

**CITY OF STORM LAKE
REGULAR COUNCIL MEETING, CITY HALL
COUNCIL CHAMBERS
DECEMBER 16, 2013
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. **Approve Consent Agenda**
 - B. **Buy Local Information**
 - C. **City Council Appointments**
 - D. **Approval Of Utility Easements**
3. **New Council & Mayor Swear In**
4. **FY 2014-2015 Outside Agency Question & Answer Session**
5. **Resolution No. 47-R-2013-2014 Approving Contract & Bond - Contract 6, WWTP Improvements**
6. **Motion Approving Hiring Lundell Construction To Demolish Silo**
7. **Resolution No. 48-R-2013-2014 Accepting The Prichard Property Donation Exclusively To Extend Sunset Park**
8. **Potential Changes To Solicitor License Ordinance**
9. **Motion To Go Into Closed Session Reference Iowa Code Chapter 21.5 (j) To Discuss The Purchase Of Property**
10. **Closed Session Reference Iowa Code Chapter 21.5 (i) City Manager Evaluation**
11. **Motion Authorizing Renewal Of City Manager Contract & Pay Changes**
12. 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

12/16/2013

Agenda Item # A.



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

FROM: Sue Vossberg, Deputy Clerk

SUBJECT: **Approve Consent Agenda**

BACKGROUND: The Consent Agenda Includes:

- List of bills for approval
- King's Pointe disbursements for approval
- Approve Council Minutes - December 2, 2013; December 11, 2013 (Special)
- Approve liquor license renewal Godfather's, One Stop Shop, and Al's Liquors
- Approve appointment of Phil Havens as City Attorney and Justin Yarosevich as City Clerk
- Approve Sewer Easements with Larry Schultz and Michael Sandhoff.

FISCAL IMPACT: The City will pay the following expenditures:

- List of Bills - \$1,366,265.17
- King's Pointe Bills - \$165,926.59

The City will receive the following revenues:

- Liquor license renewal - \$600.00

RECOMMENDATION: Approve Consent Agenda

ATTACHMENTS:

Description	Type
☐ List of Bills	List of Bills
☐ King's Pointe Bills	List of Bills
☐ Minutes - December 2, 2013	Minutes
☐ Minutes - December 11, 2013	Minutes
☐ Godfather's liquor report	Backup Material
☐ One Stop Shop Liquor Report	Backup Material
☐ Al's Liquor Report	Backup Material

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

Checks for Approval Report

From: 12/03/13 To 12/16/13
User: tyler.gibbins

UNAVAILABLE

AFLAC	PR Batch 00551.12.2013 Aflac Pretax	50.17
AFLAC	PR Batch 00551.12.2013 Aflac After tax	54.06
AFLAC	PR Batch 00552.12.2013 Aflac Pretax	418.88
AFLAC	PR Batch 00552.12.2013 Aflac After tax	79.50
AMADOR LEAL BERTHA	Refund Check	9.34
AMADOR LEAL BERTHA	Refund Check	15.37
AMADOR LEAL BERTHA	Refund Check	6.41
AMADOR LEAL BERTHA	Refund Check	0.65
AMADOR LEAL BERTHA	Refund Check	2.70
AMIDA CAROLL	Refund Check	8.05
AMIDA CAROLL	Refund Check	13.34
AMIDA CAROLL	Refund Check	5.53
AMIDA CAROLL	Refund Check	0.56
AMIDA CAROLL	Refund Check	2.33
BACCAM TONY	Refund Check	19.41
BACCAM TONY	Refund Check	32.07
BACCAM TONY	Refund Check	14.53
BACCAM TONY	Refund Check	1.36
BACCAM TONY	Refund Check	6.11
CASTRO JUAN/OLGA	Refund Check	52.07
City of Storm Lake	PR Batch 00551.12.2013 Dental insurance employee c	1.06
City of Storm Lake	PR Batch 00551.12.2013 Dental employee/spouse	8.68
City of Storm Lake	PR Batch 00551.12.2013 Dental insurance family	32.27
City of Storm Lake	PR Batch 00551.12.2013 125 Flexible Benefits	244.75
City of Storm Lake	PR Batch 00551.12.2013 Health Insurance Family	604.60
City of Storm Lake	PR Batch 00551.12.2013 Health Insurance Single	24.04
City of Storm Lake	PR Batch 00552.12.2013 Dental employee/child	8.46
City of Storm Lake	PR Batch 00552.12.2013 Dental insurance employee c	14.70
City of Storm Lake	PR Batch 00552.12.2013 Dental employee/spouse	18.00
City of Storm Lake	PR Batch 00552.12.2013 Dental insurance family	102.00
City of Storm Lake	PR Batch 00552.12.2013 125 Flexible Benefits	570.14
City of Storm Lake	PR Batch 00552.12.2013 Flex- Child Care	173.08
City of Storm Lake	PR Batch 00552.12.2013 Health Insurance Family	2,009.16
City of Storm Lake	PR Batch 00552.12.2013 Health Insurance Single	377.23
Collection Services Center	PR Batch 00552.12.2013 Child Support Payments to I	619.38
Collection Services Center	PR Batch 00551.12.2013 Child Support Payments to I	325.00
Conseco Health Insurance Co	PR Batch 00552.12.2013 Cancer Pre Tax Insurance	58.30
COOPER-HYDE KELLI	Refund Check	130.00
EFTPS	PR Batch 00551.12.2013 Federal Income Tax	3,996.93
EFTPS	PR Batch 00551.12.2013 FICA Employee Portion	1,734.02
EFTPS	PR Batch 00551.12.2013 FICA Employer Portion	1,734.02
EFTPS	PR Batch 00551.12.2013 Medicare Employee Portion	494.21
EFTPS	PR Batch 00551.12.2013 Medicare Employer Portion	494.21
EFTPS	PR Batch 00552.12.2013 Federal Income Tax	15,385.42
EFTPS	PR Batch 00552.12.2013 FICA Employee Portion	6,202.60
EFTPS	PR Batch 00552.12.2013 FICA Employer Portion	6,202.60
EFTPS	PR Batch 00552.12.2013 Medicare Employee Portion	2,034.81
EFTPS	PR Batch 00552.12.2013 Medicare Employer Portion	2,034.81
ESPINOZA TERESA	Refund Check	17.51
ESPINOZA TERESA	Refund Check	26.70
ESPINOZA TERESA	Refund Check	15.36
ESPINOZA TERESA	Refund Check	1.22
ESPINOZA TERESA	Refund Check	6.48
GUNNARE ERIC	Refund Check	11.82
GUNNARE ERIC	Refund Check	16.78
GUNNARE ERIC	Refund Check	6.01
GUNNARE ERIC	Refund Check	0.83

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GUNNARE ERIC	Refund Check	2.53
HEISTERKAMP JILL	Refund Check	25.06
HEISTERKAMP JILL	Refund Check	44.46
HEISTERKAMP JILL	Refund Check	19.59
HEISTERKAMP JILL	Refund Check	1.76
HEISTERKAMP JILL	Refund Check	8.26
ICMA Retirement Trust 457	PR Batch 00551.12.2013 ICMA	950.00
ICMA Retirement Trust 457	PR Batch 00551.12.2013 ICMA City Paid	479.18
ICMA Retirement Trust 457	PR Batch 00551.12.2013 ICMA City paid for Police	424.91
ICMA Retirement Trust 457	PR Batch 00552.12.2013 ICMA	985.00
Iowa Public Employees	PR Batch 00552.12.2013 IPERS	5,542.98
Iowa Public Employees	PR Batch 00552.12.2013 IPERS City Share	8,317.44
Iowa Public Employees	PR Batch 00551.12.2013 IPERS	1,403.11
Iowa Public Employees	PR Batch 00551.12.2013 IPERS City Share	2,105.86
ITT Hartford AMS RPVA	PR Batch 00552.12.2013 457 Hartford	325.00
LANGAN JASON	Refund Check	75.47
LEE CHENG	Reprinting Check #39354 (Has Been Voided)	21.31
LEE CHENG	Reprinting Check #39354 (Has Been Voided)	25.58
LEE CHENG	Reprinting Check #39354 (Has Been Voided)	9.65
LEE CHENG	Reprinting Check #39354 (Has Been Voided)	1.49
LEE CHENG	Reprinting Check #39354 (Has Been Voided)	2.82
LINN SARA	Refund Check	24.08
LINN SARA	Refund Check	39.52
LINN SARA	Refund Check	16.13
LINN SARA	Refund Check	1.69
LINN SARA	Refund Check	6.80
Muni Fire/Police Retire	PR Batch 00551.12.2013 Muni Police/Fire Pension	521.22
Muni Fire/Police Retire	PR Batch 00551.12.2013 Muni Police/Fire Pension Ci	1,670.13
Muni Fire/Police Retire	PR Batch 00552.12.2013 Muni Police/Fire Pension	2,862.49
Muni Fire/Police Retire	PR Batch 00552.12.2013 Muni Police/Fire Pension Ci	9,172.18
SENEAOURY LAI	Refund Check	30.67
SENEAOURY LAI	Refund Check	45.72
SENEAOURY LAI	Refund Check	13.34
SENEAOURY LAI	Refund Check	2.15
SENEAOURY LAI	Refund Check	5.62
Teamsters Local Union 554	PR Batch 00552.12.2013 Union Dues	254.00
Treasurer State Of Iowa	PR Batch 00552.12.2013 State Income Tax	5,722.49
Treasurer State Of Iowa	PR Batch 00551.12.2013 State Income Tax	1,735.00
VANG KOU	Refund Check	159.59
VANG KOU	Refund Check	0.41
WILLIAMS KINARA	Refund Check	28.87

UNAVAILABLE	Department Total =	89,613.19
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Police Department

Alliant Energy	Gas Service Oct/Nov 2013	266.45
Alta Body Shop	November 2013 Towing	1,260.00
Buena Vista Regional Medical Center	Nelson- ID	5.00
Buena Vista Stationery & Print Inc	Paper	6.79
Buena Vista Stationery & Print Inc	Paper, Tape, Rubber Bands, Fluid	38.87
Electronic Engineering	Batteries (4)	262.00
Electronic Engineering	Battery Installation P-12	95.00
Electronic Engineering	Lightbar Installation P-13	458.45
Evertex Inc	Cell Phone Service Nov 2013	521.51
Fitzpatrick Auto Center	Brake Pads & Other Service Under Warranty	108.11
Genesis Development	Janitorial Services- November 2013	600.00
Graham Tire	Tire Repairs P-13	20.00
Iowa Heart Center PC	New Hire Physical- Nelson	313.00

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Iowa Lakes Electric Cooperative	Electric Services November 2013	42.36
Iowa Law Enforcement Academy	Defensive Tactics Instructor for Doebe	125.00
Julius Dennis R.	Alterations- Cook	8.00
Keller Ken	Drain Cleaning in Locker room- No Tax	83.15
MidAmerican Energy Company	Electric Service Oct/Nov 2013	822.24
MS Door Service Ltd	Pest Services- October 2013	24.00
Neuroth Kevin	Special Pickup	25.00
Neuroth Kevin	Garbage Service November 2013	23.00
O'Reilly Auto Parts	Credit from overpayment & credits given	-101.99
Police Exec Research Forum	2014 Membership Dues- Prosser	160.00
ProElect/Professional Electronics	New Camera & Installation	474.00
Prosser Mark	ILEA Graduation- Anderson- Mileage	82.49
Purchase Power	Postage December 9, 2013	147.89
Rasmussen's	Bulb	128.64
Rasmussen's	New Fuse P-12	61.22
Rasmussen's	Brake Pads P-6	230.25
Rasmussen's	Water Pump P-12	276.12
Rasmussen's	Aligned P-11	554.89
Star Energy, LLC	Fuel November 2013	3,952.09
Storm Lake Ace Hardware Inc	Batteries	53.98
Treat America Co	Meals for Nelson While at ILEA	1,204.29
Treat America Co	Meals for Anderson While at ILEA	1,216.46
Trimark Physicians Group	MRO for Physical- Nelson	19.50
Trimark Physicians Group	Physical- Lundberg	249.00

Police Department

Department Total = 13,816.76

Fire Department

Alliant Energy	Gas Service Oct/Nov 2013	160.50
Buena Vista Regional Medical Center	Physical- Nebitt	470.00
Buena Vista Stationery & Print Inc	Binder (3)	8.97
Buena Vista Stationery & Print Inc	Folder & Box	20.06
City of Storm Lake	Installed Decals P-7	22.00
Evertex Inc	Cell Phone Service Nov 2013	61.20
Helens Commercial Laundry	Laundry Services	13.00
Helens Commercial Laundry	Laundry Services	13.00
Helens Commercial Laundry	Laundry Services	23.75
Helens Commercial Laundry	Laundry Services Finance Charge	1.00
MS Door Service Ltd	Pest Services- October 2013	18.00
Neuroth Kevin	Garbage Service November 2013	52.00
Star Energy, LLC	Fuel November 2013	286.92
Thomas Manufacturing Co Inc RJ	Sign	494.76
Trimark Physicians Group	Physical- Benedict	284.00
Trimark Physicians Group	Physical- Nebitt	284.00

Fire Department

Department Total = 2,213.16

Building Official

Bennett Robert R	BOA Meeting Attendance	60.00
Converse Kenneth	P&Z Meeting Attendance 2013	110.00
Egland Roger	P&Z Meeting Attendance 2013	150.00
Emmons & Olivier Resources Inc	Ordinance Assistance Aug 1 to Aug 31, 2013	304.00
Evertex Inc	Cell Phone Service Nov 2013	27.50
Hoisington Koegler Group, Inc.	Prof Services 2/1/13 to 11/30/13	10,266.75
Hoisington Koegler Group, Inc.	Prof Services 1/1/13 to 1/31/13	1,395.25
Intl Assn of Plumb/Mech Off	Book	98.75
Johnson Randy	P&Z Meeting Attendance 2013	140.00

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Lullman Merna	P&Z Meeting Attendance 2013	80.00
McKenna Jon	BOA Meeting Attendance 2013	60.00
McKeon Margaret	P&Z Meeting Attendance 2013	70.00
Purchase Power	Postage December 9, 2013	20.96
Queen Duane	P&Z Meeting Attendance 2013	110.00
Remington Steve	BOA Meeting Attendance 2013	20.00
Ringgenberg Garold	BOA Meeting Attendance 2013	70.00
Star Energy, LLC	Fuel November 2013	110.99
Storm Lake Ace Hardware Inc	Safety Glasses	16.48
Wiese Eric	P&Z Meeting Attendance 2013	60.00
Yon Jr Wyatt	BOA Meeting Attendance 2013	40.00

Building Official	Department Total =	13,210.68
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Animal Care

Lake Animal Hospital	Board & Disp of Dogs & Cats	630.00
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Animal Care	Department Total =	630.00
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Police Special Revenues

Creative Product Sourcing, Inc	Rulers	30.00
Creative Product Sourcing, Inc	T-Shirts	154.68

Police Special Revenues	Department Total =	184.68
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Law Enforcement

Electronic Engineering	Ear Pieces (4)	242.00
Electronic Engineering	Earpiece Adaptors	87.36

Law Enforcement	Department Total =	329.36
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Roadway Maintenance

Alliance Concrete Inc GCC	Concrete	180.00
Alliance Concrete Inc GCC	Concrete	370.50
Alliant Energy	Gas Service Oct/Nov 2013	308.81
Central Iowa Distributing, Inc	Maintenance Supplies	324.40
Evertex Inc	Cell Phone Service Dec 2013	13.75
Graham Tire	Service Charge	1.00
Graham Tire	New Tire (1)	289.09
Iowa Office Supply Inc	Copier Maintenance	21.99
Lundell Construction Co. Inc.	Rock	401.39
MidAmerican Energy Company	Electric Service Oct/Nov 2013	469.39
Neuroth Kevin	Garbage Service November 2013	119.25
Smith Concrete Service Inc	Concrete- Starr Park	2,428.50
Star Energy, LLC	Fuel November 2013	2,710.49
Storm Lake Ace Hardware Inc	Bulb	12.45
U.S. Postal Service	PO Box 1086 Rental Fee 2014	38.00

Roadway Maintenance	Department Total =	7,689.01
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Street Lighting

MidAmerican Energy Company	Electric Service Oct/Nov 2013	10,231.92
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Street Lighting	Department Total =	10,231.92
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Signs & Signals

General Traffic Controls Inc	Traffic Signal Services- Park St.	572.50
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Signs & Signals

Department Total =	572.50
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Snow Removal

City of Storm Lake	Replaced Muffler #60	860.93
City of Storm Lake	Replaced fuel tank & snowplow light #113	1,700.04
L & G Products, Inc	Ice Melt	278.70

Snow Removal

Department Total =	2,839.67
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Airport

