	22.32
Ferguson Enterprises, Inc.	supplies	132.15
Garbage Hauling Service	supplies	138.28
Graphic Edge Inc (2)	services	2,013.56
Hy-Vee Food Store (2)	food	663.44
Mccrea Enterprises/Vista Paint	supplies	296.77
Mid-American Energy (2)	utilities	18,329.43
Iowa Office Supply	supplies	292.94
Joyce's Greenhouse	services	4,794.28
Julius Cleaners	services	12.00
KCCI-TV	advertising	990.00
KDSN AM/FM	advertising	299.00
Kineth Hotel Corporation (2)	payroll, work comp	90,454.14
Media USA Advertising	advertising	700.00
Olsen Welding & Machine Shop (2)	services	700.00
Orkin Pest Control	services	220.23
Pepsi-Cola Bottling Co. (2)	beverages	4,688.93
Pilot Tribune	advertising	320.77
Rebnord Technologies	services	2,258.33
Rent-All Inc (3)	services	885.50
Sac Sun	services	173.55
Star Leasing LLC	services	230.13
The Storm Lake Times	advertising	28.70
Storm Lake Chamber & Area (2)	services	5,937.40
Sysco Guest Supply	supplies	1,541.24
Treasurer - State of Iowa (2)	sales tax	17,600.00
Treasurer - Buena Vista County (2)	taxes	1,832.75
United Parcel Service- Carl STM	services	90.41
US Foods (2)	food	23,249.25
US Water Services Inc	supplies	458.33
Vizergy	web site maintenance	220.00
Al's Liquor (2)	beverages	523.10
Buena Vista University	services	250.00
Doll Distributing	beverages	1,299.50
Johnson Brothers/Iowa Wine & Bev	beverages	579.25
Misc POA Disbursements (3)	refunds	628.55
Steve's Window Service	services	80.25

Wal-Mart	supplies	49.68
	Total	207,500.55

**Sunrise Pointe Golf Course
Disbursements 6/15/2016 to 6/28/2016**

Ace Hardware	supplies	37.98
Graphic Edge Inc (2)	supplies	1,698.19
Mid American Energy	utilities	771.89
Julius Cleaners (2)	services	4.80
Kinseth Hotel Corporation (2)	payroll, management fee	3,596.45
King's Pointe Resort	services	328.82
Pepsi-Cola Bottling Co (2)	beverages	379.44
Alliant Energy	utilities	41.51
US Foods Inc	food	806.32
Al's Liquor	beverages	55.62
Doll Distributing (3)	beverages	343.10
Johnson Brothers/Iowa Wine & Bev (2)	beverages	201.20
	Totals	8,265.32

**REGULAR COUNCIL MEETING, CITY OF STORM LAKE, IOWA, CITY HALL,
JUNE 20, 2016 5:00 P.M.**

Present: Mayor Jon Kruse, Council Members Dan Anderson, Bruce Carlson, and Bruce Engelmann. Absent: Tyson Rice and Mike Porsch. Staff present: City Manager Jim Patrick, Asst. City Manager Keri Navratil, City Attorney Phil Havens, Public Safety Director Mark Prosser, Fire Chief Mike Jones, Building Official Scott Olesen, Public Works Director Jason Etnyre, Water Plant Superintendent Mike Davis, Wastewater Superintendent Ron Jacobsen, and Sue Vossberg City Clerk.

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

Hear the Public – None

Consent Agenda – Moved by Council Member Engelmann to approve the consent agenda which included checks #52525 through #52635, minutes of the June 6, 2016 City Council meeting, liquor license renewal for Hy-Vee and Midtown Liquor, native wine permit for Kristi's Kandies, cigarette permit for One Stop Shop, noise variance for the Buddhist Temple on Saturday, July 2, 2016 between the hours of 1:00pm and 12:00am and on Sunday, July 3, 2016 between the hours of 1:00pm and 1:00am. Approve requests from Central Bank to close four parking slots in front of the bank on Wednesday, August 3, 2016 from 11:00 am until 1:00pm, permission to handout food, and set up tables and chairs on the sidewalk. Approve a second request from Central Bank to close two parking slots south of the bank on West 5th Street for a blood drive on Thursday, August 11, 2016 between the hours of 7:00am and 3:30pm. Approve requests from Zone Entertainment at 700 Lake Avenue for their grand opening on Wednesday, June 29, 2016 through Saturday, July 2, 2016. Requests include permission to display/demonstrate grills in front of store, serve food samples, serve lunch from 11:00am until 5:00pm on July 2, 2016, and a noise variance between the hours of 11:00am and 8:00pm during the four day event. Seconded by Council Member Anderson. Vote: All ayes with Council Member Porsch and Rice absent. Motion carried.

Schumann Development Agreement – Mayor Kruse opened the public hearing on the proposed Development Agreement with Dale Schumann stating that this was the time and place for any comments. Hearing no comments the Mayor then closed the public hearing.

Moved by Council Member Anderson to adopt Resolution No. 141-R-2015-2016 finding public purpose for dispensing of economic development funds and approving Development Agreement with Dale Schumann. Seconded by Council Member Carlson. Vote: All ayes with Council Member Porsch and Rice absent. Motion carried.

RESOLUTION NO. 141-R-2015-2016

RESOLUTION FINDING PUBLIC PURPOSE FOR DISPENSING OF ECONOMIC DEVELOPMENT FUNDS AND APPROVING DEVELOPMENT AGREEMENT WITH DALE SCHUMANN

WHEREAS, Dale Schumann (the “Developer”) is purchasing Lot One (1), Block One (1), Industrial Park Addition to the City of Storm Lake, Iowa (the “Property”) from Storm Lake United;

WHEREAS, the Property is located in the Storm Lake Industrial Park Urban Renewal Area;

WHEREAS, the Developer intends to use the Property as the site for a Champion Seed Distributor business and construct a new building and office facility on the Property to expand his business and better serve seed customers;

WHEREAS, the Developer’s expanded business will require new employees and he is willing to commit that he will have two Full-Time Equivalent Employment Units employed and working at the new building on the Property by June 30, 2018, and three Full-Time Equivalent Employment Units employed and working at the new building on the Property by June 30, 2021;

WHEREAS, the City of Storm Lake is willing to provide a financial incentive to encourage and facilitate the construction of the facility and the creation and retention of new jobs;

WHEREAS, City staff and the Developer have negotiated a written Development Agreement, a copy of which is attached as Exhibit “A,” subject to the approval of the Storm Lake City Council, which, if approved, will provide certain financial incentives to be provided by the City to the Developer;

WHEREAS, on June 6, 2016, the City Council fixed June 20, 2016, as the date for a public hearing on the proposal to enter into the Development Agreement and notice of such hearing was published in the Storm Lake Times June 10, 2016;

WHEREAS, a public hearing was held this date at which members of the public were given the opportunity to comment on the proposed Development Agreement; and

WHEREAS, after such hearing, the City Council finds that 1) the Developer’s seed distributor business will generate public gains and benefits which are warranted in comparison with the amount of the City funds to be dispensed pursuant to the Development Agreement, 2) a public purpose will reasonably be accomplished by so dispensing those City funds, and 3) the Development Agreement should be approved.

NOW, THEREFORE, be it resolved by the City Council of the City of Storm Lake, Iowa as follows:

1. The proposed Development Agreement between the City of Storm Lake and the Developer is approved.
2. The Mayor and City Clerk are authorized to execute the Development Agreement and the staff is authorized to dispense the funds in accordance with the Development Agreement.