Ansorge Bob	Airport Meeting Attendance 2013	110.00
Ascent Aviation Group, Inc.	Monthly Dial Fee- November 2013	46.00
Central Iowa Distributing, Inc	Maintenance Supplies	233.60
Century Link	Phone Service- November 2013	125.60
Dierking Rod	Airport Meeting Attendance 2013	100.00
Ingram Mike	Airport Meeting Attendance 2013	60.00
Keeler Donald	Airport Meeting Attendance 2013	100.00
MidAmerican Energy Company	Electric Service Oct/Nov 2013	565.72
MS Door Service Ltd	Pest Services- October 2013	45.00
Purchase Power	Postage December 9, 2013	9.60
Richardson Danny R	Airport Meeting Attendance 2013	110.00

Airport

Department Total =	1,505.52
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Library

Alliant Energy	Gas Service Oct/Nov 2013	318.41
Brandenberger Ryan	Library Meeting Attendance 2013	100.00
Brodart Co	Books	18.41
Brodart Co	Books	40.94
Brodart Co	Books	41.67
Brodart Co	Books	14.54
Brodart Co	Books	17.29
Brodart Co	Books	114.90
Brodart Co	Books	18.96
Brodart Co	Books	22.87
Bryan Ronald E	Library Meeting Attendance 2013	70.00
Central Iowa Distributing, Inc	Supplies	113.80
Cole Stacey	Library Meeting Attendance 2013	60.00
Control System Specialists, LLC	Heater Repairs	296.36
Custodian of Petty Cash Kim Mehlenbacher	Postage	16.91
Custodian of Petty Cash Kim Mehlenbacher	Postage	26.12
Custodian of Petty Cash Kim Mehlenbacher	Postage	4.80
Custodian of Petty Cash Kim Mehlenbacher	Postage	5.36
Custodian of Petty Cash Kim Mehlenbacher	Postage	5.66
Custodian of Petty Cash Kim Mehlenbacher	Postage	10.46
Custodian of Petty Cash Kim Mehlenbacher	Postage	10.46
Custodian of Petty Cash Kim Mehlenbacher	Postage	8.06
Custodian of Petty Cash Kim Mehlenbacher	Postage	7.63
Custodian of Petty Cash Kim Mehlenbacher	Postage	4.98
Custodian of Petty Cash Kim Mehlenbacher	Postage	51.23
Custodian of Petty Cash Kim Mehlenbacher	Postage	7.63

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Custodian of Petty Cash Kim Mehlenbacher	Postage	7.47
Custodian of Petty Cash Kim Mehlenbacher	Postage	2.40
Custodian of Petty Cash Kim Mehlenbacher	Postage	48.11
Custodian of Petty Cash Kim Mehlenbacher	Postage	2.40
Deters Nathan F	Library Meeting Attendance 2013	80.00
Ebsco Industries Inc	Price Mark-Up Payment	135.28
Emery Allison	Library Meeting Attendance 2013	60.00
Genesis Development	Janitorial Services- November 2013	500.00
Gray Misty	Consulting Services November 2013	500.00
Horpedahl Christy	Library Meeting Attendance 2013	90.00
Hudspeth Mary Kay	Library Meeting Attendance 2013	130.00
Hughes John N	Library Meeting Attendance 2013	100.00
Hy-Vee, Inc	Duster	6.48
Ingram Library Services, Inc	Books	15.04
Ingram Library Services, Inc	Books	32.98
Ingram Library Services, Inc	Books	11.03
Ingram Library Services, Inc	Books	23.74
Ingram Library Services, Inc	Books	15.63
Ingram Library Services, Inc	Books	17.93
Ingram Library Services, Inc	Books	16.79
Ingram Library Services, Inc	Books	48.61
Ingram Library Services, Inc	Books	11.04
Ingram Library Services, Inc	Books	33.58
Ingram Library Services, Inc	Books	17.37
Ingram Library Services, Inc	Books	16.76
Ingram Library Services, Inc	Books	6.18
Mead Jo	Mileage 6/14/2013 to 12/13/2013 Homebound Deliver	110.18
MidAmerican Energy Company	Electric Service Oct/Nov 2013	664.15
Midwest Tape LLC	Tapes	156.95
Midwest Tape LLC	Tapes	16.99
Mummert Deb	Library Meeting Attendance 2013	100.00
Neuroth Kevin	Garbage Service November 2013	35.25
ProElect/Professional Electronics	Fire Alarm Monitoring Fee 11/11/2013 to 11/10/2014	150.00
Purchase Power	Postage December 9, 2013	7.36
Rebnord Technologies Inc	Battery Backup System	69.95
Rebnord Technologies Inc	Monitor	199.95
Rebnord Technologies Inc	Battery Backup System (2)	139.90
Recorded Books LLC	CD's	24.30
Recorded Books LLC	CD's	36.00
Vieira Esther	Library Meeting Attendance 2013	40.00
Wells Barbara	Library Meeting Attendance 2013	50.00

Library	Department Total =	5,137.25
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Parks Department

Alliant Energy	Gas Service Oct/Nov 2013	42.42
Alta Implement Company Inc	Water Pump & Gasket	277.99
Crescent Electric Supply Co	Lamps, Memorial Building	34.15
Evertex Inc	Cell Phone Service Nov 2013	13.75
MidAmerican Energy Company	Electric Service Oct/Nov 2013	375.82
MS Door Service Ltd	Pest Services- October 2013	21.00
Neuroth Kevin	Garbage Service November 2013	68.50
Star Energy, LLC	Fuel November 2013	1,064.22
Storm Lake Ace Hardware Inc	Rope & Snap Quick	19.97

Parks Department	Department Total =	1,917.82
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Golf Course

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MidAmerican Energy Company	Electric Service Oct/Nov 2013	337.36
Neuroth Kevin	Garbage Service November 2013	77.75
Neuroth Kevin	Extra Garbage	9.00
Star Energy, LLC	Fuel November 2013	159.43
Golf Course		
	Department Total =	583.54
Campgrounds		
Central Bank	Pay Pal Account	25.00
MidAmerican Energy Company	Electric Service Oct/Nov 2013	215.50
Campgrounds		
	Department Total =	240.50
UNAVAILABLE		
King's Pointe Resort	November 2013 Housekeeping Cleaning Exp	324.00
King's Pointe Resort	November 2013 Maintenance Exp	49.50
King's Pointe Resort	November 2013 Water Park Add on Packages (3)	187.50
King's Pointe Resort	November 2013 Hotel Supplies	135.00
Kinseth Hospitality Corporation	November 2013 Management Fees	197.58
MidAmerican Energy Company	Electric Service Oct/Nov 2013	1,221.17
UNAVAILABLE		
	Department Total =	2,114.75
Shelter House		
Alliant Energy	Gas Service Oct/Nov 2013	145.04
MidAmerican Energy Company	Electric Service Oct/Nov 2013	189.35
MS Door Service Ltd	Pest Services- October 2013	18.00
Shelter House		
	Department Total =	352.39
UNAVAILABLE		
Storm Lake Times The	KP disbursements 10/16 to 10/30/2013	20.00
Storm Lake Times The	KP disbursements 10/31 to 11/12/2013	33.20
UNAVAILABLE		
	Department Total =	53.20
Library Memorial		
Barnes & Noble Booksellers, Inc	Books	65.00
Library Memorial		
	Department Total =	65.00
Dohrman Trust		
Century Business Products,Inc	Copier Maintenance- Partial	15.00
Dohrman Trust		
	Department Total =	15.00
Economic Develop		
Evertex Inc	Cell Phone Service Nov 2013	33.70
Genesys Conferencing	Conferencing	29.97
Purchase Power	Postage December 9, 2013	0.46
Wilson Michael A	Tometch Investment Group- Des Moines- Wilson	164.98

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Economic Develop

Department Total = 229.11

TIF

Electric Pump Inc	Grinder Pump at Radio Rd- Tank Extension	470.53
HD Supply Waterworks, Ltd.	Grinder Pump System- Radio Park	1,373.50
Simmering-Cory Inc	Prep for Urban Renewal/TIF Areas	2,350.00
Vermeer Sales & Service Inc	New Grinder Pump- Radio Road	570.00

TIF Department Total = 4,764.03

Bargloff TIF

Iowa Dept of Natural Resources	Const Permit- W Milwaukee Water Lines	100.00
Simmering-Cory Inc	Prep for Urban Renewal/TIF Areas	2,350.00

Bargloff TIF Department Total = 2,450.00

#4 LMI Housing URA

Southwest MN Housing Partnership	Rebate of Building Permit Fee	27,011.06
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#4 LMI Housing URA Department Total = 27,011.06

Housing Program

Storm Lake Times The	Public Notice- Housing Grant App	7.40
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Housing Program Department Total = 7.40

Legal Services

Ahlers & Cooney, P.C.	Oct Legal Services- Franchise Fees	352.50
Havens & Havens	4th Quarter Council Meetings	500.00

Legal Services Department Total = 852.50

City Hall Building

Alliant Energy	Gas Service Oct/Nov 2013	168.06
Central Iowa Distributing, Inc	Maintenance Supplies	333.64
Evertex Inc	Cell Phone Service Nov 2013	19.24
Genesis Development	Janitorial Services- November 2013	200.00
Julius Dennis R.	Entrance mats	28.40
Julius Dennis R.	Entrance mats	28.40
MidAmerican Energy Company	Electric Service Oct/Nov 2013	375.92
MS Door Service Ltd	Pest Services- October 2013	23.00
Neuroth Kevin	Garbage Service November 2013	27.00
Steve's Window Svc	Window Cleaning Service	34.00

City Hall Building Department Total = 1,237.66

Other Policy & Administration

Buena Vista Co Recorder	Amendment #3 Industrial Park Urban Renewal Recor	122.00
Central Bank	Huddleston Municipal Leadership Registration	75.00
Central Bank	IAPELRA Conf Rooms- Movall, Yarosevich	94.98
Central Bank	Des Moines Register Fee	10.00

City of Storm Lake
620 Erie Street PO Box 1086
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Color-ize Inc	Tidbits- Design/Layout	35.00
Fridley Theatres, Inc RL	2D Discount Admission Tickets	600.00
Intl Public Management	2014 Membership Dues- Hill	50.00
Iowa Association of Municipal Utilities	Open Meetings & Open Records Registration- Yarosev	35.00
Iowa Office Supply Inc	Copier Maintenance	22.00
Patrick James H	Lakes Corridor Meeting- Spencer- Patrick- Mileage	213.57
Patrick James H	Flood Mitigation Funding/ League- Spencer- Patrick- I	374.03
Pitney Bowes Inc.	Ink Cart (2)	40.79
Purchase Power	Postage December 9, 2013	236.71
Storm Lake Times The	Public Hearing to Approve Amendment #3	62.82
Storm Lake Times The	City Claims 10/22 to 11/4/2013	35.96
Storm Lake Times The	Council Meeting Nov 4, 2013	22.20
Storm Lake Times The	P&Z Commission File 2013-6	7.20
Storm Lake Times The	2013 Financial Report	106.08
Storm Lake Times The	Notive of Public Hearing to Approve Amendment #1	40.40
Storm Lake Times The	Council Meeting- Nov 18, 2013	53.20
Storm Lake Times The	City Claims 11/5 to 11/18/2013	44.66
U.S. Postal Service	PO Box 1086 Rental Fee 2014	38.00

Other Policy & Administration

Department Total = 2,319.60

Water Administration

Central Bank	IAPELRA Conf Rooms- Movall, Yarosevich	94.98
Color-ize Inc	Hard Hat Decals	33.00
Evertex Inc	Cell Phone Service Dec 2013	34.79
Genesis Development	Janitorial Services- November 2013	200.00
Intl Public Management	2014 Membership Dues- Hill	50.00
Iowa Office Supply Inc	Copier Maintenance	22.00
Pitney Bowes Inc.	Ink Cart (2)	40.79
Purchase Power	Postage December 9, 2013	14.01
Qualified Presort Service, LLC	Past Due Notices	59.52
Qualified Presort Service, LLC	Final Bills	3.92
Springbrook Software, Inc	November 2013 Web Payments	105.75
Springbrook Software, Inc	IVR Transactions- November 2013	10.00
U.S. Postal Service	PO Box 1086 Rental Fee 2014	38.00

Water Administration

Department Total = 706.76

Water Plant

Chem-Sult Inc	Sodium Chlorite	2,948.40
Chem-Sult Inc	Sodium Chlorite Freight	125.00
Davis Mike	IAMU Water Training Workshop- Davis- Des Moines	219.98
Evertex Inc	Cell Phone Service Dec 2013	180.74
Hach Chemical Company	Lab Supplies	1,865.61
Hach Chemical Company	Sample Blank Vials	25.58
Halliday Products, Inc	Gasket Freight	10.23
Hawkins, Inc	Flouride	780.33
Hawkins, Inc	Flouride Freight	33.00
Hawkins, Inc	Sodium Aluminate	575.88
Hawkins, Inc	Sodium Aluminate Freight	20.00
Iowa Rural Water Assn	2014 System Membership- Rainforth	87.50
Mailboxes & Parcel Depot	Shipping	11.03
Mailboxes & Parcel Depot	Shipping	11.38
Mike's Electronics Inc	Press Building Services	280.00
Mike's Electronics Inc	Flag Light Repairs	96.70
Neuroth Kevin	Garbage Service November 2013	69.00
O'Reilly Auto Parts	Seat Cover Return	-53.98

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O'Reilly Auto Parts	Mud Guards & Seat Covers	164.94
Skarshaug Testing Laboratory, Inc	Gloves	29.00
Star Energy, LLC	Fuel November 2013	158.02
Storm Lake Ace Hardware Inc	Keys, Batteries, & Screwdrivers	68.94
Storm Lake Ace Hardware Inc	Tower 1 Cabinet Enclosure	13.66
TestAmerica Laboratories, Inc	Bac-T Testing	100.00
TestAmerica Laboratories, Inc	Flouride Testing	20.00
TestAmerica Laboratories, Inc	Nitrite Testing	15.00

Water Plant	Department Total =	7,855.94
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Water Distribution

Alliant Energy	Gas Service Oct/Nov 2013	20.90
Campbell Supply Company	Ladder	130.84
City of Storm Lake	Replaced Fuel Filter #7	20.48
City of Storm Lake	Replaced Water Pump #34B	415.05
City of Storm Lake	Replaced Flasher & Filters #35	311.13
Evertex Inc	Cell Phone Service Dec 2013	33.70
Ferguson Enterprises Inc	Supplies	15.14
Graham Tire	Backhoe Titan Tire	541.27
Iowa Dept of Natural Resources	Drinking Water Distribution 2- Kirsch	80.00
Kirsch Bruce	Water DEU's- Kirsch- Des Moines	218.98
MidAmerican Energy Company	Electric Service Oct/Nov 2013	125.40
Star Energy, LLC	Fuel November 2013	368.65
Storm Lake Ace Hardware Inc	Batteries (4 packs)	67.95

Water Distribution	Department Total =	2,349.49
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Water Meters

Star Energy, LLC	Fuel November 2013	214.29
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Water Meters	Department Total =	214.29
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Wastewater Administration

Alliant Energy	Gas Service Oct/Nov 2013	20.89
Central Bank	IAPELRA Conf Rooms- Movall, Yarosevich	94.98
Color-ize Inc	Hard Hat Decals	33.00
Evertex Inc	Cell Phone Service Dec 2013	34.78
Genesis Development	Janitorial Services- November 2013	200.00
Intl Public Management	2014 Membership Dues- Hill	49.00
Iowa Office Supply Inc	Copier Maintenance	22.00
Pitney Bowes Inc.	Ink Cart (2)	40.80
Purchase Power	Postage December 9, 2013	14.01
Qualified Presort Service, LLC	Final Bills	3.91
Qualified Presort Service, LLC	Past Due Notices	59.51
Qualified Presort Service, LLC	Final Bills	8.36
Springbrook Software, Inc	November 2013 Web Payments	105.75
U.S. Postal Service	PO Box 1086 Rental Fee 2014	38.00

Wastewater Administration	Department Total =	724.99
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Wastewater Treatment Plant

Central Bank	Back-Up Tough Switches	278.97
Energy Sales, Inc	Coupling, Ceramic Blocks, Combust Chamb	329.32
Evertex Inc	Cell Phone Service Dec 2013	231.26

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Evertex Inc	New Phone Kleespies	519.00
Foundation Analytical Laboratory Inc	Inf & Spoil Samples	466.00
Iowa Office Supply Inc	Copier Maintenance	15.46
Iowa Rural Water Assn	2014 System Membership- Rainforth	87.50
MidAmerican Energy Company	Electric Service Oct/Nov 2013	172.35
MidAmerican Energy Company	Electric Service Oct/Nov 2013	9,056.19
Mike's Electronics Inc	Box Change at College & 3rd	395.83
Neuroth Kevin	Garbage Service November 2013	62.75
Star Energy, LLC	Fuel November 2013	430.52
Teledyne Instruments, Inc	Surgical Tubing Samples- No Tax	90.85
US Peroxide, LLC	Facility & Maintenance Service- November 2013	750.00