Passed and approved this 20th day of June, 2016.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

Taxi Agreements – Moved by Council Member Engelmann to approve agreements with Storm Lake Cab and RIDES for the Discount Coupon Program. Seconded by Council Member Anderson. Vote: All ayes with Council Member Porsch and Rice absent. Motion carried.

13th Street Paving Project – Mayor Kruse opened the public hearing on the plans, specifications, form of contract, and estimated cost for the 13th Street Paving Improvement Project stating that this was the time and place for any comments. Hearing no comments the Mayor then closed the public hearing.

Moved by Council Member Anderson to adopt Resolution No. 142-R-2015-2016 approving the plans, specifications, form of contract and estimate of costs for the 13th Street Paving Improvement Project. Seconded by Council Member Carlson. Vote: All ayes with Council Member Porsch and Rice absent. Motion carried.

RESOLUTION NO. 142-R-2015-2016

RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE CITY OF STORM LAKE 13TH STREET PAVING IMPROVEMENTS PROJECT

WHEREAS, the plans, specifications, form of contract and estimate of cost were filed with the CITY for the construction of certain public improvements described in general as the 13th Street Paving Improvements Project; and

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

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

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

PASSED AND APPROVED this 20th day of June 2016.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

Moved by Council Member Engelmann to adopt Resolution No. 143-R-2015-2016 accepting and awarding the bid to Smith Concrete Service, Storm Lake, for the 13th Street Paving Improvement Project. Amount of bid \$119,778.00. Seconded by Council Member Carlson. Vote: All ayes with Council Member Porsch and Rice absent. Motion carried.

RESOLUTION NO. 143-R-2015-2016

RESOLUTION ACCEPTING AND AWARDING BID FOR THE CITY OF STORM LAKE 13th STREET PAVING IMPROVEMENT PROJECT

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

Section 1. That the following bid for the construction of certain public improvements described in general as the City of Storm Lake 13th Street Paving Improvement Project, described in the plans and specifications heretofore adopted by this Council on June 20, 2016 be and is hereby accepted, the same being the lowest responsible bid received for said work, as follows:

Contractor:	Smith Concrete Service, Storm Lake, Iowa
Amount of bid:	\$119,778
Portion of bid:	All

Section 2. That the Mayor and Clerk are hereby directed to execute contract with the contractor for the construction of said public improvements, said contract not to be binding on the City until approved by this Council.

PASSED AND APPROVED this 20th day of June, 2016.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

Erie Street Stormwater Project – Moved by Council Member Anderson to adopt Resolution No. 144-R-2015-2016 approving change order #1 an addition of \$8,152.70 to the contract with Hulstein Excavating for the Erie Street CDBG Stormwater Improvements Project. Total contract amount after change order is \$1,052,338.74. Seconded by Council Member Engelmann. Vote: All ayes with Council Member Porsch and Rice absent. Motion carried.

RESOLUTION NO. 144-R-2015-2016

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

To approve Change Order No. 1 to the contract with Hulstein Excavating Inc. for the Erie Street CDBG Stormwater Improvements Project, an increase of \$8,152.70 to the contract for the materials to utilize tapping sleeves and valves versus traditional valves for the water main.

Total cost of Change Order #1 is an increase of \$8,152.70 to the contract. Total contract cost after change order #1 is \$1,052,338.74.

PASSED AND APPROVED this 20th day of June 2016.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

Amendment #2 – Bargloff Urban Renewal Area Plan – Moved by Council Member Anderson to pass on 3rd reading Ordinance No. 05-O-2015-2016 adopting amendment #2 to the North #1-Bargloff Urban Renewal Plan. Seconded by Council Member Carlson. Vote: All ayes with Council Member Porsch and Rice absent. Motion carried.

ORDINANCE NO. 05-O-2015-2016

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES
LEVIED AND COLLECTED EACH YEAR ON A PORTION OF THE
PROPERTY LOCATED WITHIN THE NORTH #1 - BARGLOFF
URBAN RENEWAL AREA, IN THE CITY OF STORM LAKE,
COUNTY OF BUENA VISTA, STATE OF IOWA, BY AND FOR THE
BENEFIT OF THE STATE OF IOWA, CITY OF STORM LAKE,
COUNTY OF BUENA VISTA, STORM LAKE COMMUNITY
SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID
TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND

INTEREST ON LOANS, MONIES ADVANCED TO AND
INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED,
INCURRED BY THE CITY IN CONNECTION WITH THE NORTH #1 -
BARGLOFF URBAN RENEWAL AREA (THE NORTH #1 -
BARGLOFF URBAN RENEWAL PLAN (STORM LAKE
DEVELOPMENT GROUP PARCEL))

WHEREAS, the City Council of the City of Storm Lake, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. 08-R-2010-2011 passed and approved on the 19th day of July, 2010, adopted an Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the North #1 - Bargloff Urban Renewal Area (the "Urban Renewal Area"), which Urban Renewal Area has been amended two times lastly by an Amendment No. 2 adopted by Resolution No. 128-R-2015-2016 on May 16, 2016. The Urban Renewal Area includes the property owned by Storm Lake Development Group LLC ("Storm Lake Development Group Parcel"), which is legally described as:

Parcel Number: 10-34-202-004

Lot Three (3), Block One (1) Geisinger's Commercial First Addition to the City of Storm Lake, Iowa.

And,

Parcel Number: 10-34-202-005

A parcel of land located in the west half of the northeast quarter (W1/2 NE $\frac{1}{4}$) of section thirty-four (34), township ninety one north (91), Range thirty-seven (37) west of the 5th P.M., more particularly described as follows:

Commencing at the southwest corner of the northeast quarter (NE $\frac{1}{4}$) of section thirty-four (34), township ninety-one (91) North, Range thirty-seven (37) West of the 5th P.M., thence due north along the west line of said NE $\frac{1}{4}$ a distance of 180 feet, thence due east a distance of 250 feet, thence due south a distance of 180 feet, thence due west a distance of 250 feet to the point of beginning and containing an area of 1.03 acres of which 0.23 acres are existing highway right of way.

And,

Lot five (5), Block One (1), Geisinger's commercial second addition to the City of Storm Lake, Buena Vista County, Iowa.

Tract is hereby divided into four (4) lots as shown hereon and shall hereafter be known as Brashears First Addition A subdivision of lot five (5) Block One (1) Geisinger's Commercial Second Addition to the City of Storm Lake.

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Storm Lake, State of Iowa, in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City has determined to adopt individual TIF Ordinances on various properties within the Urban Renewal Area as parcels are developed and produce tax increment; and

WHEREAS, the City Council of the City of Storm Lake, State of Iowa, desires to provide for the division of revenue from taxation on the Storm Lake Development Group Parcel, as above described, in accordance with the provisions of Section 403.19 of the Code of Iowa, as amended.

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

Section 1. That the taxes levied on the taxable property in the Urban Renewal Area legally described in the preamble hereof (the Storm Lake Development Group Parcel), by and for the benefit of the State of Iowa, City of Storm Lake, County of Buena Vista, Storm Lake Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2. That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area (Storm Lake Development Group Parcel), as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Storm Lake, State of Iowa, certifies to the Auditor of Buena Vista County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid. Thus, if "debt" is certified by December 1, 2016, the frozen base valuation for the Storm Lake Development Group Parcel shall be January 1, 2015.