Wastewater Treatment Plant

Department Total = 12,886.00

Wastewater Collection

Eriksen Construction Co, Inc	Pay Estimate #4 of Contract #4 Through 11/30/2013	87,912.17
Eriksen Construction Co, Inc	Pay Estimate #4 of Contract #4 Through 11/30/2013	11,721.62
Eriksen Construction Co, Inc	Pay Estimate #4 of Contract #4 Through 11/30/2013	17,582.43
Gridor Construction, Inc	Pay Estimate #8 of Contract #5 through 11/30/2013	607,327.87
Gridor Construction, Inc	Pay Estimate #8 of Contract #5 through 11/30/2013	80,977.05
Gridor Construction, Inc	Pay Estimate #8 of Contract #5 through 11/30/2013	121,465.58
H & W Contracting LLC	Pay Estimate #8 of Contract #3 through 11/29/2013	42,055.31
H & W Contracting LLC	Pay Estimate #8 of Contract #3 through 11/29/2013	5,607.38
H & W Contracting LLC	Pay Estimate #8 of Contract #3 through 11/29/2013	8,411.06
J & K Contracting, LLC	Pay Estimate #10 of Contract #2 from 9/27 to 11/27/2013	6,053.14
J & K Contracting, LLC	Pay Estimate #10 of Contract #2 from 9/27 to 11/27/2013	807.08
J & K Contracting, LLC	Pay Estimate #10 of Contract #2 from 9/27 to 11/27/2013	1,210.63
Star Energy, LLC	Fuel November 2013	189.91
Storm Lake Times The	Public Notice to Bidders- Contract #6	42.00

Wastewater Collection

Department Total = 991,363.23

Landfill

Iowa Office Supply Inc	Copier Maintenance	22.00
Purchase Power	Postage December 9, 2013	7.00
Qualified Presort Service, LLC	ACH Final Bills	0.54
Qualified Presort Service, LLC	Past Due Notices	59.51
Qualified Presort Service, LLC	ACH Final Bills	2.66
Qualified Presort Service, LLC	Final Bills	3.91
Springbrook Software, Inc	November 2013 Web Payments	105.75
U.S. Postal Service	PO Box 1086 Rental Fee 2014	38.00

Landfill

Department Total = 239.37

Storm Water Administration

Evertex Inc	Cell Phone Service Dec 2013	3.54
Genesis Development	Janitorial Services- November 2013	200.00
Iowa Office Supply Inc	Copier Maintenance	21.99
Qualified Presort Service, LLC	Final Bills	3.91
Qualified Presort Service, LLC	Past Due Notices	59.51
Springbrook Software, Inc	November 2013 Web Payments	105.75

Storm Water Administration

Department Total = 394.70

Storm Water Collection

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Emmons & Olivier Resources Inc	Field Review of Upper Reaches Aug 1 to Aug 31, 2013	609.75
Emmons & Olivier Resources Inc	Expansion Blvd Drainage Oct 1 to Oct 31, 2013	5,322.35
Emmons & Olivier Resources Inc	Expansion Blvd Drainage Aug 1 to Aug 31, 2013	9,942.13
Emmons & Olivier Resources Inc	Radio Park Watershed Investigation Aug 1 to Aug 31,	1,413.79
Griggs Kevin M.	Phase 1 Archaeological Resources Inventory	1,300.00
Lundell Construction Co. Inc.	Pay Estimate #6 through 12/3/2013- E Central	103,138.51
Storm Water Collection	Department Total =	121,726.53
Street Cleaning		
Star Energy, LLC	Fuel November 2013	850.47
Street Cleaning	Department Total =	850.47
Insurance		
Three Rivers Benefit Corporation	Flex Claims for 12/2/2013	1,007.46
Three Rivers Benefit Corporation	December 2013 Insurance Premium	16,920.58
Insurance	Department Total =	17,928.04
UNAVAILABLE		
Salus LLC	November 2013 Membership Fees	180.00
UNAVAILABLE	Department Total =	180.00
Vehicle Maintenance		
CNH Capital LLC	Flasher	69.95
CNH Capital LLC	Switch (2), Button #35 Backhoe	223.01
Crysteel Truck Equipment Inc	Auger Motor & Markers	536.78
Fitzpatrick Auto Center	Tank	1,618.54
John Deer Financial	Bolts/Nuts	10.68
Murphy Tractor Equip	Supplies	367.57
North Lake Truck Repair	Clamps	53.07
Reinert Michael P	Angle Iron For Truck #60	13.50
Reinert Michael P	Steel Materials	59.50
Reinert Michael P	Aluminum Materials- Shop Supplies	55.50
Vehicle Maintenance	Department Total =	3,008.10
Technology		
Rebnord Technologies Inc	Apple iPad Air (10)	10,000.00
Rebnord Technologies Inc	2 Factor Auth	375.00
Rebnord Technologies Inc	IT Service Agreement	3,200.00
Rebnord Technologies Inc	My AntiSpam	75.00
Technology	Department Total =	13,650.00
	Grand Total =	1,366,265.17

King's Pointe Resort
Disbursements 11/23/2013 through 12/10/2013

Vendor Name	Description	Amount
Ace Hardware (2)	supplies	556.77
Aramark Uniform Services	uniforms	845.10
Budget Lighting, Inc.	supplies	832.82
Buena Vista Stationery	supplies	34.26
Burke Engineering Sales Co.	supplies	455.00
Capital Sanitary Supply Co. (2)	supplies	1,182.36
Carlisle Ryan Digital Services	supplies	72.74
Cedar Valley Bank & Trust	payment	1,056.86
City of Storm Lake	water	3,168.05
Color-ize (2)	supplies	1,210.65
Comm 1st Broadcasting-KKIA/KAYL	advertising	340.00
Convergence LLC	supplies	75.00
Daniels Filter Service (2)	utilities	539.03
Ecolab Food Safety Solutions	supplies	101.71
Iowa Division of Labor Service	inspection	325.00
Expedia Inc.	commission	53.46
Ferguson Enterprises, Inc. (2)	beverages	69.89
First National Bank	credit card	2,334.19
Garbage Hauling Service	garbage service	135.50
Graffix Inc. DBA Wall of Fame	uniforms	1,401.75
Hy-Vee Food Stores (3)	food	268.56
Iowa Office Supply, Inc.	supplies	838.43
J Dan Skinner.com, Inc.	tech support	25.00
Julius Cleaners (2)	cleaning	106.05
Kineth Hotel Corporation (3)	payroll, mgt fees	102,466.98
Lake Electric Supply	supplies	804.99
Olsen Welding & Machine Shop	supplies	75.00
Orkin Exterminating Inc	pest control	135.00
Pilot Tribune	advertising	1,509.57
Pinnacle West, LLC	supplies	485.00
Plasticard Locktech Intl.	supplies	852.54
Probuild Company LLC (2)	supplies	97.08
Rebnord Technologies Inc. (2)	tech support	3,423.03
Rent-All Inc.	supplies	10.00
Jayne Riedell	reimbursement	121.92
Schumacher Elevator Co.	elevator service	944.85
Seminole Retail Energy	utilities	10,430.97
Shoes for Crews (2)	supplies	270.76
The Storm Lake Times (2)	advertising	456.25
Storm Lake Chamber (2)	membership	115.30
Sysco Guest Supply (2)	supplies	1,767.44
Treasurer State of Iowa	sales tax	8,800.00
UPS (3)	shipping	104.11
US Foods (3)	food	12,476.66
Vizergy	web support	2,060.00
Joshua Walls	reimbursement	243.00
World Waterpark Association	advertising	375.00
Al's Liquor	beverages	514.41
Doll Distributing	beverages	675.25
Johnson Brothers/Iowa Wine & Bev	beverages	683.30
Totals		165,926.59

REGULAR COUNCIL MEETING, CITY OF STORM LAKE, IOWA, CITY HALL, DECEMBER 2, 2013, 5:00 P.M.

Present: Council Members Dan Anderson, Bruce Engelmann, David Walker, Sara Huddleston, and Mike Porsch (arrived at 5:03pm). Absent: Mayor Jon Kruse. Staff present: City Manager Jim Patrick, City Attorney Phil Havens, Public Safety Director Mark Prosser, Building Official Scott Olesen, Fire Chief Mike Jones, Project Manager/Community Development Director Mike Wilson, Doug Rainforth Water Quality Manager, Todd Allen Water Plant Superintendent, Jacob Stewart Wastewater Plant Superintendent, Jennifer Movall Finance Department Manager, Elizabeth Huff Library, Emily Haselhoff Planning Coordinator, and Justin Yarosevich City Clerk.

Mayor Pro-Tem Walker called the meeting to order at 5:01 p.m.

Hear the Public – None

Consent Agenda – Moved by Council Member Anderson to approve the consent agenda which included checks #44323 through #44444, minutes from the November 18, 2013 council meeting, liquor license renewal for Brewsters (subject to dram shop insurance), and updates to the Snow & Ice Removal Policy and Procedure Manual. Seconded by Council Member Huddleston. Vote: All ayes with Council Member Porsch absent. Motion carried.

Mike Porsch arrived at 5:03pm.

North #1 – Bargloff Urban Renewal Plan Amendment – Mayor Pro-Tem Walker opened the public hearing on Amendment #1 to the North #1 – Bargloff Urban Renewal Plan stating that this was the time and place for any comments. Hearing no comments Mayor Pro-Tem Walker closed the public hearing.

Moved by Council Member Engelmann to adopt Resolution No. 42-R-2013-2014 adopting Amendment No. 1 to the North #1 – Bargloff Urban Renewal Plan. Seconded by Council Member Porsch. Vote: All ayes. Motion carried.

RESOLUTION NO. 42-R-2013-2014

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 1 TO THE NORTH #1 - BARGLOFF URBAN RENEWAL PLAN

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

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

ORIGINAL AREA

An area including the following described parcels; including all city rights of ways contained therein:

All of the right of way of Lake Avenue from the north side of the C-49/590th Street right of way to the south right of way line of West/East Milwaukee Avenue

and

The East One-Half of the Southwest Quarter ($E\frac{1}{2}SW\frac{1}{4}$) of Section Twenty-Seven (27), Township Ninety-One (91) North, Range Thirty-Seven (37) West of the 5th P.M. except a part of the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}SW\frac{1}{4}$) of Section Twenty-Seven (27), Township Ninety-One (91) North, Range Thirty-Seven (37) West of the 5th P.M., Buena Vista County, Iowa, and being more fully described as follows: Commencing at the Northeast corner of the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}SW\frac{1}{4}$) of said Section Twenty-Seven (27); thence South along the East line of said Southwest Quarter ($SW\frac{1}{4}$), 275.0 Feet to the point of beginning; thence South $89^{\circ}44'$ West, 400.0 Feet; thence South, 300.0 Feet; thence North $89^{\circ}44'$ East, 400.0 Feet; thence North along the East line of said Southwest Quarter ($SW\frac{1}{4}$), 300.0 Feet to the point of beginning. The East line of the Southwest Quarter ($SW\frac{1}{4}$) of said Section Twenty-Seven (27) is assumed to bear due North and South in the above description.

and

The Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4}SW\frac{1}{4}$), Section Twenty-Seven (27), Township Ninety-One (91) North, Range Thirty-Seven (37) West of the 5th P.M.

and

The Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-Four (34), Township

Ninety-One (91) North, Range Thirty-Seven (37) West of the 5th P.M. except a part of the East Half of the Northwest Quarter (E½NW¼) of Section Thirty-Four (34), Township Ninety-One (91) North, Range Thirty-Seven (37) West of the 5th P.M. beginning at the point of intersection of the West right of way line of Lake Avenue and the South line of the P&C Industrial Subdivision; thence West along said South line to the West line of the P&C 2nd Industrial Subdivision; thence North along said West line continuing North along the West line of the J.C.P Subdivision and the West line of the C-M-C 2nd Subdivision and continuing along the C-M-C 2nd Subdivision West line extended North to a point that it intersects the South right of way line of 16th Street; thence East along the South right of way line of 16th Street to the point that it intersects with the West right of way line of Lake Avenue; thence South along the West right of way line of Lake Avenue to the point of beginning.

and

A parcel of land beginning at the intersection of the West right of way line of North Lake Avenue and the North right of way line of West Milwaukee within the City of Storm Lake, Iowa; thence West along the North right of way line of West Milwaukee to the point that it would intersect with the West right of way line of Michigan Street extended North across West Milwaukee; thence South along the West right of way line of Michigan Street to the point that it intersects with the South right of way line of Railroad Street; thence Southeasterly along the South right of way line of Railroad Street to the point it intersects with the East right of way line of Erie Street extended; thence North along the East right of way line of Erie Street to the point that it intersects with the South right of way line of 7th Street; thence East along the South right of way line of 7th Street to the point that it intersects with the center line of Seneca Street; thence North along the center line of Seneca Street to the point it intersects with the North right of way line of East Milwaukee; thence West along the North right of way line of East Milwaukee to a point 350.78 Feet East of the intersection of the North right of way line of East Milwaukee and the West right of way line of North Erie Street; thence north 00°07'15" West 200 Feet; thence West to a point that is at the intersection of the South right of way line of East 8th Street and the West right of way line of Erie Street; thence West along the south right of way line of East 8th Street extended across North Lake Avenue to the point of beginning.

WHEREAS, a proposed Amendment No. 1 to the North #1 - Bargloff Urban Renewal Plan for the area described below has been prepared, which proposed Amendment is on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to add additional land, add and/or confirm the list of proposed projects to be undertaken within the Urban Renewal Area and correct the legal description for the Original Area; and

WHEREAS, this proposed Amendment No. 1 to the Urban Renewal Area adds land, as follows:

AMENDMENT #1

An area including the following described parcels; including all city rights of ways contained therein:

All of the right of way of Milwaukee Avenue/Highway 7 from the west side of the Michigan Street right of way to the center line of the Abner Bell Road/90th Avenue right of way.

and

(Security Bank Parcel)

A parcel of land beginning at the intersection of the center line of Highway 7 and the center line of Abner Bell Road/90th Avenue within the City of Storm Lake, Iowa; thence North along the center line of Abner Bell Road/90th Avenue to the eastern extension of the South line of Lot C, being a part of the Northeast Quarter of the Southeast Quarter (NE¹/₄SE¹/₄) of said Section 32; thence West along said South line, 375.52 feet to the West line of said Lot C; thence North along said West line to the North line of said Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4); Thence West along said North line to the East line of the Buena Vista Memorial Park Cemetery; Thence South along said East line to the centerline of Highway 7; Thence southeasterly along said centerline to the East line of said Section 32 to the point of beginning.

and

(North-Milwaukee large section)

A parcel of land in the South Half of the Southwest Quarter (S¹/₂SW¹/₄) of Section Thirty-Four (34), Township Ninety-One (91) North, Range Thirty-Seven (37) West of the 5th P.M. beginning at the point of intersection of the West right of way line of Ontario Street and North right of way line of Milwaukee Avenue/Highway 7; Thence North along said West line to the North line of Iowa Land and Buildings Third Addition; Thence West along said North line to the northern extension of the East line of Lot Two (2) in said Iowa Land and Buildings Third Addition; Thence South along said extended East line, to the North line of Milwaukee Avenue/Highway 7; Thence East along the North right of way line of Milwaukee Avenue/Highway 7 to the point of beginning.

and

(Downtown Addition)

A parcel of land located in the North Half (N¹/₂) of Section Three (3), Township Ninety (90) North, Range Thirty-Seven (37) West of the 5th P.M. beginning at the intersection of the center line of 6th Street and the center line of Geneseo Street; thence East along the center line of 6th Street to the point that it intersects with the West right of way line of Michigan Street; thence South along the West right of way line of Michigan Street to

the point that it intersects with the South right of way line of Railroad Street; thence Southeasterly along the South right of way line of Railroad Street to the point it intersects with the East right of way line of Erie Street extended; thence North along the East right of way line of Erie Street to the point that it intersects with the center line of 6th Street; thence East along the center line of 6th Street to the point that it intersects with the center line of Oneida Street; thence South along the center line of Oneida Street to the point that it intersects with the center line of 4th Street; thence West along the center line of 4th Street to the point that it intersects with the center line of Seneca Street; thence North along the center line of Seneca Street to the point that it intersects with the center line of 5th Street; thence West along the center line of 5th Street to the point that it intersects with the center line of Cayuga Street; thence South along the center line of Cayuga Street to the point that it intersects with the center line of the Canadian National Railroad right of way; thence Northwesterly along the center line of the Canadian National Railroad right of way to the point that it intersects with the center line of Geneseo Street; thence North along the center line of Geneseo Street to the point of beginning.

WHEREAS, the proposed urban renewal area includes land classified as agricultural land and written permission of the current owners has been obtained; and

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by the proposed Amendment No. 1 to the North #1 - Bargloff Urban Renewal Plan known as the "North #1 - Bargloff Urban Renewal Plan"; and

WHEREAS, by resolution adopted on November 4, 2013, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 1 to the North #1 - Bargloff Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 1 to the North #1 - Bargloff Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Assistant City Administrator filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Amendment No. 1 to the North #1 - Bargloff Urban Renewal Plan for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Storm Lake Times, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 1 to the North #1 - Bargloff Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in Amendment No. 1 concerning the area of the City of Storm Lake, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

A. Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the North #1 - Bargloff Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

B. The Urban Renewal Plan, as amended if applicable, conforms to the general plan for the development of the City as a whole; and

C. Acquisition by the City is expected and as to those areas of open land to be acquired by the City included within the North #1 - Bargloff Urban Renewal Area:

1. Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

A. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

B. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

C. That the provision of public improvements related to

housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

D. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

2. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the North #1 - Bargloff Urban Renewal Area, as amended, continues to be an economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That Amendment No. 1 to the North #1 - Bargloff Urban Renewal Plan of the City of Storm Lake, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 1 to the North #1 - Bargloff Urban Renewal Plan for the City of Storm Lake, State of Iowa"; Amendment No. 1 to the North #1 - Bargloff Urban Renewal Plan of the City of Storm Lake, State of Iowa, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 1 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the original North #1 - Bargloff Urban Renewal Plan, and the Plan as amended, shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Amendment. The proposed Amendment No. 1 to the North #1 - Bargloff Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Buena Vista County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 1, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 2nd day of December, 2013.

David Walker Mayor Pro-Tem

ATTEST:

Justin Yarosevich, City Clerk

Exhibit 1

AMENDMENT #1

TO THE

**NORTH #1 - BARGLOFF
URBAN RENEWAL PLAN**

FOR THE

CITY OF STORM LAKE, IOWA

**Original Area Adopted – 2010
Amendment #1 – 2013**

**AMENDMENT #1
to the
NORTH #1 – BARGLOFF
URBAN RENEWAL PLAN
CITY OF STORM LAKE, IOWA**

The North #1 - Bargloff Urban Renewal Plan ("Plan") for the North #1 - Bargloff Urban Renewal Area ("Area" or "Urban Renewal Area"), in Storm Lake, Iowa, adopted in 2010, is being amended to add additional land to the Urban Renewal Area and to add and/or confirm the list of proposed projects to be undertaken within the Urban Renewal Area by this Amendment #1 ("Amendment" or "Amendment #1"). In addition, this Amendment corrects an error made in the legal description that was used to establish the original North #1 Bargloff Urban Renewal Area. While the map used to identify the original North #1 Bargloff Urban Renewal Area was correct, the legal description was not.

Land that is proposed to be added by this Amendment is needed to accommodate anticipated development in the Area, including:

- The redevelopment of property now occupied by Hillshire Feed Mill, which may be vacated due to their potential relocation elsewhere in the community.
- The development of open space adjacent to the Canadian National Railroad.
- The redevelopment of the commercial area along Milwaukee Avenue/Highway 7 where recent demolition of dilapidated structures has now resulted in open space.
- Planned construction of a new bank on the west end of the Area is anticipated to lead to other future commercial development in the 12 acre parcel being added.

The Original Area and the Amendment #1 Area are referred to as subareas in this Amendment. The subareas make up the Urban Renewal Area. The base valuation of the Original Area will remain unchanged by this Amendment.

Except as modified by this Amendment, the provisions of the original North #1 - Bargloff Urban Renewal Plan are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control.

DESCRIPTION OF THE URBAN RENEWAL AREA

The legal description of the property being added to the North #1 - Bargloff Urban Renewal Area is attached hereto as Exhibit "A." A map of the Amendment Area is attached hereto as Exhibit "B." A map of the entire North #1 - Bargloff Urban Renewal Area, as amended, is attached hereto as Exhibit "C." A corrected legal description of the property boundaries for the original North #1 Bargloff Urban Renewal Area is attached as Exhibit "E."

AREA DESIGNATION

The Area within this Amendment continues to be designated as an economic development area for the promotion of commercial and industrial development.

PROJECT OBJECTIVES

No changes are made by this Amendment.

TYPES OF RENEWAL ACTIVITIES

No changes are made by this Amendment.

PREVIOUS URBAN RENEWAL PROJECTS

The following North #1 – Bargloff Urban Renewal Area Projects were authorized prior to July 1, 2012, and are continuing. Such Projects include:

1. Public Improvements:			
Project	Date	Balance Remaining	Rationale
Paving of streets and extension of municipal water mains and sanitary sewer lines to the Bargloff addition.	2010-2012	\$4,127,040 outstanding principal and interest as of 7/1/13. (Final payment will be 6/01/2031)	Area annexed into the City needed streets paved and water and sewer extended to serve businesses in this area.

2. Tax Rebate or other Development Agreements:				
Company	Project	Investment \$	Total not to exceed rebate remaining	Number of years remaining as of July 1, 2013
Harvest International	Built new manufacturing and office facility	\$2,000,000	30% - 4 yrs. 50% - 3 yrs. Property taxes	7 years (estimated amount remaining \$ 287,457)

PROPOSED URBAN RENEWAL PROJECTS (Amendment #1)

Although certain project activities may occur over a period of years, in addition to the projects previously proposed in the North #1 – Bargloff Urban Renewal Plan, the Proposed Urban Renewal Projects under this Amendment include:

1) Public Improvements:

Project	Estimated Date	Not to Exceed Cost	Rationale
Replace existing water main along Hwy 7/Milwaukee Avenue from Lake Avenue to Vestal Street.	2013-2014	Not to exceed \$55,500	Enlarged water main in this area will improve water service and fire protection available to businesses in the Area.
Improvements to Highway 7 converting the current 2-lane highway to 3-lane from Barton Street to 90 th Ave/Abner Bell Rd/Hwy 110.	2014-2018	Not to exceed \$700,000	Widened street will eliminate current traffic congestion problems on Highway 7 and improve traffic flow through the community.
Construction of Railroad Street parking lot.	2016-2017	Not to exceed \$400,000	Downtown commercial district is in need of more public parking areas.
Paving streets and extension of municipal water mains and sanitary sewer lines to area north of the current Bargloff addition.	2016-2017	Not to exceed \$2,000,000	Area annexed into the City will need streets paved and water and sewer extended to serve future development in the area.
Improvements to the downtown commercial district streetscape, including street reconstruction, sidewalks, lighting, landscaping and seating areas.	2015-2020	Not to exceed \$3,500,000	Improve the downtown infrastructure to make the area more interactive, pedestrian friendly, and attractive to commercial and retail customers.
Improvements to Lot B, 6 th & Michigan Street parking lot.	2018	Not to exceed \$350,000	Current parking lot surface is deteriorated. This lot provides needed parking for downtown commercial and retail area.
Total		Not to Exceed Cost \$7,005,500	

2) Incentives for Building Renovations/Demolition/Redevelopment:

Project	Estimated Date	Not to Exceed Cost	Rationale
Downtown Façade Renovation for the 500 & 600 blocks of Lake Avenue.	2013-2016	Not to exceed \$150,000	Renovation of the façades of downtown businesses will enhance viability and attract businesses to downtown area.

Project	Estimated Date	Not to Exceed Cost	Rationale
Acquisition and demolition of existing dilapidated commercial structures along the 500 block of Seneca Street and conveyance to developers.	2015-2020	Not to exceed \$750,000	Demolition of these dilapidated structures will provide land for new commercial businesses or industrial development, which could encourage economic growth and expansion, create job opportunities, and strengthen the tax base.
Acquisition and demolition of existing dilapidated commercial structures along Milwaukee Avenue between Vestal Street and Ontario Street.	2015-2020	Not to exceed \$200,000	Demolition of these dilapidated structures will provide land for new commercial businesses or industrial development, which could encourage economic growth and expansion, create job opportunities, and strengthen the tax base.
Total		Not to Exceed Cost \$1,100,000	

3) Development Agreements:

A. *Seneca Street/West Milwaukee Avenue Redevelopment:* The City expects to consider requests for projects involving the redevelopment of sites cleared by Building Renovation/Demolition/Redevelopment activities along Seneca Street and West Milwaukee Avenue. A broad range of incentives will be considered including but not limited to land, loans, grants, tax rebates, or other incentives. The costs of such Development Agreements will not exceed \$200,000.

B. *Additional Development Agreements:* The City expects to consider requests for Development Agreements for projects that are consistent with this Plan, in the City's sole discretion. Such Agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, public infrastructure assistance and other incentives. The costs of such Development Agreements will not exceed \$300,000.

4) Planning, engineering fees, (for urban renewal plans) attorney fees to support urban renewal projects and planning:

Project	Date	Estimated Cost
Fees and costs	2013-2018	Not to Exceed \$50,000

FINANCIAL INFORMATION

1.	July 1, 2013 constitutional debt limit:	\$22,430,601
2.	Current outstanding general obligation debt:	\$17,636,728
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Proposed Urban Renewal Project (Amendment #1) has not yet been determined. This document is for planning purposes only. The estimated project costs in this Amendment are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Proposed Urban Renewal Projects as described above will be approximately as follows:	\$8,655,500

PUBLIC BUILDING ANALYSIS

The Incentives for Building Renovation/Demolition/Redevelopment Project ("Project"), as proposed in this Amendment, involves public buildings. Specifically, the acquisition and demolition of dilapidated structures along Seneca Street and Milwaukee Avenue could involve the City's acquisition of the targeted buildings. If these projects are ultimately approved by the City, the City intends to finance some or all of the cost through tax increment financing. Specifically, the City proposes to issue general obligation bond notes and abate all or part of the principal and interest payments from incremental tax revenues within the Area, if available. Accordingly, Iowa law may require an analysis of alternate development and funding options and reasons why such options less feasible than the use of incremental tax revenues for the Project.

An alternative funding option for this Project would involve the issuance of General Obligation bonds that are paid solely from City revenue (i.e. without using incremental tax revenues). This option would mean that only tax payers of the City would be responsible for payment of the bonds/notes.

Other alternative funding sources could be grant and loan programs available to fund acquisition/demolition activities. Although in past years acquisition/demolition types of activities were eligible for funding through Brownfield Redevelopment, CDBG, HOME, and NSP grant programs administered by the Iowa Economic Development Authority and Iowa Finance Authority, these revenue sources have either totally lost funding or no longer allow grant dollars to be used for acquisition/demolition. Despite these funding resources no longer being viable, the City will continue to consider other grant and loan programs that might become available.

Another alternative funding source for this project would be the use of local options sales tax. This option is not feasible because the City has already committed LOST funds for debt retirement on previously incurred debt. As a result, available LOST funds are already dedicated to other debt retirement.

The City's plan to abate principal and interest payment on general obligation bond or notes with incremental tax revenues is the most appropriate funding mechanism because the Acquisition/Demolition Projects will benefit County residents and school patrons. As a result, it is fair for the school district and the County to share the costs of the projects, and in this sense alternative funding options are less feasible.

The use of TIF funds as a funding mechanism for redevelopment of the targeted properties is appropriate when considering the long-term economic development benefit that will result from the Project. Currently, the valuations of the targeted properties are declining, and in some cases, the taxes due are delinquent. This situation has led to declining tax values and reduced property tax revenues for the City, Buena Vista County, and the Storm Lake School District. Redevelopment of the targeted properties will eliminate the nuisance influence that now exists, will help to rebuild the tax base, and could result in a ripple effect stimulating investment to and redevelopment of surrounding properties.

Acquisition and demolition of these targeted structures will improve livability of the community by ridding the area of conditions which are a menace to the public's health, safety, and welfare. Transformation of the lots will improve the quality of life within the community and could attract potential employees and their families to Storm Lake. Increased employment opportunities and enhanced livability are necessary factors in sustaining the population of Storm Lake. An attractive, vibrant, and developing community, in turn, will benefit the Storm Lake School District and Buena Vista County.

In conclusion, for all the foregoing reasons, alternative options for funding of the urban renewal projects described above are less feasible than the use of incremental taxes.

URBAN RENEWAL FINANCING

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

A. Tax Increment Financing.

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

B. General Obligation Bonds.

Under Sections 384.23 to 384.36 and/or 403.12 of the Iowa Code, the City has the authority to issue and sell General Obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of Storm Lake. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

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

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

DEVELOPMENT PLAN

Storm Lake has a general plan for the physical development of the City, as a whole, outlined in the Storm Lake Comprehensive Plan that was adopted by the City Council in February, 2013.

The goals, objectives, and projects proposed in this North #1 - Bargloff Urban Renewal Plan Amendment #1 are consistent with the City's Comprehensive Plan.

This Urban Renewal Amendment #1 does not in any way replace the City's current land use planning or zoning regulation process.

PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and disposition of property.

URBAN RENEWAL PLAN AMENDMENTS

The North #1 - Bargloff Urban Renewal Plan may be amended from time to time for a variety of reasons, including but not limited to, adding or deleting land, adding urban renewal projects, or modifying goals or types of renewal activities.

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

AGREEMENT TO INCLUDE AGRICULTURAL LAND

Because some of the area being added to the North #1 - Bargloff Urban Renewal Area as a result of this Amendment includes land that is being used for agricultural purposes as defined by Iowa Code Section 403.17(3), the City and property owner have entered into an agreement in which the property owner agrees to allow the City to include real property defined as "Agricultural Land" in the Urban Renewal Area. A copy of the Agreement is attached as Exhibit "D." The original signed agreement is on file at the City Clerk's office.

EFFECTIVE PERIOD

This Urban Renewal Plan Amendment #1 will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, this Amendment, resolution, or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council, and the use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, will be consistent with Chapter 403 of the Iowa Code. The division of revenues shall continue on the Urban Renewal Area, including this Amendment Area, for the maximum period allowed by law.

- **Original Area:** Separate TIF ordinances have been adopted on separate parcel(s) within the Original Area. Each TIF Ordinance may have a separate frozen base and expiration date for the parcel(s) the TIF Ordinance covers, depending on when debt was first certified on the particular TIF Ordinance.
 - For ordinances on the Original Area, the frozen base is set as of January 1 of the calendar year before the debt is first certified on the parcel(s) within the TIF Ordinance.
 - For ordinances on the Original Area, the expiration date will be 20 years from the calendar year following the calendar year in which the City first

- certifies debt pursuant to the particular TIF ordinance on the Original Area.
- For example, if one of the TIF Ordinances on an Original Area parcel(s) was first certified in 12/1/2010; then the frozen base of the parcels in the TIF Ordinance is as of 1/1/2009 and fiscal year 2030-2031 is the last year (expiration date) that Tax Increment can be collected on that particular TIF Ordinance.
- **Amendment No. 1 Area:** Separate TIF ordinances for separate parcel(s) are planned for the Amendment #1 Area as well.
 - For ordinances on an Amendment Area, the frozen base is set as of January 1 of the calendar year before the TIF Ordinance on a particular parcel(s) is adopted.
 - Similar to the paragraph above, each TIF Ordinance could have separate expiration dates depending on when debt is first certified related to the respective TIF Ordinance within the Amendment #1 Area. The expiration date will be 20 years from the calendar year following the calendar year in which the City first certifies debt pursuant to the particular TIF ordinance on the Amendment #1 Area.
 - For example, if one of the TIF Ordinances on an Amendment #1 Area parcel(s) is both adopted and first certified in 2014; then the frozen base of the parcel(s) in the TIF Ordinance is as of 1/1/2013 and fiscal year 2034-2035 is the last year (expiration date) that Tax Increment can be collected on that particular TIF Ordinance.

REPEALER

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

SEVERABILITY CLAUSE

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole, or any part of the Plan not determined to be invalid or unconstitutional.

EXHIBIT "A"

LEGAL DESCRIPTION

NORTH #1 – BARGLOFF URBAN RENEWAL AREA, STORM LAKE , IOWA

AMENDMENT #1

Area being added to the North #1 – Bargloff Urban Renewal Area as a result of Amendment #1 is described as follows:

An area including the following described parcels; including all city rights of ways contained therein:

All of the right of way of Milwaukee Avenue/Highway 7 from the west side of the Michigan Street right of way to the center line of the Abner Bell Road/90th Avenue right of way.

and

(Security Bank Parcel)

A parcel of land beginning at the intersection of the center line of Highway 7 and the center line of Abner Bell Road/90th Avenue within the City of Storm Lake, Iowa; thence North along the center line of Abner Bell Road/90th Avenue to the eastern extension of the South line of Lot C, being a part of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section 32; thence West along said South line, 375.52 feet to the West line of said Lot C; thence North along said West line to the North line of said Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$); Thence West along said North line to the East line of the Buena Vista Memorial Park Cemetery; Thence South along said East line to the centerline of Highway 7; Thence southeasterly along said centerline to the East line of said Section 32 to the point of beginning.

and

(North-Milwaukee large section)

A parcel of land in the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Thirty-Four (34), Township Ninety-One (91) North, Range Thirty-Seven (37) West of the 5th P.M. beginning at the point of intersection of the West right of way line of Ontario Street and North right of way line of Milwaukee Avenue/Highway 7; Thence North along said West line to the North line of Iowa Land and Buildings Third Addition; Thence West along said North line to the northern extension of the East line of Lot Two (2) in said Iowa Land and Buildings Third Addition; Thence South along said extended East line, to the North line of Milwaukee Avenue/Highway 7; Thence East along the North right of way line of Milwaukee Avenue/Highway 7 to the point of beginning.

and

(Downtown Addition)

A parcel of land located in the North Half (N $\frac{1}{2}$) of Section Three (3), Township Ninety (90) North, Range Thirty-Seven (37) West of the 5th P.M. beginning at the intersection of the center line of 6th Street and the center line of Geneseo Street; thence East along the center line of 6th Street to the point that it intersects with the West right of way line of Michigan Street; thence South along the West right of way line of Michigan Street to the point that it intersects with the South right of way line of Railroad Street; thence Southeasterly along the South right of way line of Railroad Street to the point it intersects with the East right of way line of Erie Street extended; thence North along the East right of way line of Erie Street to

the point that it intersects with the center line of 6th Street; thence East along the center line of 6th Street to the point that it intersects with the center line of Oneida Street; thence South along the center line of Oneida Street to the point that it intersects with the center line of 4th Street; thence West along the center line of 4th Street to the point that it intersects with the center line of Seneca Street; thence North along the center line of Seneca Street to the point that it intersects with the center line of 5th Street; thence West along the center line of 5th Street to the point that it intersects with the center line of Cayuga Street; thence South along the center line of Cayuga Street to the point that it intersects with the center line of the Canadian National Railroad right of way; thence Northwesterly along the center line of the Canadian National Railroad right of way to the point that it intersects with the center line of Geneseo Street; thence North along the center line of Geneseo Street to the point of beginning.