Section 3. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of the City of Storm Lake, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12 of the Code of Iowa, as amended, incurred by the City of

Storm Lake, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Iowa Code Section 298.2 and taxes for the instructional support program of a school district imposed pursuant to Iowa Code Section 257.19 (but in each case only to the extent required under Iowa Code Section 403.19(2)); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Iowa Code Section 346.27(22) related to joint county-city buildings; and (iv) any other exceptions under Iowa Code Section 403.19 shall be collected against all taxable property within the Urban Renewal Area without any limitation as hereinabove provided.

Section 4. Unless or until the total assessed valuation of the taxable property in the Urban Renewal Area (the Storm Lake Development Group Parcel) exceeds the total assessed value of the taxable property in the Urban Renewal Area (the Storm Lake Development Group Parcel) as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area (the Storm Lake Development Group Parcel) shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5. At such time as the loans, advances, indebtedness, bonds and interest thereon of the City of Storm Lake, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Urban Renewal Area (Storm Lake Development Group Parcel) shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19 of the Code of Iowa, as amended, with respect to the division of taxes from property within the Urban Renewal Area (Storm Lake Development Group Parcel) as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the Urban Renewal Area (Storm Lake Development Group Parcel) and the territory contained therein.

Section 7. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 20th day of June, 2016.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

Lime Lagoon Project – Mayor Kruse opened the public hearing on the plans, specifications, form of contract and estimate of costs for the Lime Lagoon Water Quality Initiative Restoration Project stating that this was the time and place for any comments. Hearing no comments the Mayor then closed the public hearing.

Moved by Council Member Carlson to adopt Resolution No. 145-R-2015-2016 approving the plans, specifications, form of contract, and estimated cost for the Lime Lagoon Water Quality Initiative Restoration Project. Seconded by Council Member Engelmann. Vote: All ayes with Council Member Porsch and Rice absent. Motion carried.

RESOLUTION NO. 145-R-2015-2016

**RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF
CONTRACT AND ESTIMATE OF COST FOR THE CITY OF STORM LAKE
LIME LAGOON WATER QUALITY INITIATIVE RESTORATION PROJECT**

WHEREAS, the plans, specifications, form of contract and estimate of cost were filed with the CITY for the construction of certain public improvements described in general as the Lime Lagoon Water Quality Initiative Restoration Project; and

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

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

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

PASSED AND APPROVED this 20th day of June 2016.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

Engineering Agreement – Moved by Council Member Engelmann to approve a Professional Services Agreement with Bolton & Menk for engineering services for the 2016 Water Main Improvements Project. Costs not to exceed \$28,000. Seconded by Council Member Anderson. Vote: All ayes with Council Member Porsch and Rice absent. Motion carried.

Adjournment – Moved by Council Member Anderson to adjourn the meeting at 5:26pm. Seconded by Council Member Engelmann. Vote: All ayes with Council Member Porsch and Rice absent. Motion carried.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

Staff Summary

7/5/2016

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: Mark Prosser, Public Safety Director

SUBJECT: Resolution No. 01-R-2016-2017 Authorizing Requests Associated With the 2016 Kiwanis Sprint Triathlon

BACKGROUND: Attached to this staff summary is a written request from Curt Reis representing the Hy-Noon Kiwanis Club in reference to their planned 2016 Kiwanis Sprint Triathlon scheduled for Saturday, July 30, 2016 beginning at 8:00am. This annual event is a fund raiser which assists the civic organization in raising funds for their World Wide Service Project known as EliMiNaTe which is designed to eliminate maternal/neonatal tetanus.

The event includes an 800 meter swim, 12.63 mile bicycle ride and 3.1 mile run. It is designed to begin and end in Awaysis Park.

Specific Requests are as follows:

- *Appropriate ride / run permits to be issued
- *Use of Awaysis Park including the beach, gazebos and west parking lot on the day of the event from 4:00am until 12:00pm.
- *Closure of the west Awaysis Park parking lot from 4:00am until 12:00pm
- *Access to electricity from equipment in Awaysis Park
- *Noise Variance for event related entertainment and announcements within the venue from 7:00am until 12:00pm
- *Closure of the southern eastbound lane of East Lakeshore Drive from Flindt Drive east to Radio Road from 6:00am until post event
- *Appropriate support from the Parks and Police Departments

This request is identical to previous years and has worked well. The event has always gone smooth.

FISCAL IMPACT:

The parks and police department will incur staff hours and some overtime related to this event which will be absorbed in their operational budgets.

The event is designed as a fund raiser and also brings visitors to the community which should have a positive fiscal impact on local businesses.

The appropriate insurance for the event listing the City of Storm Lake as additionally insured has been applied for.

RECOMMENDATION:

Pass Resolution No. 01-R-2016-2017 Contingent Upon Receipt of Appropriate Insurance Certificate

ATTACHMENTS:

Description	Type
□ LETTER AND PERMIT	Permit

June 7, 2016

City of Storm Lake &
Park Board of Storm Lake
c/o City Clerk
City Hall
620 Erie Street
Storm Lake, IA 50588

RE: Kiwanis Sprint Triathlon
Request for Noise Variance, Fencing/Street Blockage, Use of Awaysis Park/Parking Lot
Date of Events: Saturday, July 30, 2016

Dear Ladies and Gentlemen:

This concerns the Kiwanis Sprint Triathlon events to be held on Saturday, July 30, 2016. The Hy-Noon Kiwanis of Storm Lake will be hosting the 5th Annual "Storm the Lake" Kiwanis Sprint Triathlon. Proceeds from this event will go to Kiwanis and used to meet the Club's commitment to the Kiwanis International World Wide Service project "ELIMiNaTe" to virtually eliminate Maternal/Neonatal Tetanus.

The event will take place in Awaysis Park/parking lot, Sunrise Park, and various streets. We are requesting your permission to conduct these activities.

July 30, 2016:

General Description: On Saturday, July 30, 2016 we are planning the following activities in Awaysis Park / Sunrise park:

1. Sprint Triathlon consisting of an 800 meter swim, 12.63 mile bicycle ride and a 3.1 mile run

The days activities will start with an 800 meter swim using the Awaysis Beach area and the adjacent bay. The participants will transition to bicycles in the west ½ of the nearby parking lot, exiting the center drive and proceeding east to the City limits turning south on the Lakeside blacktop. Participants will re-enter city limits on Highway 110 on the West side of the lake and travel city streets including Highway 110, Howard Road, Kelvin Road Emerald Drive, West 5th Street, Grand Avenue and Lakeshore Drive returning to the Awaysis parking lot.

Participants will again transition to running and proceed south along Sunrise Park utilizing the Lake Trail to the Lakeside City limits. Runners will proceed to a turn around point near the outlet dam in Lakeside returning to Storm Lake and the Awaysis parking.

There will registration and timer tents set up in the Awaysis parking as well as bike racks and timing equipment.

Parking Closures: We request that you permit us (the Hy-Noon Kiwanis) to close off the west ½ of the Awaysis parking, including the center driveway, Awaysis Park and the Awaysis Beach. We would also request use of the Gazebo's in Awaysis Park for overflow administrative activities. This area would need to be closed from 4:00 am to 12:00 pm. We have filed reservations with City Hall re: Gazebos.

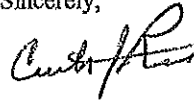
Street usage: We would also request that the Hy-Noon Kiwanis be allowed use of the streets named above. We would also request that, with assistance from the Storm Lake Police Department, we be allowed to control traffic to facilitate safe passage of bicyclists.