Map of Amendment #1 Area North #1 - Bargloff Urban Renewal Area

Exhibit B



Map of North #1 - Bargloff Urban Renewal Area (showing all subareas)

Exhibit C

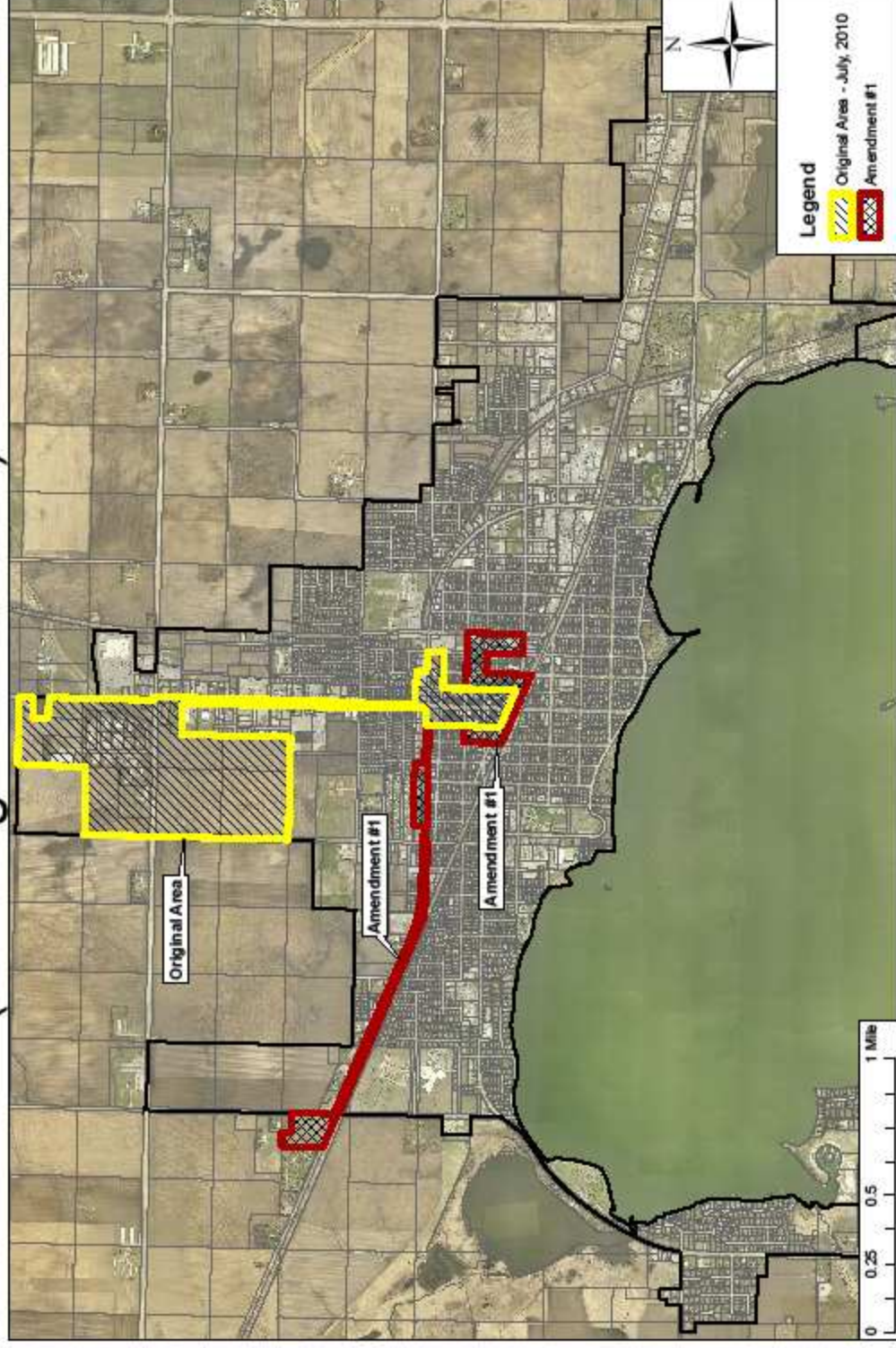


EXHIBIT "D"

AGRICULTURAL LAND CONSENT

**AGREEMENT TO INCLUDE AGRICULTURAL LAND IN THE
NORTH #1 - BARGLOFF URBAN RENEWAL AREA**

WHEREAS, the City of Storm Lake, Iowa, (the "City") has proposed Amendment #1 to the North #1 – Bargloff Urban Renewal Plan ("Plan") for the North #1 – Bargloff Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of land being added by Amendment #1 to the Area will include certain property owned by the undersigned Agricultural Land Owner; and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that the portion of the property located within the Amendment #1 Area and owned by the Agricultural Land Owner below meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain Property within the proposed Amendment#1 Urban Renewal Area and agrees that the City of Storm Lake, Iowa, may include such area within the Urban Renewal Area.

2. The Agricultural Land Owner further authorizes the governing body of the City of Storm Lake, Iowa, to pass any resolution or ordinance necessary to designate said Property as part of the Amendment #1 Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 19th day of November, 2013.

City of Storm Lake:

Signature: [Signature]

Date: 22 Nov 2013

Witness: [Signature]

Name of Agricultural Land Owner: Security Trust and Savings Bank:

By Benjamin B. Duerksen VP

Signature: [Signature]

Date: 11/19/13

Witness: [Signature]

Approved by the Storm Lake City Council on the ____ day of _____, 2013.

Mayor

Attest: City Clerk

City Clerk

EXHIBIT “E”

LEGAL DESCRIPTION

STORM LAKE URBAN RENEWAL AREA NORTH #1 – BARGLOFF (ORIGINAL AREA)

An area including the following described parcels; including all city rights of ways contained therein:

All of the right of way of Lake Avenue from the north side of the C-49/590th Street right of way to the south right of way line of West/East Milwaukee Avenue

and

The East One-Half of the Southwest Quarter ($E\frac{1}{2}SW\frac{1}{4}$) of Section Twenty-Seven (27), Township Ninety-One (91) North, Range Thirty-Seven (37) West of the 5th P.M. except a part of the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}SW\frac{1}{4}$) of Section Twenty-Seven (27), Township Ninety-One (91) North, Range Thirty-Seven (37) West of the 5th P.M., Buena Vista County, Iowa, and being more fully described as follows: Commencing at the Northeast corner of the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}SW\frac{1}{4}$) of said Section Twenty-Seven (27); thence South along the East line of said Southwest Quarter ($SW\frac{1}{4}$), 275.0 Feet to the point of beginning; thence South $89^{\circ}44'$ West, 400.0 Feet; thence South, 300.0 Feet; thence North $89^{\circ}44'$ East, 400.0 Feet; thence North along the East line of said Southwest Quarter ($SW\frac{1}{4}$), 300.0 Feet to the point of beginning. The East line of the Southwest Quarter ($SW\frac{1}{4}$) of said Section Twenty-Seven (27) is assumed to bear due North and South in the above description.

and

The Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4}SW\frac{1}{4}$), Section Twenty-Seven (27), Township Ninety-One (91) North, Range Thirty-Seven (37) West of the 5th P.M.

and

The Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-Four (34), Township Ninety-One (91) North, Range Thirty-Seven (37) West of the 5th P.M. except a part of the East Half of the Northwest Quarter ($E\frac{1}{2}NW\frac{1}{4}$) of Section Thirty-Four (34), Township Ninety-One (91) North, Range Thirty-Seven (37) West of the 5th P.M. beginning at the point of intersection of the West right of way line of Lake Avenue and the South line of the P&C Industrial Subdivision; thence West along said South line to the West line of the P&C 2nd Industrial Subdivision; thence North along said West line continuing North along the West line of the J.C.P Subdivision and the West line of the C-M-C 2nd Subdivision and continuing along the C-M-C 2nd Subdivision West line extended North to a point that it intersects the South right of way line of 16th Street; thence East along the South right of

way line of 16th Street to the point that it intersects with the West right of way line of Lake Avenue; thence South along the West right of way line of Lake Avenue to the point of beginning.

and

A parcel of land beginning at the intersection of the West right of way line of North Lake Avenue and the North right of way line of West Milwaukee within the City of Storm Lake, Iowa; thence West along the North right of way line of West Milwaukee to the point that it would intersect with the West right of way line of Michigan Street extended North across West Milwaukee; thence South along the West right of way line of Michigan Street to the point that it intersects with the South right of way line of Railroad Street; thence Southeasterly along the South right of way line of Railroad Street to the point it intersects with the East right of way line of Erie Street extended; thence North along the East right of way line of Erie Street to the point that it intersects with the South right of way line of 7th Street; thence East along the South right of way line of 7th Street to the point that it intersects with the center line of Seneca Street; thence North along the center line of Seneca Street to the point it intersects with the North right of way line of East Milwaukee; thence West along the North right of way line of East Milwaukee to a point 350.78 Feet East of the intersection of the North right of way line of East Milwaukee and the West right of way line of North Erie Street; thence north 00°07'15" West 200 Feet; thence West to a point that is at the intersection of the South right of way line of East 8th Street and the West right of way line of Erie Street; thence West along the south right of way line of East 8th Street extended across North Lake Avenue to the point of beginning.

King's Pointe Waterpark Season End Review – Nick Edwards and Josh Walls were present to update the Council on the Waterpark operations. Engelmann was concern that the rate increase proposed for extra family members is taxing the larger families more than others.

Moved by Council Member Porsch to adopt Resolution No. 43-R-2013-2014 updating the City fee resolution for the rate increase to season passes at the waterpark. Seconded by Council Member Anderson. Vote: All ayes. Motion carried.

RESOLUTION NO. 43-R-2013-2014

RESOLUTION SETTING FINES AND FEES

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

<u>Administration</u>	<u>Fee</u>	<u>Code Section</u>
Administrative Fee	\$30.00	
City Code Subscription (yearly)	\$50.00	
Garbage Truck Permits (per business)	\$100.00	3-1-5
Insufficient Check Fee	\$30.00	

New Friends List	\$10.00	
Peddlers Permit (1 Day)	\$25.00	4-3-6
Investigation Fee	\$25.00	4-3-4
Peddlers Permit (1 Week)	\$75.00	4-3-6
Investigation Fee	\$25.00	4-3-4
Solicitors Permit (per person)	\$2.00	4-3-6
Solicitors Permit (principal) (1 day)	\$25.00	4-3-6
Investigation Fee	\$25.00	4-3-4
Solicitors Permit (principal) (1 week)	\$75.00	4-3-6
Investigation Fee	\$25.00	4-3-4
Taxi Permit (Business)	\$100.00	4-5-3
Taxi Permit (per vehicle)	\$10.00	4-5-3
Cancel Permit Fee	\$25.00	

Airport (monthly fees)

Hangar A	\$65.00	
Hangar B	\$80.00	
Hangar C	\$95.00	
Hangar D	\$135.00	
Hangar E	\$150.00	

Building Official

Central Business District Bench & Flower Pot Permit	\$25.00	
Driveway Cut Inspection & Marking Only	\$30.00	
Driveway Cut < 18'	\$80.00	
Driveway Cut 24'	\$95.00	
Driveway Cut 34'	\$120.00	
ROW Temp Closure Permit	\$25.00	
Building Moving Permit (Per Bldg)	\$100.00	5-1-1
Demolition Permit	\$50.00	
Pool Inspection	\$20.00	8-8-11
Re-inspection Fee (after 1 per inspection)	\$35.00	
No Show Fee (per event)	\$50.00	
Rental Registration Fee – Yearly (July 1st – June 30th)		
Base Registration Fee (Structure and 1 unit)	\$15.00	5-8-9
Additional unit in excess of 1 (per unit)	\$7.00	5-8-9
Base Registration Fee (Structure and 1 unit) (proof of training)	\$10.00	5-8-9
Additional unit in excess of 1 (per unit) (proof of training)	\$5.00	5-8-9
Late Registration Fee	\$50.00	5-8-9
Property Maintenance Ordinance Appeal	\$150.00	Zoning Ord.
Variance Request	\$150.00	Zoning Ord.
Zoning Request	\$200.00	Zoning Ord.
Conditional Use	\$300.00	Zoning Ord.

Building & Sign Permit Fees

Building & Sign Permit <\$1,200	\$22.02	5-2-2
Building & Sign Permit \$1,200-2,000		5-2-2
\$22.02 + \$2.88 for each additional \$100.00 over \$1,200		
Building & Sign Permit \$2,001-25,000		5-2-2

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

Electrical Fees

For New Residences		5-4-9
Single Dwelling	\$38.00	
Duplex Dwelling	\$56.75	
Triplex Dwelling	\$75.50	
4-Plex Dwelling	\$113.00	
Multi Units Between 5 and 12	\$156.75	
Over 12 Units	\$156.75 plus \$38.00each over 12	
For New Commercial or Industrial Buildings		
First \$5,000.00 at \$8.00 per/\$1,000.00 of cost		
Second \$5,000.00 at \$6.75 per /\$1,000.00 of cost		
Third \$5,000.00 at \$5.50 per/\$1,000.00 of cost		
Fourth \$5,000.00 at \$4.25 per/\$1,000.00 of cost		
Fifth \$5,000.00 at \$3.00 per/\$1,000.00 of cost		
All over \$25,000.00 at \$1.50 per/\$1,000.00 of cost		

For Rewiring, Repairs or Alterations on Residence, Commercial and Industrial Buildings

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

Plumbing Fees

For New Residences		5-3-10
Single Dwelling	\$38.00	
Duplex Dwelling	\$56.75	
Triplex Dwelling	\$75.50	
4-Plex Dwelling	\$113.00	
Multi Units Between 5 and 12	\$156.75	

Over 12 Units	\$156.75 plus \$38.00 each over 12
For New Commercial or Industrial Buildings	
First \$5,000.00 at \$8.00 per/\$1,000.00 of cost	
Second \$5,000.00 at \$6.75 per/\$1,000.00 of cost	
Third \$5,000.00 at \$5.50 per/\$1,000.00 of cost	
Fourth \$5,000.00 at \$4.25 per/\$1,000.00 of cost	
Fifth \$5,000.00 at \$3.00 per/\$1,000.00 of cost	
All over \$25,000.00 at \$1.75 per/\$1,000.00 of cost	
For Repairs or Alterations on Residence, Commercial and Industrial Buildings	
\$100.00 to \$150.00 plumbing contract	\$6.75
\$151.00 to \$200.00 plumbing contract	\$8.00
\$201.00 to \$250.00 plumbing contract	\$9.25
\$251.00 to \$300.00 plumbing contract	\$10.50
\$301.00 to \$350.00 plumbing contract	\$11.75
\$351.00 to \$400.00 plumbing contract	\$13.00
\$401.00 to \$450.00 plumbing contract	\$14.25
\$451.00 to \$500.00 plumbing contract	\$15.50
\$501.00 to \$1,000.00 plumbing contract	\$23.00
\$1,001.00 to \$2,000.00 plumbing contract	\$28.00
All over \$2,001.00	\$28.00 plus \$1.50 per \$100.00

Campground

Class A Site	\$25.00
(Lake View, Patio, Water, Sewer, Electric, Cable TV, Fire Pit)	
Class B Site	
(Patio, Water, Sewer, Electric, Cable TV, Fire Pit)	\$23.00
Class C Site	\$23.00
(Lake View, Patio, Water, Sewer, Electric, Fire Pit)	
Class D Site	\$21.00
(Patio, Water, Sewer, Electric, Fire Pit)	
Class E Site	\$19.00
(Water, Sewer, Electric)	
Class F Site	\$16.00
(Electric)	
Class G Site	\$11.00
(Tent)	
Group Discount's	
For Groups of 20 or more sites – 10% (non-holidays)	
For groups of 40 or more sites – 15% (non-holidays)	
Long Term Stay Rate	
Limited to Long Term Stay slots which include Water, Sewer, Electric	
Minimum 30 day stay paid in advance – 10% off	
Bundle of Wood	\$5.00
Extra vehicle/trailer above 2 (per day)	\$2.00
Visitor vehicles (per day/per vehicles)	\$2.00
Non-Campers Dump Station (per event)	\$4.50
Non-Camper Shower (per shower)	\$4.00