Noise Variance: We request that you allow us (Hy-Noon Kiwanis) a variance to the noise ordinance. Race announcements will be made through out the event. The variance would be in effect from 7:00 am to 12:00 pm.

A certificate of liability insurance will be provided naming the City of Storm Lake as insured for \$1,000,000 of coverage.

Thank you for your continued cooperation and support of Storm Lake Kiwanis. We look for continued growth and success of the events. Thank you for your attention to this matter.

Sincerely,



Curt Reis
Safety Committee Chair
Hy-Noon Kiwanis

Triathlon Coordinators:
Duane Queen
804 Kelvin Road
Storm Lake, IA
732-4286

Clark Fort
732-3747

cc: Mark Prosser (Storm Lake Police)



**Public Safety
Police & Fire
PERMIT**

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

Event: 2016 Kiwanis Sprint Triathlon

Issued To:

Name: Duane Queen

Organization: Kiwanis Committee

Address: 804 Kelvin Road, Storm Lake, IA 50588

Phone: 712-732-4286

Date(s) of Event: Saturday, 7-30-2016

Time(s) of Event: 8:00am

Expiration of Permit: 7-31-2016

Location / Area
of Use:

East & West Lakeshore Drive, Radio Rd, Highway 110, Howard Rd., Kelvin Rd., Emerald Drive, West 5th, Grand Avenue & Sunrise Park Rd. (Begin & End in 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

Close Awaysis Parking Lot - 4:00am until 12:00pm

Authorized by:

Mark A. Prosser

Date:

7-6-2016

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 Kiwanis Sprint Triathlon

Issued To:

Name: Duane Queen

Organization: Kiwanis Committee

Address: 804 Kelvin Road, Storm Lake, IA 50588

Phone: 712-732-4286

Date(s) of Event: Saturday, 7-30-2016

Time(s) of Event: 7:00am until 12:00pm

Expiration of Permit: 7-31-2016

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

Please Print

Date:

7-6-2016

Signature:

Title:

Public Safety Director

Staff Summary

7/5/2016

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 No. 01-R-2016-2017 Authorizing Requests
Associated With the 2016 Santa's Castle Events & Kiwanis Car
Show

BACKGROUND: Attached is a written request for consideration from Curt Reis
representing the Hy-Noon Kiwanis Club in reference to the 2016
Kiwanis Car Show and Santa's Castle Crafts and Events
scheduled for Sunday, September 4, 2016 in Chautauqua Park.

The event is an annual fund raiser for both civic groups.

Specific requests are as follows:

- *Use of Chautauqua Park 9/4 from 8:00am until 5:00pm for the venue
- *Permission to fence off the western half of Chautauqua Park for the car show controlled venue (with the Park's Department assisting with and providing the fence)
- *Permission to close Chautauqua Park Road from the Park's Maintenance Building west to Lakeshore Drive from 8:00am until 5:00pm as part of the venue
- *Permission for craft sales, food / beverage sales, inflatables and other attractions within the venue
- *Noise variance for the venue from 8:00am until 5:00pm for amplified music and announcements within the venue

These requests are identical to previous years. the event has always gone well.

The appropriate insurance certificate has been applied for listing the City of Storm Lake as additionally insured.

FISCAL IMPACT:

The parks and police departments will incur staff time and perhaps some overtime related to this event which will be absorbed in their operational budgets.

These events are fund raisers for these local organizations and are designed to attract people to the community which in turn should provide a positive fiscal impact.

RECOMMENDATION:

Pass Resolution No. 01-R-2016-2017 Contingent Upon Receipt of Insurance Certificate

ATTACHMENTS:

Description		Type
	LETTER AND PERMIT	Permit

June 7, 2016

City of Storm Lake &
Park Board of Storm Lake
c/o City Clerk
City Hall
620 Erie Street
Storm Lake, IA 50588

RE: Kiwanis Car Show and Santa's Castle Events
Request for Noise Variance, Fencing/Street Blockage, Use of Chautauqua Park
Date of Events: Sunday, September 4, 2016

Dear Ladies and Gentlemen:

This concerns the Kiwanis Car Show and Santa's Castle events to be held on Sunday, September 4, 2016. The Hy-Noon Kiwanis of Storm Lake will be hosting the annual car show alongside Santa's Castle crafts and events. Proceeds from the car show will go to Kiwanis and used to support our commitment to youth recreation and education. Santa's Castle proceeds will go toward the benefit of the Castle.

As in the past, these events will take place in Chautauqua Park. This is our 10th year and again we are requesting your permission to continue these activities in the park.

September 4, 2016:

General Description: On Sunday, September 4, 2016 we are planning the following activities in Chautauqua Park:

1. Auto Show hosted by the Hy-Noon Kiwanis
2. Events hosted by Santa's Castle

Our request is much the same as we requested last year. Our desire is to have a fence separating the east and west side of the park. The fence line would run immediately to the west of the shelter house and tennis courts. We would like to restrict entry into the west side of the park at the corner where Lakeshore Drive, Chautauqua Park Drive, and Cayuga Street meet. This is where show vehicles will enter the automobile show. Food and soda sales booths will be in the vicinity of the north and northeast side of the shelter house. Craft booths will be located to the east side of the shelter house.

The public will enter the auto show from the north side through the sidewalk just to the west of the shelter house as in past years. Automobiles for the auto show will enter on the west side of the park by turning onto Chautauqua Park Drive from Lakeshore Drive, as in past years. The east side of the park will be unrestricted to the public.

There will also be a DJ stand set up directly to the northwest of the tennis court area to play classic car music and make award announcements for the auto show. This will be within the confines of the fenced area.

Fence Permit: We request that you permit us (the Hy-Noon Kiwanis) to fence off Chautauqua Park in the same manner as past years. We request that Chautauqua Park Drive be blocked at its entrance from Cayuga Street to the point south of the city maintenance garage. This street would need to be blocked from 8:00 am to 5:00 pm.

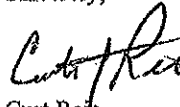
Request for Fencing: Please provide us with the fencing to block off the area requested for our activities. Our organization will be responsible for the erection and removal of this fence and will work with the city personnel in this regard.

Noise Variance: We request that you allow us (Hy-Noon Kiwanis) a variance to the noise ordinance. Music and vehicle engines will be performing during the day. The variance would be in effect from 8:00 am to 5:00 pm.

A certificate of liability insurance will be provided naming the City of Storm Lake and the Chamber of Commerce as insured for \$1,000,000 of coverage.

Thank you for your continued cooperation and support of these events. We look for continued growth and success of the events. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Curt Reis".

Curt Reis
Hy-Noon Kiwanis
Car Show Committee

cc: Ron Stevenson (Santa's Castle)
Mark Prosser (Storm Lake Public Safety)



**Public Safety
Police & Fire
PERMIT**

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

Event: 2016 Kiwanis Car Show & Santa's Castle Event

Issued To:

Name: Curt Reis

Organization: Kiwanis Committee

Address: 1207 Poplar Ln., Storm Lake, IA 50588

Phone: 712-732-6104

Date(s) of Event: Sunday, 9-4-2016

Time(s) of Event: 8:00am until 5:00pm

Expiration of Permit: 9-5-2016

Location / Area
of Use:

Chautauqua 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:

7-6-2016

Please Print

Signature:

Title:

Public Safety Director

Staff Summary

7/5/2016
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:

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	\$597,985.31	\$251,007.13	\$66,580.75	26.53	\$94,503.48	37.65	\$89,922.90	35.82
King's Pointe	\$207,500.55	\$96,985.11	\$38,361.87	39.56			\$58,623.24	60.44
Golf Course	\$8,265.32	\$4,668.87	\$911.80	19.53			\$3,757.07	80.47

RECOMMENDATION: Review Buy Local Information

Staff Summary

7/5/2016

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: James H. Patrick, City Manager

SUBJECT: Motion Approving The Purchase Of Real Property And Easement Rights

BACKGROUND: The City received an Iowa Department of Agriculture and Land Stewardship Grant for Water Quality Improvements to install Bioreactors on tile lines. The City has constructed three Bioreactors using these funds. It was envisioned that one of the Bioreactors would be constructed to intercept the DD13 tile line east of Meridian prior to discharge to Poor Farm Creek on this property.

The Grant expires the end of the month, the contractor has moved on to his next jobs, and the grant funds are close to being depleted since the process to acquire the property has taken so long. However, the City intends to reapply for WQI Grant funds again this fall and could finish this Bioreactor at that time. It would be beneficial for the City to complete the purchase from Storm Lake United for the construction of the Bioreactor.

FISCAL IMPACT: The purchase price for the property (approximately 0.50 acres) and the permanent tile line easement is \$5,000. This is a 50% cost share with the WQI grant resulting in the City paying \$2,500 which will come from the budgeted Bioreactor line.

RECOMMENDATION: Council Approve the purchase of Real Property and easement rights from Storm Lake United.

Staff Summary

7/5/2016

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. 02-R-2016-2017 Approving Amendment No. 2 to the Agreement with the Flood Mitigation Board

BACKGROUND: The City of Storm Lake entered into an agreement with the State of Iowa Homeland Security Department for their Flood Mitigation Fund Program in which the City would be able to capture the growth in the State of Iowa portion of the Local Option Sales Tax in Storm Lake to help fund projects that would eliminate flooding in the community. The City will capture these funds from 2015-2033 which is estimated to be \$4,083,060.

The following projects are funded through this program.

East Central Storm Water Project
North Central Storm Water Project
Expansion Blvd. Storm Water Project

Amendment Number 2 is extending the completion time of the projects to December 1, 2016. The original completion date was December 1, 2015.

FISCAL IMPACT: There is no fiscal impact.

RECOMMENDATION: Approve resolution.

ATTACHMENTS:

Description	Type
☐ Resolution No. 02-R-2015-2016	Resolution
☐ Amendment No. 2	Contract

RESOLUTION NO. 02-R-2015-2016

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT WITH THE STATE OF IOWA FLOOD MITIGATION BOARD WHICH EXTENDS THE PROJECT COMPLETION DATE FOR THE STORM LAKE STORM WATER PROJECT

WHEREAS, the City of Storm Lake submitted an application to the Iowa Flood Mitigation Board requesting the use of \$4,083,060.00 in sales tax increment funds for the Projects; and

WHEREAS, the Board, on December 4, 2013, voted to approve the City's application for construction of the Project, subject to the requirements set forth in Iowa Code chapter 418 and the administrative rules promulgated under it and subject to the terms and conditions set forth in an agreement; and

WHEREAS, Amendment Number One was executed on June 30, 2015, and

WHEREAS, the Board has approved Amendment Number Two Agreement between the Flood Mitigation Board and the City of Storm Lake to amend the Project Completion Date to December 1, 2016, and

Whereas, it is in the best interest of the City to enter into the Amended Agreement to extend the Project Completion Date.

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

Section 1. That the Amended Agreement be approved.

Section 2. Mayor is hereby authorized to execute the Amended Agreement and execute such other documents as the Iowa Flood Mitigation Board may reasonably require that are necessary to bind the City to the terms of the Amended Agreement.

PASSED AND APPROVED this 5th day of July, 2016.

Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

Amendment Number Two

AGREEMENT

Between

THE FLOOD MITIGATION BOARD

And

THE CITY OF STORM LAKE, IOWA

AGREEMENT NUMBER: 2013-0

PROJECT TITLE: Storm Lake Storm Water Project

This is Amendment Number Two to the above-referenced Agreement (AGREEMENT) between the Flood Mitigation Board and the City of Storm Lake. The original AGREEMENT was executed on 2/03/14. Amendment Number One was executed on 6/30/15.

PROJECT COMPLETION DATE is amended to read: December 1, 2016

Article 2, **AGREEMENT DURATION** of the said AGREEMENT is amended to read:

This Agreement shall be in effect from the Agreement effective date through December 1, 2016.

Article 7.7 (1.A.) , **PROJECT WORK**, of the said AGREEMENT is amended to read:

The City shall complete the Project by December 1, 2016. For the purposes of this section "complete" means the Project is fully constructed and operational.

Article 8.2 (6), **FAILURE TO COMPLETE**, of the said AGREEMENT is amended to read:

If the Scope of the Project, as approved and/or amended by the Board, is not completed on or before December 1, 2016. For the purposes of this section "completed" means the Project is constructed and operational.

All other paragraphs in said AGREEMENT remain unchanged.

IN WITNESS WHEREOF, in consideration of the mutual covenants set forth above and for other good and valuable consideration, the receipt, adequacy and legal sufficiency of which are hereby acknowledged, the parties have entered into the above Agreement and have caused their duly authorized representatives to execute this Agreement.

CITY OF STORM LAKE, IOWA

FLOOD MITIGATION BOARD

By: _____
Jon F. Kruse, Mayor

By: _____
Mark J. Schouten, Chair

Date: _____

Date: _____

Attest: _____
James Patrick, City Manager

Date: _____

STORM LAKE AMENDED AGREEMENT #2**Application Work Schedule (Milestones)**

#	Description:	Original Submitted Completion Date:	Amended #2 Anticipated Completion Date:	Amended Completion Date:
1	Development of Final Plans & Specifications	4/4/2014		4/4/2014
2	SHPO	2/4/2014		11/1/2014
3	Land Acquisition	6/4/2014		6/4/2014
4	Phase 1 Construction (East Central Storm Water Project)	6/4/2014		6/4/2014
5	Bid Letting Phase 2	4/4/2014		4/4/2014
6	Phase 2 Construction (North Central Storm Water Project)	6/4/2015	10/15/2016	
7	Bid Letting Phase 3	4/4/2014		4/4/2014
8	Phase 3 Construction (Expansion Blvd. Project)	6/4/2015	8/15/2016	
9	Project Completion	12/31/2015	12/1/2016	

Staff Summary

7/5/2016

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: Stormwater Management Facilities Maintenance Covenant And Permanent Easement Agreement For Methodist Manor Retirement Community.

BACKGROUND: Methodist Manor Retirement Community is to begin construction on an addition and multi-phase construction project at their facilities located at 1206 West Fourth Street in Storm Lake.

As a part of this new project, they are required to comply with our Post Construction Stormwater Control Ordinance. This Ordinance requires projects to control stormwater run off from the site.

The basic premise is that the post development rate of stormwater runoff should not exceed the pre-development rate. Since new projects involve the addition of buildings and other hard surfaces such as parking lots, it is usually required to install features such as storm water detention basins or rain gardens which both control the rate of stormwater run off and clean the water leaving the site.