Fire Department

False Alarm Fee (after 1)	\$150.00	4-7-16
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Liquor License Inspection Fee	\$50.00
Fireworks Display (Mortar sizes from 1-3 inches)	\$150.00
Fireworks Display (Mortar size larger than 3 inches)	\$250.00

Golf Course

Family Season Pass	\$450.00
Single Season Pass	\$350.00
College Season Pass	\$105.00
Junior Season Pass	\$105.00
Early Bird Specials (Valid from January 18th to Feb. 27, 2011)	
Family Season Pass	\$375.00
Single Season Pass	\$275.00
Electric Cart Storage	\$230.00
Gas Cart Storage	\$190.00
Locker Rent/yr	\$20.00
Golf Club Rental	\$10.00
Trail Fee (per day)	\$10.00
Pull Cart Rental	\$3.00
Trail Fee (year)	\$100.00
Punch Card \$11 per 9 holes (10 punches)	\$110.00
Punch Card Cart Rental \$8 per punch (10 punches) per 9 holes	\$80.00
Discount Tickets – per 9 holes	\$10.00
(sold in advance with minimum quantity of 50)	
Weekday 9 Holes	\$15.00
Weekday 18 Holes	\$19.00
Weekend 9 Holes	\$19.00
Weekend 18 Holes	\$25.00
Cart Rental 9 Holes	\$10.00
Cart Rental 18 Holes	\$20.00
Yearly Cart Rental	\$200.00
Hall Rental – Off Season Rate	\$250.00
Hall Rental – Peak Season Rate (Memorial Day to Labor Day)	\$300.00
Bar Set-Up Fee	\$50.00
Hall Rental - Friday Setup Fee	\$100.00
(valid only after 5:00pm Friday with following Sat. rental)	
Hall Rental (weekday 4hrs or less)	\$75.00
Group Golf Rates	As Set by the Following Table

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

Police

Administrative Fee	\$30.00	
Alarm Business Permit Application	\$75.00	4-7-6
Alarm Business Permit Renewal	\$75.00	4-7-9
False Alarm Equip Malfunction (after 3)	\$75.00	4-7-16
False Alarm	\$75.00	4-7-16
Building Escorts (per car)	\$75.00	5-1-3

Cat License – Not Neutered/Spayed (per year)	\$20.00	8-4-2
Neutered/Spayed (per year)	\$10.00	
Dog License – Not Neutered/Spayed (per year)	\$20.00	8-3-2
Neutered/Spayed (per year)	\$10.00	
Fingerprinting	\$10.00	
Impound/Storage Fee (per day)	\$30.00	8-6-5
Impound Storage Fee – felony related (per day)	\$50.00	
Parking Fine	\$15.00	9-11-4
Police Escort Fee – per hour, per unit	\$75.00	5-1-3

King's Pointe Outdoor Aquatic Center

Family Season Pass	\$249.00 265.00	
(up to 5 people, includes indoor waterpark during the Outdoor Season)		
Each Additional Family Member	\$30.00 45.00	
Family Pass Special #1	\$200.00 215.00	
(Valid December 1 st , 2010 thru February 28 th , 2011)		
Family Pass Special #2	\$225.00 240.00	
(Valid March 1 st , 2011 thru April 30 th , 2011)		
Single Season Pass (children and adults)	\$125.00	
Adult Resident Daily Pass (Age 12+)	\$8.00	
Child Resident Daily Pass (Age 4-11)	\$6.00	
Children (Age 4-11) Standard Pricing	\$12.00	
Adults (Age 12+) Standard Pricing	\$15.00	
Discount Tickets	\$10.00	
3 and under	free	
Swim Lessons	\$30.00	

Roadway Maintenance

Concrete Breaking (per sq ft)	\$2.50	
Concrete Sawing (per ft)	\$3.75	
Street Cuts (per sq yard of concrete)	\$37.00	

Sewer

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

Shelter House

Rental Fee - Mon. – Thurs., per side	\$55.00	
Rental Fee - Fri., Sat., & Sun., per side	\$80.00	
Damage Deposit – per side	\$50.00	

Water

Door Tag Fee	\$20.00	3-5-3
Meter Testing Fee (within 2%)	\$50.00	3-4-20
Shut Off – 8 AM to 3 PM	\$50.00	3-4-19 & 3-5-3
Shut Off – After 3 PM	\$75.00	3-4-19 & 3-5-3
Water Svc Permit & Connect Fee	\$150.00	3-4-5
Water Tapping Fee (per inch)	\$65.00	3-4-5
Outside City Limits Hook-up Fee	\$1,500.00	3-4-6
Combined Utility Deposit	\$160.00	

PASSED AND APPROVED this 2nd day of December 2013.

David Walker, Mayor Pro-Tem

ATTEST:

Justin Yarosevich, City Clerk

Yard Waste Agreement – Moved by Council Member Engelmann to approve a cost sharing agreement with the Buena Vista County Solid Waste Commission for yard waste handling. Seconded by Council Member Porsch. Vote: All ayes. Motion carried.

Flood Mitigation Fund – Moved by Council Member Huddleston to adopt Resolution No. 44-R-2013-2014 approving the Flood Mitigation Fund application and city contribution of \$2,679,624.42 to the project. Seconded by Council Member Anderson. Vote: All ayes. Motion carried.

RESOLUTION NO. 44-R-2013-2014

LOCAL MATCH FOR THE FLOOD MITIGATION PROGRAM

WHEREAS, City of Storm Lake (hereinafter called “the Subgrantee”), county of Buena Vista, has made application through the Iowa Homeland Security and Emergency Management Division (HSEMD) for funding from the Flood Mitigation Program in the amount of \$8,166,120.84 for the total project cost.

THEREFORE, the Subgrantee agrees to provide and make available up to \$2,679,624.42 (Two Million Six Hundred Seventy-Nine Thousand Six Hundred Twenty-four Dollars and Forty-Two Cents) of local monies to be used to meet the match requirement for this flood mitigation project application.

The resolution was passed and approved this 2nd day of December, 2013.

Signatures of Council Members:

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

I submit this form for inclusion with the Flood Mitigation Project Application.

Print Name of Authorized Representative

Authorized Representative's Signature and Date

Fluoride Equipment Grant – Moved by Council Member Huddleston to approve the submittal of a Fluoride Equipment Grant Application to Delta Dental of Iowa Foundation. Seconded by Council Member Porsch. Vote: All ayes. Motion carried.

FEMA Grant – Contract #6 – Moved by Council Member Anderson to adopt Resolution No. 45-R-2013-2014 accepting and awarding bid to Magney Construction, Chanhassen, MN for Contract 6 – Wastewater Treatment Plant Improvements with a base bid of \$2,359,500. Options added to base bid are the storage building improvements and the diversion structure for an additional \$206,000.00. Total amount of bid with options is \$2,565,500. Seconded by Council Member Engelmann. Vote: All ayes. Motion carried.

RESOLUTION NO. 45-R-2013-2014

RESOLUTION ACCEPTING AND AWARDING BID FOR CONTRACT 6 – WASTEWATER TREATMENT PLANT IMPROVEMENTS

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 Contract 6 – Wastewater Treatment Plant Improvements, described in the plans and specifications heretofore adopted by this Council on November 4, 2013 be and is hereby accepted, the same being the lowest responsible bid received for said work, as follows:

Contractor:	Magney Construction, Chanhassen, MN
Amount of bid:	\$2,565,500
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 2nd day of December, 2013.

David Walker, Mayor Pro-Tem

ATTEST:

Justin Yarosevich, City Clerk

CDBG Application – Housing 2014 – Mayor Pro-Tem Walker opened the public hearing on the proposed Community Development Block Grant (CDBG) Application – Housing 2014 stating that this was the time and place for any comments.

City Clerk Yarosevich made the following announcements:

The area was identified because it is recognized as an area that can provide affordable home-ownership opportunities to residents. Initiating a rehabilitation program in this area will help ensure that the neighborhoods' housing stock remains safe, sanitary and secure.

The City is requesting \$399,100.00 in CDBG housing funds and, if the grant is approved, the City will contribute \$35,000.00 local funds.

The application will be submitted to the Iowa Economic Development Authority on or before December 11, 2013.

The City is requesting \$399,100.00 from the CDBG Housing Fund Program.

100% of the federal funds will benefit low and moderate income persons.

The proposed project will take place in a target neighborhood of Violet Lane, Tulip Lane, Rose Lane, Expansion Boulevard from Violet Lane south to E. 4th Street, Hickory lane, Walnut Lane, Poplar Lane, E. 7th Street, and Geisinger Road from E. 7th Street to Poplar Lane.

It will not be necessary to permanently displace any homeowners as a result of this Program. During lead-based paint hazard reduction activities, assistance will be provided if temporary relocation is necessary.

The proposed project involves the rehabilitation of at least twelve (12) owner-occupied, single family homes.

Hearing no other comments Mayor Pro-tem Walker closed the public hearing.

Moved by Council Member Huddleston to adopt Resolution No. 46-R-2013-2014 approving the submittal of an application to the Iowa Economic Development Authority for the Community Development Block Grant Housing Rehabilitation Program and also providing for \$35,000 in local monies. Seconded by Council Member Engelmann. Vote: All ayes. Motion carried.

RESOLUTION NO. 46-R-2013-2014

A RESOLUTION OF THE CITY OF STORM LAKE, IOWA, authorizing the expenditure of local funds to be applied to an Iowa Economic Development Authority Housing Fund Application.

WHEREAS, the Storm Lake City Council will submit a Housing Fund Application to the Iowa Economic Development Authority; and,

WHEREAS, the Iowa Economic Development Authority is requiring cities that provide funds for local effort to pass a resolution authorizing such expenditure, pending approval of the application; and,

WHEREAS, the City of Storm Lake recognized the benefits that would result from the approval of a Housing Fund application.

NOW, THEREFORE, BE IT RESOLVED, that the City of Storm Lake will provide \$35,000.00 in local monies to be used as matching funds for the 2014 Housing Fund Application.

All resolutions or parts of resolutions in conflict are hereby repealed to the extent of such conflict.

PASSED AND APPROVED this 2nd day of December, 2013.

David Walker, Mayor Pro-Tem

ATTEST:

Justin Yarosevich, City Clerk

Lake Avenue Trail – Moved by Council Member Huddleston to approve the agreement with the Iowa Department of Transportation for the Lake Avenue Trail Project. Grant will provide up to 80% of the construction costs or a maximum of \$193,000. Seconded by Council Member Porsch. Vote: All ayes. Motion carried.

Pilot Water Community – Moved by Council Member Porsch to approve submittal of a letter of interest to the Iowa Economic Development Authority to be a pilot water community. Seconded by Council Member Huddleston. Vote: All ayes. Motion carried.

Closed Session – Moved by Council Member Porsch to go into closed session at 5:46pm in reference to Iowa Code Chapter 21.5(j) to discuss the purchase of property. Seconded by Council Member Huddleston. Vote: All ayes. Motion carried.

In attendance in closed session: Phil Havens, Mike Wilson, Jim Patrick, Justin Yarosevich, Mike Porsch, David Walker, Sara Huddleston, Dan Anderson, and Bruce Engelmann.

Sara Huddleston left at 6:05 pm

Moved by Council Member Anderson to reconvene to open session at 6:38pm. Seconded by Council Member Porsch. Vote: All ayes with Council Member Huddleston absent. Motion carried.

Adjourn – Moved by Council Member Anderson to adjourn the meeting at 6:39 pm. Seconded by Council Member Porsch. Vote: all ayes with Council Member Huddleston absent. Motion carried.

David Walker, Mayor Pro-Tem

Attest:

Justin Yarosevich, City Clerk

**SPECIAL COUNCIL MEETING, CITY OF STORM LAKE, IOWA, CITY HALL,
DECEMBER 11, 2013 8:00 A.M.**

Present: Mayor Jon Kruse, Council Members, Bruce Engelmann, David Walker, and Dan Anderson. Absent: Mike Porsch and Sara Huddleston. Staff present: Justin Yarosevich City Clerk.

Mayor Kruse called the meeting to order at 8:02am.

Hear the Public – None

Liquor License – Moved by Council Member Engelmann to approve a new liquor license for R & B Convenience DBA Midtown. Seconded by Council Member Walker. Vote: All ayes with Council Member Porsch and Huddleston absent. Motion carried.

Cigarette Permit – Moved by Council Member Walker to approve a cigarette permit for R & B Convenience DBA Midtown. Seconded by Council Member Anderson. Vote: All ayes with Council Member Porsch and Huddleston absent. Motion carried.

Adjourn – Moved by Council Member Engelmann to adjourn the meeting at 8:03am. Seconded by Council Member Anderson. Vote: All ayes with Council Member Porsch and Huddleston absent. Motion carried.

Jon F. Kruse, Mayor

Attest: Justin Yarosevich, City Clerk

M E M O R A N D U M

TO: JUSTIN YAROSEVICH

FROM: MARK PROSSER

DATE: NOVEMBER 22, 2013

REFERENCE: LIQUOR LICENSE RENEWAL
GODFATHER'S PIZZA
811 N LAKE AVE

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

	11-26-2011 to 11-11-2012	11-12-2012 to 11-20-2013
INCIDENTS		
911 Hang Up Call	0	1
Accident	1	2
Animal Call	1	1
Arrest	0	1
Burglar Alarm	1	8
Business Security	10	132
City/Co Department Assist	0	1
Open Door/Window	1	1
Pedestrian Stop	1	4
PR/Talk/Presentation	3	1
Station Assignment	0	1
Street Beat	1	5
Suspicious Person	1	0
Traffic Stop	14	10
ARRESTS	none	none

Recommendation: Approval of liquor license.

M E M O R A N D U M

TO: JUSTIN YAROSEVICH

FROM: MARK PROSSER

DATE: DECEMBER 11, 2013

REFERENCE: LIQUOR LICENSE RENEWAL
ONE STOP SHOP
1101 N LAKE AVE

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

	12-11-2011 to 12-11-2012	12-12-2012 to 12-09-2013
INCIDENTS		
Accident	1	7
Animal Call	3	2
Business Assist	4	2
Business Security	146	75
Citizen Assist	1	2
Citizen Complaint	0	1
City/County Department Assist	1	0
Drug Investigation	0	1
Extra Security	0	1
Intoxicated Driver	2	0
Intoxicated Pedestrian	1	0
Juvenile Problem	0	1
Keys Locked In Car	5	0
Law Department Assist	2	1
Motorist Assist	1	2
Pedestrian Stop	0	1
PR/Talk/Presentation	3	1
Reckless Driver	1	0
Station Assignment	2	2
Street Beat	25	20
Suspicious Activity	1	1
Suspicious Person	1	1
Suspicious Vehicle	0	1
Theft	5	3
Vehicle Maintenance	6	3

Vehicle Search	1	0
Vehicle Stop	19	28
Violation of No Contact Order	1	0

ARRESTS

Curfew Violation	0	1
Sell Tobacco To Minor	1	0

Recommendation: Approval of liquor license.

M E M O R A N D U M

TO: JUSTIN YAROSEVICH

FROM: MARK PROSSER

DATE: DECEMBER 11, 2013

REFERENCE: LIQUOR LICENSE RENEWAL
AL'S LIQUOR
215 W MILWAUKEE AVE

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

	12-11-2011 to 12-11-2012	12-12-12 to 12-09-13
INCIDENTS		
911 Hang Up Call	1	0
Accident	1	0
Animal Complaint	0	1
Burglar Alarm	4	3
Business Assist	1	1
Business Security	64	93
Citizen Assist	1	3
City/County Department Assist	1	0
City Code Enforcement	0	1
Extra Security	0	1
Forgery	0	1
General Information	0	1
Intoxicated Driver	1	0
Intoxicated Pedestrian	1	0
Keys Locked In Car	3	1
Law Department Assist	1	0
Motorist Assist	0	2
Open Window/Door	0	1
PR/Talk/Presentation	2	1
Reckless Driver	1	0
Scam	0	1
Station Assignment	2	2
Street Beat	5	5
Suspicious Person	2	0
Theft	2	3

Vehicle Stop	15	21
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ARRESTS

Public Intoxication	1	0
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Operating While Intoxicated	0	1
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Recommendation: Approval of liquor license.

Staff Summary

12/16/2013

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: Sue Vossberg, Deputy Clerk

SUBJECT: Buy Local Information

BACKGROUND: Early in 2011 during a Study Session discussion Council asked staff to look at putting together some analysis information regarding the amount of purchases made locally. We have pulled that information together and 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 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	\$1,366,265.17	\$159,520.59	\$68,738.19	43	\$2,458.35	1	\$88,324.05	55
King's Pointe	\$165,926.59	\$54,535.26	\$15,573.84	29			\$38,961.42	71
Golf Course	\$	\$	\$				\$	

RECOMMENDATION: Review Buy Local Information

Staff Summary

12/16/2013

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: Justin Yarosevich, Assistant City Manager / City Clerk

SUBJECT: **City Council Appointments**

BACKGROUND: Following the election of new council members the City Council has the opportunity to appoint or re-appoint individuals for the position of City Clerk and City Attorney. Justin Yarosevich is the current City Clerk and was originally appointed to the position in 2005. He also serves the City as the Assistant City Manager.