These facilities require a certain amount of maintenance, depending on their complexity. The attached agreement accomplishes two things. First, it provides for a recorded easement to allow the City of Storm Lake access to the stormwater features for inspection and if necessary, repairs in the future. And second, provides a covenant that is binding on successive owners of the property to maintain the stormwater controls if the property is sold in the future.

Once approved by the Storm Lake City Council, Methodist Manor Retirement Community will record the executed document.

FISCAL IMPACT: City of Storm Lake Attorney's fees estimated at \$500.00.

RECOMMENDATION:

Approve the attached Stormwater Management Facilities Maintenance Covenant and Permanent Easement Agreement submitted by Methodist Manor Retirement Community.

ATTACHMENTS:

Description		Type
	Agreement	Contract

STORMWATER MANAGEMENT FACILITIES MAINTENANCE COVENANT AND PERMANENT EASEMENT AGREEMENT

THIS STORMWATER MANAGEMENT FACILITIES MAINTENANCE COVENANT AND PERMANENT EASEMENT AGREEMENT is entered into by and between **Methodist Manor Retirement Community** (the “*Grantor*”) and the **City of Storm Lake, Iowa** (“*City*”), in consideration of the approval by the City of the Grantor’s Stormwater Management Final Plan for real estate described as:

ALL OF BLOCK TWO (2), HILL’S ADDITION TO THE CITY OF STORM LAKE, IOWA, AND THAT PART OF THE EAST THIRTY-SEVEN (37) RODS OF GOVERNMENT LOT TWO (2), SECTION FOUR (4), TOWNSHIP NINETY (90) NORTH, RANGE THIRTY-SEVEN (37) LYING SOUTH OF THE SOUTH LINE OF FOURTH STREET AS NOW LOCATED IN SWALLUM FIRST ADDITION TO THE CITY OF STORM LAKE, IOWA.

(the “*Benefitted Property*”). Grantor is obligated by the City Code of the City of Storm Lake to control stormwater runoff and provide water quality improvements for the proposed improvements to the Benefitted Property as a part of the Stormwater Management Final Plan approval process. In consideration for the City’s approval of the Grantor’s Stormwater Management Final Plan for the Benefitted Property (the “*Plan*”), the parties have entered into this Stormwater Management Facilities Maintenance Covenant and Permanent Easement Agreement (the “*Agreement*”) to control and address stormwater runoff and water quality for the Benefitted Property.

The following provisions are covenants running with the land to the benefit of the City of Storm Lake, Iowa, binding on Grantor and Grantor’s heirs, successors and assigns in interest to the Benefitted Property, and shall only be amended or released with the written permission of the City.

PART I – COVENANTS ON THE BENEFITTED PROPERTY

1. Description of Easement Areas. Grantor hereby agrees that the stormwater runoff and water quality for the Benefitted Property shall be controlled through installation, construction

and maintenance of one or more Bio-retention Cells (hereinafter referred to as the Stormwater Management Facilities), more specifically described in the Plan on file with the City, upon, over, under, through and across the following described real estate:

**refer to Exhibit “A”, describing the “Bioretention Cell Easement Area”,
attached hereto and incorporated herein.**

(the “Easement Areas”).

2. Stormwater Management Plan. A. The Stormwater Management Facilities required to serve the Benefitted Property shall be designed, constructed and maintained to meet the requirements of the City Code of the City of Storm Lake, Iowa, as of the date of this Agreement. Grantor covenants and agrees to design, construct and maintain the Stormwater Management Facilities in compliance with the plans and specifications for the Bio-retention Cells, being part of the Plan now on file and available for public inspection in the office of the Building Official of the City of Storm Lake.

B. Subject to the prior written approval by the City, the Plan may be amended by Grantor. Subject to the prior written approval by the City, the portion of the Plan for facilities located upon a parcel or group of parcels may be amended by the owners of all such parcels.

3. Transfer of Grantor’s Obligations. It is hereby agreed that Grantor shall construct and install the Stormwater Management Facilities in substantial compliance with the Plan. Grantor’s obligations under this Agreement may not and shall not be transferred to the Grantor’s successors and assigns in ownership of the Benefitted Property until the City provides written acknowledgment to Grantor that the Stormwater Management Facilities have been completed by Grantor in substantial compliance with the Plan. To be in substantial compliance the Stormwater Management Facilities must satisfy the requirements of the City Code of the City of Storm Lake, Iowa.

4. Annual Inspections. The Grantor shall inspect the Stormwater Management Facilities on an annual basis. The inspection shall include inspecting the Easement Areas and Stormwater Management Facilities, including but not limited to all pipes, inlets, outlets and basins, for defects, obstructions and changes from the Stormwater Management Plan. The Grantor shall document such inspection by completing the Inspection Report Form available from the City Building Inspector and attaching thereto date stamped photographs of the Stormwater Management Facilities. Any deficiencies or defects noted by the inspection shall be corrected by the Grantor as provided in Section 9, below. The Inspection Report Form and photographs shall be made available to the City for review upon request and shall be kept and maintained for a period of 5 years. Failure to comply with the requirements of this paragraph may constitute a violation of the City’s City Code subject to punishment as a municipal infraction.

5. Failure to Maintain. A. Grantor acknowledges and agrees, on behalf of Grantor, the Association, and Grantor’s successors and assigns in ownership of the Benefitted Property, that

if the Stormwater Management Facilities are not maintained in substantial compliance with the Plan, the Stormwater Management Facilities will not serve their intended purpose of controlling the quantity and quality of stormwater runoff from the Benefitted Property, and will constitute a nuisance detrimental to the public health and safety.

B. The Grantor and its successors and assigns of any portion of the Easement Areas identified above shall abate any nuisance arising from any failure by such owners to maintain the portion of the Easement Areas owned by such owners as provided in Section 8, below. If the owners fail to abate any such nuisance upon their property by performing those obligations imposed upon the property owner by Section 7, below, within a reasonable time after receipt of notice from the City, the City may cause such work to be done to abate the nuisance, and assess the reasonable and necessary costs of such work, including the cost of materials and equipment, as a special assessment upon the lot, parcel or condominium units owned by such owners.

C. The Grantor and its successors and assigns of any portion of the Easement Areas identified above shall abate any nuisance arising from any failure by the Grantor to maintain and repair the Stormwater Management Facilities as provided in Section 8, below. If the owners fail to abate any such nuisance by repairing, reconstructing, grading, dredging and replanting the Stormwater Management Facilities as necessary to restore such facilities into substantial compliance with the Plan within a reasonable time after receipt of notice from the City, the City may cause such work to be done to abate the nuisance, and assess the reasonable and necessary costs of such work, including the cost of materials and equipment, as a special assessment upon the Benefitted Property. The cost to abate or correct said deficiencies shall be assessed against the Benefitted Property as a special assessment and shall be a lien on the property, billed and collected as ordinary taxes.

D. Grantor hereby agrees and consents on behalf of itself, and all successors and assigns of the Benefitted Property to assessment of the costs of maintaining, reconstructing, repairing, grading, dredging and replanting the Easement Areas and Stormwater Management Facilities in the manner set forth in this Section, and further waives any right of notice, benefit or value as it pertains to the amount of the special assessments and waives its rights to appeal such assessment, excepting the correction of any errors in the calculation of the reasonable and necessary costs incurred by the City to maintain and restore the Stormwater Management Facilities into substantial compliance with the Plan.

PART II – Easement for Stormwater Management Facilities

6. Grant of Easement. Grantor hereby grants to the City a Permanent Stormwater Management Facilities Maintenance Easement under, over, through and across the Easement Areas, the Benefitted Property, and the Stormwater Management Facilities for the purpose of inspecting each at reasonable times, and for the purpose of constructing, reconstructing,

repairing, grading and maintaining the Stormwater Management Facilities and the surface of the Easement Areas in substantial compliance with the Plan.

7. Duties of Individual Owners of Easement Areas. Grantor and all subsequent owners of the Benefitted Property or Easement Areas shall be responsible for the following for the Easement Areas within their property:

Affirmative Covenants:

- a. Removal all trash, litter, debris or obstructions to the flow of water in the Easement Area and any inlets or outlets located within the Easement Area.

Negative Covenants:

- b. No chemicals or substances shall be applied to the Easement Area that shall harm or impair the effectiveness of the Stormwater Management Facilities or Water Quality measures.
- c. No trees and shrubs shall be planted or allowed to grow within the Easement Area, other than plantings required by the Stormwater Management Plan.
- d. No portion of the Stormwater Management Facilities shall be altered or removed without the prior written approval of the City Engineer.
- e. No structure shall be erected on, over or within an Easement Area without the prior written approval of the City Engineer.
- f. No change shall be made to the grade, elevation or contour of any part of the Easement Area without obtaining the prior written approval of the City Engineer.
- g. No structure, material, device, thing or matter which could reasonably be expected to obstruct or impede the normal flow of surface water over the Easement Area shall be erected or caused to be placed on the Easement Area without obtaining the prior written approval of the City Engineer.
- h. No Easement Area shall be used as a compost site, or for the disposal of yard wastes or other materials.

8. Duties of the Grantor. From and after completion of the Stormwater Management Facilities in substantial compliance with the Plan, the Grantor and all subsequent owners of the Benefitted Property and Easement Areas shall maintain the Easement Areas and the Stormwater Management Facilities as follows:

- A. Inspections. The Grantor or subsequent owners of the Easement Areas shall annually inspect all Easement Areas and Stormwater Management Facilities serving the Benefitted Property as more specifically provided in Section 4, above.
- B. General. The Grantor shall not take any action prohibited by the Negative Covenants in paragraphs b through h of Section 7, above.

C. Storm Sewer Easement Area: The Grantor or the owner of any of the Easement Areas shall be responsible to repair and replace the Stormwater Management Facilities in any Easement Area owned by such Grantor or owner as necessary to maintain the Stormwater Management Facilities in substantial compliance with the Plan.

9. Access to Easement Areas. The Grantor, the City and their agents, contractors, employees and assigns shall have the right of access to the Easement Areas and Benefitted Property and have all rights of ingress and egress reasonably necessary for the use and benefit of the Easement Areas as herein described, including, but not limited to, the right to remove any unauthorized plantings or structures placed or erected on the Easement Areas and the right to do maintenance, repair, reconstruction, grading and dredging as determined by the City to be necessary to restore the Stormwater Management Facilities to substantial compliance with the Plan.

10. Application to City. Nothing in this Agreement shall be construed to impose an obligation upon the City to maintain the Easement Areas or the Stormwater Management Facilities.

11. Successor's and Assigns. This Agreement shall be deemed to run with the land and shall be binding on Grantor and on Grantor's successors and assigns.

12. Grantor's Representations and Covenants. Grantor does hereby covenant with the City that Grantor holds said real estate described in this Agreement by title in fee simple; that Grantor has good and lawful authority to convey the same; and said Grantor covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever.

13. Relinquishment of Rights of Dower, Homestead and Distributive Share. Each of the undersigned Grantors hereby relinquishes all rights of dower, homestead and distributive share, if any, in and to the interests conveyed by this Agreement.

14. Construction of Agreement. Words and phrases herein including acknowledgment hereof shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

IN WITNESS WHEREOF, the Grantors hereto have executed this Agreement this _____ day of _____, 2016.

METHODIST MANOR RETIREMENT COMMUNITY

By: _____
Nicholas Landgraf, Chief Executive Officer

ACCEPTED AND APPROVED by the City of Storm Lake, Iowa, on the ____ day of _____, 2016.

CITY OF STORM LAKE, IOWA

By: _____
Jon F. Kruse, Mayor

ATTEST:

Sue Vossberg, City Clerk

STATE OF IOWA, COUNTY OF BUENA VISTA

This record was acknowledged this ____ day of _____, 2016, by Nicholas Landgraf, as Chief Executive Officer of Methodist Manor Retirement Community.

Notary Public in and for the State of Iowa

STATE OF IOWA, COUNTY OF BUENA VISTA

This record was acknowledged this ____ day of _____, 2015, by Jon F. Kruse and Sue Vossberg, as Mayor and City Clerk of the City of Storm Lake, Iowa.

Notary Public in and for the State of Iowa

EXHIBIT "A" BIORETENTION CELL EASEMENT AREA

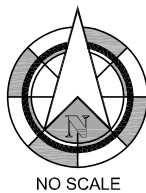
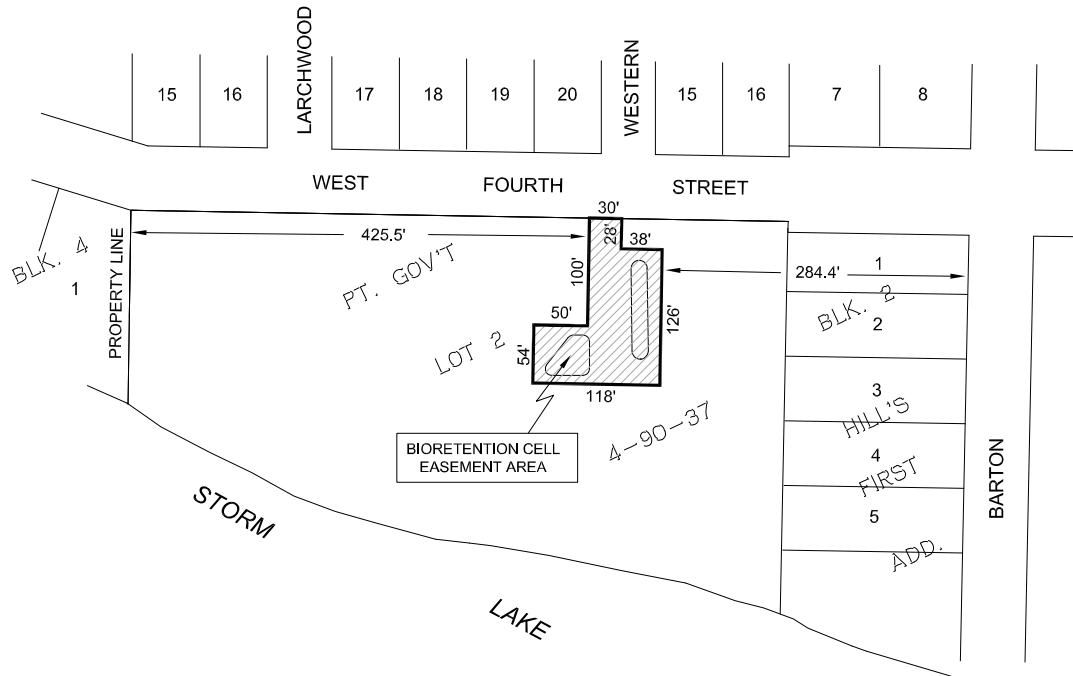


EXHIBIT "A"
BIORETENTION CELL
EASEMENT AREA
PT. GOV'T LOT 2
SECTION 4
T-90-N R-37-W
CITY OF STORM LAKE, BUENA
VISTA COUNTY, IOWA



1725 N. Lake Ave.
Storm Lake Ia. 50588
Ph: 712-732-7745

PN: 17626
Drawn: JSS
Sheet 1 OF 1
Surveyed by:
Survey Date:
Revision Date: 3/18/16
Drawing Name:

Staff Summary

7/5/2016

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: Motion to Approve the Hungry Herd 2016 Contract

BACKGROUND: In 2015 the City of Storm Lake utilized the Hungry Herd to intensively graze a portion of creek bed area in the Bargloff Addition to Storm Lake. Due to the success of the grazing of this area, City of Storm Lake Parks and Public Works Departments is intending on utilizing this method of weed and brush removal along the lakeshore from Circle Park to Chautauqua Park. Goats would be segmented into to small sections of this terrain and moved as an area is adequately cleaned. Following the goats eliminating the underbrush within this area, the Parks Department will be utilizing its seasonal employees to remove any additional vegetation, trash, and tree debris that are present and are not consumed by the goats.