Phil Havens is the current City Attorney and was originally appointed to the position in 2011. He was appointed to the position after his brother Paul Havens stepped down. Paul was then appointed as Assistant City Attorney.

FISCAL IMPACT: There is no fiscal impact to these appointments.

RECOMMENDATION: Appoint City Clerk and City Attorney for a period of two years (ending December 31, 2015) at which time new Council Elections will take place.

ATTACHMENTS:

Description	Type
☐ Yarosevich Oath Document	Backup Material

OATH OF OFFICE
CITY OF STORM LAKE
City Clerk

December 2, 2013

I, Justin Yarosevich, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability discharge all of the duties of the office of City Clerk in the City of Storm Lake, Iowa, as now or hereafter required by law.

City Clerk Justin Yarosevich

Mayor Jon F. Kruse

ATTEST:

City Manager, James H. Patrick

Staff Summary

12/16/2013

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: Justin Yarosevich, Assistant City Manager / City Clerk

SUBJECT: **Approval Of Utility Easements**

BACKGROUND: With the development of a new seed dealership on Radio Road to the East of the Sunrise Pointe Golf Course the City will be installing a new sanitary sewer line to the property. In order to install the sewer line the City will have to install the line across private property owned by two separate individuals.

The proposed easements that will provide the City with the rights to install and maintain over time the sanitary sewer line are attached to this staff summary for the Council's review.

FISCAL IMPACT: The cost of the easements is for \$1.00 and other valuable considerations for a total fiscal impact of \$2.00.

RECOMMENDATION: Approve the Easement and Authorize Mayor to Sign

ATTACHMENTS:

Description	Type
☐ Sandhoff Easement	Contract
☐ Schultz Easement	Contract

Return To: Havens and Havens, P.O. Box 426, Storm Lake, IA 50588

Preparer: Philip E. Havens, Havens and Havens, P.O. Box 426, Storm Lake, IA 50588

EASEMENT AGREEMENT

This Agreement, made and entered into this 6th day of December, 2013, by and between Grower's Advantage, Inc., an Iowa Corporation, herein referred to as Grantor, and the City of Storm Lake, Iowa, a municipal corporation, herein referred to as Grantee.

SECTION I.

RIGHT OF WAY

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby grants, sells and conveys to Grantee, its successors and assigns a perpetual right-of-way for the purpose of laying, constructing, operating, inspecting, repairing, maintaining, replacing, substituting, relocating and removing a sanitary sewer pipeline and appurtenances, for the transportation of sewage, in, over, under, across, and through the following described real estate in Buena Vista County, Iowa, to-wit:

THE EAST TEN FEET (E. 10') OF THE WEST FIFTY-THREE FEET (W. 53') OF THE FOLLOWING DESCRIBED PARCEL:

**A TRACT OF LAND LOCATED IN NORTHWEST QUARTER OF THE
NORTHWEST QUARTER (NW 1/4 NW 1/4) OF SECTION 12, TOWNSHIP
90 NORTH, RANGE 37 WEST OF THE 5TH P.M., WITHIN THE
CORPORATE LIMITS OF THE CITY OF STORM LAKE, BUENA VISTA
COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS:**

Commencing at the Northwest (NW) Corner of the Northwest Quarter (NW 1/4) of said Section 12; Thence South 00° 31' 15" West, along the West line of said Northwest Quarter (NW 1/4) 815.75 feet to the Point of Beginning. Thence South 88° 00' 11" East, 543.67 feet; Thence South 34° 09' 04" West, 82.72 feet; Thence along a 250.46 radius curve concave easterly, 166.95 feet, said curve having a chord which bears South 15° 03' 18" West, for 163.88 feet; Thence North 88° 00' 11" West, 456.70 feet to the West line of said Northwest Quarter (NW 1/4); Thence North 00° 31' 15" East, along said West line, 229.75 feet to the Point of Beginning.

SECTION II.

TERM

The rights granted herein shall be possessed and enjoyed by Grantee, its successors and assigns so long as the sanitary sewer pipeline constructed pursuant hereto shall be maintained and operated by Grantee, its successors or assigns.

SECTION III.

ADDITIONAL RIGHTS OF GRANTEE

Grantee shall have the right of ingress and egress to and from the right-of-way described in Section I, above, for any and all purposes necessary or convenient to the exercise by Grantee of the rights granted herein.

SECTION IV.

RIGHTS OF GRANTOR

Grantor reserves the right to use and enjoy the right of way described in Section I, above, to the fullest possible extent without unreasonable interference with the exercise by Grantee of the rights granted herein. In this regard, neither Grantor nor Grantee shall have the right to locate any building or any surface installation on any part of the real estate described in Section I or to fence the whole or any part thereof.

SECTION V.

PIPELINE DEPTH; TREATMENT AND RESTORATION OF SURFACE

Grantee agrees to bury the sanitary sewer pipeline to a depth sufficient to avoid any interference with the normal uses which Grantor might make of Grantor's property. In the construction of the sanitary sewer pipeline or the exercise of its other rights under this agreement, Grantee shall remove the topsoil from the right-of-way separately from the other materials removed by Grantee in such construction or in the exercise of other rights under this agreement, and shall replace said topsoil in the right of way upon completion of the pipeline or other work thereon. Following completion of the construction or other exercise of its rights under this agreement, Grantee shall restore the right-of-way as near to its condition before the construction or other work as possible. Grantee further agrees that, after any restoration, the right-of-way shall be left free of any large stones, holes or piles of dirt, and the easement area shall be reseeded to grass, if necessary. With regard to such restoration following construction or other work permitted by this agreement, Grantee shall accomplish it so that the affected easement area is in as near as possible to the

condition it was in before the construction or other work within a reasonable time after the completion of the construction of the sanitary sewer pipeline or other work thereon.

SECTION VI.

WARRANTY OF TITLE

Grantor covenants that it is the owner of the real estate described herein that is subject to the easement and has the right, title and capacity to grant said premises.

SECTION VII.

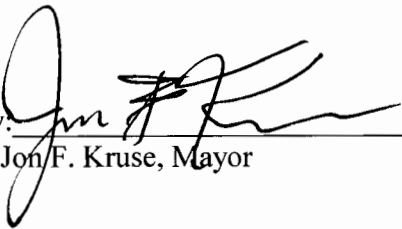
EFFECT OF AGREEMENT

This Agreement shall be binding upon the heirs, legal representatives, successors or assigns of the parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement in Storm Lake, Iowa, on the day and year first above written.

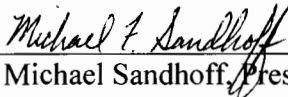
GRANTEE:

CITY OF STORM LAKE, IOWA

By: 
Jon F. Kruse, Mayor

GRANTOR:

GROWER'S ADVANTAGE, INC.

By: 
Michael Sandhoff, President

ATTEST:

Justin Yarosevich, City Clerk

STATE OF IOWA)

COUNTY OF BUENA VISTA)

This record was acknowledged before me on _____, 2013, by Jon F. Kruse and Justin Yarosevich, as Mayor and City Clerk of the City of Storm Lake, Iowa.

Notary Public for the State of Iowa

STATE OF IOWA)

COUNTY OF BUENA VISTA)

This record was acknowledged before me on December 6, 2013, by Michael Sandhoff, as President of Grower's Advantage, Inc.



Susan Vossberg
Notary Public for the State Of Iowa

Return To: Havens and Havens, P.O. Box 426, Storm Lake, IA 50588

Preparer: Philip E. Havens, Havens and Havens, P.O. Box 426, Storm Lake, IA 50588

EASEMENT AGREEMENT

This Agreement, made and entered into this 9th day of Dec, 2013, by and between Larry J. Schultz, single, and Jeffrey Schultz and Teresa Schultz, husband and wife, all of Storm Lake, Buena Vista County, Iowa, herein referred to as Grantor, and the City of Storm Lake, Iowa, a municipal corporation, herein referred to as Grantee.

SECTION I.

RIGHT OF WAY

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby grants, sells and conveys to Grantee, its successors and assigns a perpetual right-of-way for the purpose of laying, constructing, operating, inspecting, repairing, maintaining, replacing, substituting, relocating and removing a sanitary sewer pipeline and appurtenances, for the transportation of sewage, in, over, under, across, and through the following described real estate in Buena Vista County, Iowa, to-wit:

**A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST
QUARTER (NW ¼ NW ¼) OF SECTION 12, TOWNSHIP 90 NORTH,**

**RANGE 37 WEST OF THE 5TH P.M., WITHIN THE CORPORATE LIMITS
OF THE CITY OF STORM LAKE, BUENA VISTA COUNTY, IOWA, LYING
FIVE FEET (5') EACH SIDE OF THE FOLLOWING DESCRIBED
CENTERLINE:**

Commencing at the Northwest (NW) corner of the Northwest Quarter (NW ¼) of said Section 12; Thence South 00° 31' 15" West, along the West line of said Northwest Quarter (NW ¼), 407.16 feet; Thence North 90° 00' 00" East, 55.72 feet to a point 5.00 feet East of the existing easement for public roadway, being also the Point of Beginning; Thence South 10° 03' 16" West, along a line 5.00 feet easterly from and parallel to said roadway easement, 46.57 feet; Thence continuing along said parallel line, South 00° 31' 16" West, 364.40 feet and there terminating.

SECTION II.

TERM

The rights granted herein shall be possessed and enjoyed by Grantee, its successors and assigns so long as the sanitary sewer pipeline constructed pursuant hereto shall be maintained and operated by Grantee, its successors or assigns.

SECTION III.

ADDITIONAL RIGHTS OF GRANTEE

Grantee shall have the right of ingress and egress to and from the right-of-way described in Section I, above, for any and all purposes necessary or convenient to the exercise by Grantee of the rights granted herein.

SECTION IV.

RIGHTS OF GRANTOR

Grantor reserves the right to use and enjoy the right of way described in Section I, above, to the fullest possible extent without unreasonable interference with the exercise by Grantee of the rights granted herein. In this regard, neither Grantor nor Grantee shall have the right to locate any

building or any surface installation on any part of the real estate described in Section I or to fence the whole or any part thereof.

SECTION V.

PIPELINE DEPTH; TREATMENT AND RESTORATION OF SURFACE

Grantee agrees to bury the sanitary sewer pipeline to a depth sufficient to avoid any interference with the normal uses which Grantor might make of Grantor's property. In the construction of the sanitary sewer pipeline or the exercise of its other rights under this agreement, Grantee shall remove the topsoil from the right-of-way separately from the other materials removed by Grantee in such construction or in the exercise of other rights under this agreement, and shall replace said topsoil in the right of way upon completion of the pipeline or other work thereon. Following completion of the construction or other exercise of its rights under this agreement, Grantee shall restore the right-of-way as near to its condition before the construction or other work as possible. Grantee further agrees that, after any restoration, the right-of-way shall be left free of any large stones, holes or piles of dirt, and the easement area shall be reseeded to grass, if necessary. With regard to such restoration following construction or other work permitted by this agreement, Grantee shall accomplish it so that the affected easement area is in as near as possible to the condition it was in before the construction or other work within a reasonable time after the completion of the construction of the sanitary sewer pipeline or other work thereon.

SECTION VI.

WARRANTY OF TITLE

Grantor covenants that it is the owner of the real estate described herein that is subject to the

easement and has the right, title and capacity to grant said premises.

SECTION VII.

EFFECT OF AGREEMENT

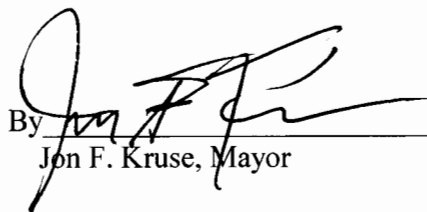
This Agreement shall be binding upon the heirs, legal representatives, successors or assigns of the parties hereto.

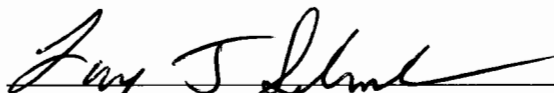
IN WITNESS WHEREOF, the parties have executed this Agreement in Storm Lake, Iowa, on the day and year first above written.

GRANTEE:

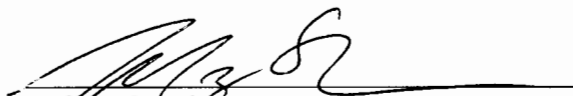
GRANTOR:

CITY OF STORM LAKE, IOWA

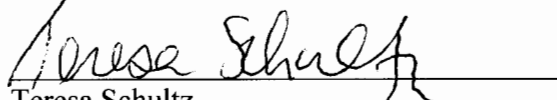
By 
Jon F. Kruse, Mayor


Larry J. Schultz

ATTEST:


Jeffrey Schultz

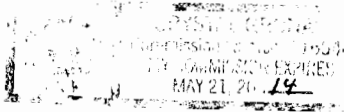

Justin Yarosevich, City Clerk


Teresa Schultz

STATE OF IOWA)

COUNTY OF BUENA VISTA)

This record was acknowledged before me on December 9, 2013, by Jon F. Kruse and Justin Yarosevich, as Mayor and City Clerk of the City of Storm Lake, Iowa.



Crystal Herman
Notary Public for the State of Iowa

STATE OF IOWA)

COUNTY OF BUENA VISTA)

This record was acknowledged before me on December 9, 2013, by Larry J. Schultz, a single person.



Crystal Herman
Notary Public for the State Of Iowa

STATE OF IOWA)

COUNTY OF BUENA VISTA)

This record was acknowledged before me on December 9, 2013, by Jeffrey Schultz and Teresa Schultz, husband and wife.

Crystal Herman
Notary Public for the State Of Iowa

Staff Summary

12/16/2013

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: Justin Yarosevich, Assistant City Manager / City Clerk

SUBJECT: **New Council & Mayor Swear In**

BACKGROUND: Following an election on November 5, 2013 Mayor Jon F. Kruse and Council Members Dan Anderson and Mike Porsch were all elected for another four (4) year term. State law requires that each new or re-elected individual take the oath of office.

The oath of office is attached for each of the three individuals.

FISCAL IMPACT: There is no fiscal impact for this agenda item.

RECOMMENDATION: City Clerk to Administer the Oath of Office to Mayor Jon F. Kruse
Mayor Jon F. Kruse to Administer the Oath of Office to Council Member Anderson and Council Member Porsch

ATTACHMENTS:

Description	Type
 Kruse Oath Document	Backup Material
 Anderson Oath Document	Backup Material
 Porsch Oath Document	Backup Material

OATH OF OFFICE
CITY OF STORM LAKE

Mayor

December 2, 2013

I, Jon Kruse, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability discharge all of the duties of the office of City Council Member in the City of Storm Lake, Iowa, as now or hereafter required by law.

Mayor Jon F. Kruse

City Clerk, Justin Yarosevich

ATTEST:

City Manager, James H. Patrick

OATH OF OFFICE
CITY OF STORM LAKE
City Council Member

December 2, 2013

I, Dan Anderson, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability discharge all of the duties of the office of City Council Member in the City of Storm Lake, Iowa, as now or hereafter required by law.

City Council Member Dan Anderson

Mayor Jon F. Kruse

ATTEST:

City Clerk, Justin Yarosevich

OATH OF OFFICE
CITY OF STORM LAKE
City Council Member

December 2, 2013

I, Mike Porsch, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability discharge all of the duties of the office of City Council Member in the City of Storm Lake, Iowa, as now or hereafter required by law.

City Council Member Mike Porsch

Mayor Jon F. Kruse

ATTEST:

City Clerk, Justin Yarosevich

Staff Summary

12/16/2013

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: Jennifer Movall, Finance Department Manager

SUBJECT: **FY 2014-2015 Outside Agency Question & Answer Session**

BACKGROUND: This agenda item will open the Question and Answer Session for the FY 2014-2015 Outside Agency funding requests. Each agency will have three minutes to explain their program and/or proposal to the City Council. The council may then ask questions of the applicant.

Determination of the level of funding will be made at the Budget Workshop in February 2014.

The funding requests for FY 2015 are as follows:

Applicant	FY13/14 Funding Request	FY 13/14 Funding	FY 14/15 Funding Request
Buena Vista County Historical Society	\$2,500	\$2,500	\$2,500
Upper Des Moines Opportunity	\$8,000	\$0	\$8,000
Witter Gallery	\$16,000	\$13,000	\$16,000

The Transit Services contracts are handled separately from this through the budget process. CommUNITY Education and Storm

Lake United are also handled through a separate budget process.

FISCAL IMPACT:

There is no fiscal impact for the Question and Answer session.