Given the erosion along the lake bank, the proximity to open water, and general terrain within this area, it makes this area difficult to adequately maintain with the use of a mower or chemical spraying.

The immediate results of this project will be to make the lake views present again from within our parks system and along our recreational trail. The long term application would be to use the goats on the lake shore from Circle Park to Chautauqua Park, clear the woody vegetation left behind with City staff, and then see grants to plant native grasses and flowers on the shore line via compost grouting.

FISCAL IMPACT: The fiscal impact realized will be absorbed through normal operating funds of the streets department and stormwater funds. Estimates of fees are as follows:

- Delivery and retrieval: \$0
- Cost of goat rental: \$2/hd/day with 40 animals present for a

time not to exceed 55 days: \$4400

Cost of fence moves: \$7 per move with an anticipation of no more than 10 moves: \$70

It is estimated that this endeavor shall not exceed approximately \$4470. It is unknown how fast the area will be grazed to completion until this project starts. City Staff and the Hungry Herd owners feel that this project could be completed in as little as 30 days. This cost will be off set by utilizing staff on higher priority projects.

RECOMMENDATION: Staff would recommend that Council approve the contract with The Hungry Herd for the 2016 grazing season and direct the Mayor to sign the contract.

ATTACHMENTS:

Description	Type
 Hungry Herd Contract	Contract

Hungry Herd

Owned and operated by Doug and Jamie Bartels

SERVICE AND RENTAL AGREEMENT

The following Agreement is entered into between Doug and Jamie Bartels and the city of Storm Lake and is signed as of this 5th day of July, 2016. In consideration of the mutual covenants set forth herein, the parties agree as follows:

Scope of Services. This agreement addresses the temporary provision of animals and equipment as outlined below by Doug and Jamie Bartels for use by the city of Storm Lake for targeted grazing for the management of problem vegetation on Customer's property. For the period of July 1, 2016 to September 5, 2016, Doug and Jamie Bartels entrusts the following to Customer: *or unless project completed sooner*

- 12 segment(s) of portable electrifiable fencing, each 164 feet in length (replacement value = \$120 each).
- 2 segment(s) of portable electrifiable fencing, each 20 feet in length (replacement value = \$40 each).
- 1 solar-powered fence energizer(s) (replacement value = \$350 each).
- 1 livestock watering tank(s) (replacement value = \$40 each).
- 40 goats age one year and older (replacement value = \$300 each).

Customer agrees to return all of the above equipment to Doug and Jamie Bartels in good working order at the end of the term of this agreement. Customer further agrees to care for the animals outlined above and return them to Doug and Jamie Bartels at the end of the term of this agreement in good health. Customer agrees to pay the stated replacement value of all equipment and animals for which it is unable to do so, subject to the limitations outlined below.

Customer Responsibilities. Customer agrees that it is solely responsible for the care and management of animals and equipment provided by Doug and Jamie Bartels for the term of this agreement. Customer acknowledges that the outcomes of targeted grazing can be variable and unpredictable, and that Doug and Jamie Bartels bears no responsibility for the success of a targeted grazing project for which it has provided livestock and/or equipment, but for which Customer has provided management. Customer further agrees to the following responsibilities:

- Customer shall provide animals with a level of care that is reasonable and prudent.
- Customer shall adhere to guidelines for animal care provided by Doug and Jamie Bartels upon delivery.
- Customer shall name a representative who will be responsible for animal care and will be reachable in case of emergency. Such representative shall be present for a minimum of 60 minutes of training and demonstration provided by Doug and Jamie Bartels upon delivery.
- Customer shall immediately notify Doug and Jamie Bartels of any animal deaths or visible signs of sickness. Common signs of sickness include diarrhea, lameness, listlessness, animals removing themselves from the company of the herd, swelling beneath the jaw, and visible wounds.
- Customer shall move animals as necessary to provide them with access to an adequate supply of vegetation to eat.
- Customer shall pay Doug and Jamie Bartels the replacement value indicated in Scope of Services for any animal found dead outside of the fenced enclosure in which the animals were meant to be contained. The cost of veterinary care for any animal found injured outside of the fenced enclosure shall also be the responsibility of Customer, up to the replacement value.
- Regardless of the location of sick, injured, or dead animals, Customer shall be liable for replacement and veterinary costs as well as related damages if found to be negligent in the care or containment of the animals.

Doug and Jamie Bartels Responsibilities. Doug and Jamie Bartels shall fulfill the following responsibilities:

- Doug and Jamie Bartels shall deliver the livestock and equipment described in Scope of Services on July 11, 2016 and pick up the livestock and equipment on 7/15/16, 2016. All equipment shall be in good working order upon delivery, and all livestock shall be in good health. *or before September 15, 2016, or project completion. sv*
- Doug and Jamie Bartels shall assist with initial fence and equipment setup upon delivery and provide no less than 60 minutes of training and demonstration in the care of livestock and use of equipment for Customer.
- Doug and Jamie Bartels shall provide onsite consultations to monitor progress, assess animal condition, and advise Customer once every four weeks at no charge. Doug and Jamie Bartels shall perform additional consultations and/or fence moves upon request of the customer, subject to payment as outlined below.
- Doug and Jamie Bartels shall not require compensation from Customer for sick, injured, or dead animals found within the fenced enclosure, so long as Customer has not been negligent in their care.
- Upon notification by Customer of a sick, injured, or dead animal, Doug and Jamie Bartels shall provide direction to Customer as to the next appropriate course of action.
- Doug and Jamie Bartels shall name a local veterinarian to be contacted in case of medical emergency.

Payment. Customer agrees to pay \$2.00 per head per day, for the use of livestock and \$7.00 per fence per move for use as outlined in Scope of Services. Customer agrees to pay \$No charge (calculate at \$2.50 per loaded mile for delivery and retrieval) for trucking of livestock. At the request of Customer, Doug and Jamie Bartels shall provide onsite consultations at \$20 per instance. Such consultations may include up to one hour of labor applied toward assisting customer with the relocation of livestock, fencing, and equipment. Customer shall provide a 25% deposit prior to delivery and the balance shall be due upon retrieval of the animals/equipment. Final payment shall be deemed delinquent 30 days after retrieval of the animals/equipment and shall accrue interest at 10% per annum thereafter.

Doug and Jamie Bartels

Doug Bartels
Signature

7/15/16
Date

Customer

Signature

Date

For _____