RECOMMENDATION:

Open the Outside Agency Question and Answer Session.

ATTACHMENTS:

Description	Type
 FY 2015 Buena Vista County Historical Society Application	Backup Material
 FY 2015 Upper Des Moines Opportunity Application	Backup Material
 FY 2015 Upper Des Moines Opportunity Signature Page and Data	Backup Material
 FY 2015 Witter Gallery Application	Backup Material



DUE DATE:
December 6th,
2013

Application for City of Storm Lake Grant Funding

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

Please complete entire application, answering questions in the provided space with appropriate and concise answers.

Name of Organization: Buena Vista County Historical Society

Mailing Address: 214 west 5th Storm Lake, Iowa 50588

Contact Person: Marjorie Neulish Title: President
(Available During the Day)

Phone Number: 712-732-4955 Tax/Corporate Status of Organization: _____

E-Mail Address: _____ Tax ID#: 42-6075140

Amount Requested FY 14/15: \$ 2,500

What are funds being requested for? Air Conditioning installed in Illinois Railroad room

Previous Funding from the City of Storm Lake	FY 10/11	FY 11/12	FY 12/13	FY 13/14
Requested Funding	4,300	3,000	2,500	2,500
Allocated Funding	0	0	2,500	

Describe the problem your project/program is attempting to prevent/solve or the issue(s) your project will address.

During 2013 we have repaired roof of garage area, and remodeled room to build our Illinois Railroad display. Our last part of this project will be to air condition the room.

Identify the desired results by describing what your project is expected to achieve in the short and long term. Indicate how you will know if you have been successful.

By adding the air conditioner the Illinois Railroad room will be completed and comfortable for use in the summer months for our visitors.

Identify stakeholders in your community who are necessary for the success of your project and how you plan to engage them (or have already engaged them) in your proposed program/project work.

In February 2013, Ron Neuhel of Control System Specialists, of Alta, IL, installed a new furnace in the Illinois Railroad room, as the necessary item to begin our project. We will now install the duct work and air conditioning during 2014.

How many people does this project/program serve? (Describe how this number was determined.)

This project provides comfort for our visitors at the museum and concludes our remodeling of the garage area into the Illinois Railroad display area. We plan to open the room for rental uses for the community and to bring income for the society. It is appropriate for small business meetings, card parties, bridal showers, anniversary parties, quilting groups, etc. The new air conditioning will ensure comfort to our clients and guests.

If you received funding from the City during the previous year, please provide an explanation and documentation on how the funds were used. Were your goals/objectives met? If the goals/objectives were not met please explain why?

We received \$2,500 from the city in 2013. We took the wall out between two 4x4 rooms to make a nice 8x8 kitchen area, with a new sink, cupboards, counter, microwave, small stove and our 2 year old refrigerator. It makes a nice room to use Memorial Day and Veterans Day as we have these 2 fund raisers in our building. We really appreciate your funding of \$2,500 towards that project.

What other ways does your organization raise funds for the operation and/or program/project you are requesting City funds for?

Our organization makes an effort to raise funds for our survival throughout the year. We have a book sale in April, Memorial Day in May, 3rd + 4th of July + ridiculous days in July, Taste of Storm Lake in August, garage sale in September, Labor Day, wine & eat, Popcorn sales uptown on Thursday and Veterans Day in November, along with personal and business memberships, all these activities help keep the museum operating.

Program Budget

(This budget should show all the expected revenues and expenditures for **PROGRAM/PROJECT** you are requesting funding for.)

☐ Calendar Year (Jan.-Dec.)

☐ Fiscal Year (July-June)

☐ Federal Fiscal Year (Oct.-Sept.)

	Program/Project Revenues	Previous Year	Current Year	FY 2015
1	Program/Project Fees			
2	Federal Funding			
3	State Funding			
4	Buena Vista County Funding	1 0 0 0	1 0 0 0	
5	City of Storm Lake Funding	0	2 5 0 0	
6	Other Organization Support (list below)	XXXXXX	XXXXXX	XXXXXX
7	Fundraising			
8	Donations			
9	Other Funding Sources (list below)	XXXXXX	XXXXXX	XXXXXX
10	Total Revenue	1 0 0 0	3 5 0 0	
	Program/Project Expenses			
11	Salaries, Wages, Benefits(include person/position)			
12	Contractual Costs		2 5 0 0	
13	Facilities Costs (Utilities/Rent)			
14	Travel Expenses			
15	Supplies/Materials			
16	Advertising			
17	Equipment			
18	Other Expenses (list below)	XXXXXX	XXXXXX	XXXXXX
19	Total Expenses	1 0 0 0	3, 5 0 0	
20	Net Gain (Loss)			

Program/Project Budget Explanations: (if necessary, use this space to clarify any of the budget information provided)

Organizational Budget

(This budget should show all the expected revenues and expenditures for your **ORGANIZATION**.)

☐ Calendar Year (Jan.-Dec.)

☐ Fiscal Year (July-June)

☐ Federal Fiscal Year (Oct.-Sept.)

	Revenues	Previous Year	Current Year	FY 2015
1	Fees			
2	Federal Funding			
3	State Funding			
4	Buena Vista County Funding	1,000. ⁰⁰	1,000. ⁰⁰	1,000. ⁰⁰
5	City of Storm Lake Funding	0	2,500. ⁰⁰	2,500. ⁰⁰
6	Other Governmental Funding (list below)	XXXXXX	XXXXXX	XXXXXX
7	Fundraising		9406	
8	Donations		8523	
9	Other Funds (list below)	XXXXXX	XXXXXX	XXXXXX
	Memberships & Admissions		2893	
	Rent from Menaulgical Society		900	
10	Total Revenue	22,941. ⁰⁰	25,222	25,222 ⁰⁰
	Expenses			
11	Salaries, Wages, Benefits		8144	
12	Contractual Costs		29108	
13	Facilities Costs (Utilities/Rent)		3600	
14	Materials/Supplies		1500	
15	Other Expenses (list below)	XXXXXX	XXXXXX	XXXXXX
	Insurance		1800	
	Snow Removal		600	
	Accounting & Misc. Expenses		1225	
16	Total Expenses	20,127. ⁰⁰	45,977	22,000. ⁰⁰
17	Net Gain (Loss)	2,814. ⁰⁰	-20,755	3,222

Organizational Budget Explanations: (if necessary, use this space to clarify any of the budget information provided)

We received items from the Illinois Railroad Depot in November 2012. In February 2013 we made a motion to remodel the garage for this display and to build a utility shed to store our big grill, lawn mower, ladders, etc. we needed the following things done to reach that goal.

- ① - Asbestos Abatement removal on west side of garage - \$708.
- ② "B + R Roofing" - re-roofed leaking garage roof - \$5,768.
- ③ cut large overgrown to make room for storage shed - \$400.
- ④ Build footings, run cement, build storage shed - \$1225.
- ⑤ Install furnace, 2x6 walls, insulation, sheet rock, acoustical ceiling, lighting, painting, double entrance door, etc. - Time 4 months - Labor + material cost of all of the above is a one time expense - Normal gear expenses are about \$20,000. \$21,000.

Required submittals:

- A. Organizations may submit additional documents supporting their request; however, these supporting documents should be kept to a minimum and should not repeat information provided in the application.
- B. Projects/programs that are funded will be required to submit a year end report to show how the money was used and if results were achieved. (This will be sent toward the end of the budget year.)

CERTIFICATION:

- ☐ The undersigned is prepared to execute a 28E agreement with the City of Storm Lake.
- ☐ The undersigned will provide the City of Storm Lake full access to financial records and audits upon request.
- ☐ The undersigned will not discriminate on the basis of race, religion, age, sex, or natural origin.
- ☐ The undersigned understands that payments on approval requests will be made only after receipt of a written request along with any required documentation and at a time that is in the best interest of the City of Storm Lake for purposes of cash flows.

Buena Vista County Historical Society
Applicant Organization

Marjorie Neelieb
Applicant Representative

December 4 - 2013
Date

Completed Applications are due by 5:00PM Friday, December 6, 2013. Any applications received after this date will not be accepted. The City of Storm Lake will hold a Question & Answer session on the grant application requests on December 16th, 2013 at 5:00PM in the Storm Lake Council Chambers located at 620 Erie Street, Storm Lake, Iowa. At that time applicants will be given three (3) minutes to explain their program and/or proposal to the City Council. At this time the Council may ask questions of the applicant. Determination of the level of funding will be made at the budget workshop in February 2014; the specific date will be announced at a later time and all applicants will be notified at that time.

Any funding approved through this process will be available after July 1, 2014 and all funds granted under this program must be requested prior to June 15, 2015.

Internal Revenue Service

Department of the Treasury

District
Director

Person to Contact: EO:TPA

Telephone Number: 1-800-829-1040
312-435-1040

BUENA VISTA COUNTY
HISTORICAL SOCIETY
214 WEST 5TH
STORM LAKE, IA 50588-2346

Refer Reply to: 92-0361

Date: November 16, 1991

RE: BUENA VISTA COUNTY HISTORICAL SOCIETY
EIN: 42-6075140

This is in response to the letter, dated October 1, 1991, regarding your status as an organization exempt from Federal income tax.

Our records indicate that a ruling letter was issued in September, 1963, granting your organization an exemption from Federal income tax under the provisions of Section 501(c)(3) of the Internal Revenue Code of 1954. Our records also indicate that your organization is not a private foundation but one that is described in Section 509(a)(2) of the Internal Revenue Code.

Contributions made to you are deductible by donors in computing their taxable income in the manner and to the extent provided in Section 170 of the Internal Revenue Code.

If your gross receipts each year are normally \$25,000 or more, you are required to file Form 990, Return of Organizations Exempt from Income tax by the fifteenth day of the fifth month after the end of your annual accounting period.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under Section 511 of the Code. If you are subject to this tax, you must file an income tax return on F-990-T.

If any question arises with respect to your status for Federal income tax purposes, you may use this letter as evidence of your exemption.

This is an advisory letter.

Sincerely yours,


R. S. Wintrode, Jr.
District Director



DUE DATE:
December 6th,
2013

Application for City of Storm Lake Grant Funding

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

Please complete entire application, answering questions in the provided space with appropriate and concise answers.

Name of Organization: _____

Mailing Address: _____

Contact Person: _____ Title: _____

(Available During the Day)

Phone Number: _____ Tax/Corporate Status of Organization: _____

E-Mail Address: _____ Tax ID#: _____

Amount Requested FY 14/15: \$ _____

What are funds being requested for? _____

Previous Funding from the City of Storm Lake	FY 10/11	FY 11/12	FY 12/13	FY 13/14
Requested Funding				
Allocated Funding				

Describe the problem your project/program is attempting to prevent/solve or the issue(s) your project will address.

Identify the desired results by describing what your project is expected to achieve in the short and long term. Indicate how you will know if you have been successful.

Identify stakeholders in your community who are necessary for the success of your project and how you plan to engage them (or have already engaged them) in your proposed program/project work.

How many people does this project/program serve? (Describe how this number was determined.)

If you received funding from the City during the previous year, please provide an explanation and documentation on how the funds were used. Were your goals/objectives met? If the goals/objectives were not met please explain why?

What other ways does your organization raise funds for the operation and/or program/project you are requesting City funds for?

Organizational Budget

(This budget should show all the expected revenues and expenditures for your **ORGANIZATION.**)

☐ Calendar Year (Jan.-Dec.)

☐ Fiscal Year (July-June)

☐ Federal Fiscal Year (Oct.-Sept.)

	Revenues	Previous Year	Current Year	FY 2015
1	Fees			
2	Federal Funding			
3	State Funding			
4	Buena Vista County Funding			
5	City of Storm Lake Funding			
6	Other Governmental Funding (list below)	XXXXXX	XXXXXX	XXXXXX
7	Fundraising			
8	Donations			
9	Other Funds (list below)	XXXXXX	XXXXXX	XXXXXX
10	Total Revenue			
	Expenses			
11	Salaries, Wages, Benefits			
12	Contractual Costs			
13	Facilities Costs (Utilities/Rent)			
14	Materials/Supplies			
15	Other Expenses (list below)	XXXXXX	XXXXXX	XXXXXX
16	Total Expenses			
17	Net Gain (Loss)			

Organizational Budget Explanations: (if necessary, use this space to clarify any of the budget information provided)

Required submittals:

- A. Organizations may submit additional documents supporting their request; however, these supporting documents should be kept to a minimum and should not repeat information provided in the application.
- B. Projects/programs that are funded will be required to submit a year end report to show how the money was used and if results were achieved. (This will be sent toward the end of the budget year.)

Program Budget

(This budget should show all the expected revenues and expenditures for **PROGRAM/PROJECT** you are requesting funding for.)

☐ Calendar Year (Jan.-Dec.)

☐ Fiscal Year (July-June)

☐ Federal Fiscal Year (Oct.-Sept.)

	Program/Project Revenues	Previous Year	Current Year	FY 2015
1	Program/Project Fees			
2	Federal Funding			
3	State Funding			
4	Buena Vista County Funding			
5	City of Storm Lake Funding			
6	Other Organization Support (list below)	XXXXXX	XXXXXX	XXXXXX
7	Fundraising			
8	Donations			
9	Other Funding Sources (list below)	XXXXXX	XXXXXX	XXXXXX
10	Total Revenue			
	Program/Project Expenses			
11	Salaries, Wages, Benefits(include person/position)			
12	Contractual Costs			
13	Facilities Costs (Utilities/Rent)			
14	Travel Expenses			
15	Supplies/Materials			
16	Advertising			
17	Equipment			
18	Other Expenses (list below)	XXXXXX	XXXXXX	XXXXXX
19	Total Expenses			
20	Net Gain (Loss)			

Program/Project Budget Explanations: (if necessary, use this space to clarify any of the budget information provided)

CERTIFICATION:

- ☐ The undersigned is prepared to execute a 28E agreement with the City of Storm Lake.
- ☐ The undersigned will provide the City of Storm Lake full access to financial records and audits upon request.
- ☐ The undersigned will not discriminate on the basis of race, religion, age, sex, or natural origin.
- ☐ The undersigned understands that payments on approval requests will be made only after receipt of a written request along with any required documentation and at a time that is in the best interest of the City of Storm Lake for purposes of cash flows.

Applicant Organization

Applicant Representative

Date

Completed Applications are due by 5:00PM Friday, December 6, 2013. Any applications received after this date will not be accepted. The City of Storm Lake will hold a Question & Answer session on the grant application requests on December 16th, 2013 at 5:00PM in the Storm Lake Council Chambers located at 620 Erie Street, Storm Lake, Iowa. At that time applicants will be given three (3) minutes to explain their program and/or proposal to the City Council. At this time the Council may ask questions of the applicant. Determination of the level of funding will be made at the budget workshop in February 2014; the specific date will be announced at a later time and all applicants will be notified at that time.

Any funding approved through this process will be available after July 1, 2014 and all funds granted under this program must be requested prior to June 15, 2015.

CERTIFICATION:

- ☒ The undersigned is prepared to execute a 28E agreement with the City of Storm Lake.
- ☒ The undersigned will provide the City of Storm Lake full access to financial records and audits upon request.
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- ☒ The undersigned understands that payments on approval requests will be made only after receipt of a written request along with any required documentation and at a time that is in the best interest of the City of Storm Lake for purposes of cash flows.

Upper Des Moines Opportunity Inc.
Applicant Organization

James M. Whitney
Applicant Representative

11-13-2013
Date

Completed Applications are due by 5:00PM Friday, December 6, 2013. Any applications received after this date will not be accepted. The City of Storm Lake will hold a Question & Answer session on the grant application requests on December 16th, 2013 at 5:00PM in the Storm Lake Council Chambers located at 620 Erie Street, Storm Lake, Iowa. At that time applicants will be given three (3) minutes to explain their program and/or proposal to the City Council. At this time the Council may ask questions of the applicant. Determination of the level of funding will be made at the budget workshop in February 2014; the specific date will be announced at a later time and all applicants will be notified at that time.

Any funding approved through this process will be available after July 1, 2014 and all funds granted under this program must be requested prior to June 15, 2015.

11-Nov-13

V. CLIENT CHARACTERISTICS

A. Total unduplicated number of persons for whom characteristics were obtained	1547
B. Total unduplicated number of families containing one or more persons served	500

1. Gender	Quarter	Year to Date*	7. Family size	Quarter	Year to Date**
a. Male	218	682	a. One	53	151
b. Female	312	865	b. Two	24	85
c. Unknown/Not Given	0	0	c. Three	17	63
			d. Four	25	74
2. Age	Quarter	Year to Date*	e. Five	20	62
a. 0-3	51	152	f. Six	15	38
b. 4-5	27	81	g. Seven	6	20
c. 6-11	96	278	h. Eight +	5	7
d. 12-17	78	198	i. Unknown/Not Reported	0	0
e. 18-23	36	123			
f. 24-34	56	193	8. Sources of Family Income	Quarter	Year to Date
g. 35-44	68	189	a. No income	6	18
h. 45-54	60	167	b. AFDC/FIP/TANF	10	29
i. 55-69	36	111	c. SSI	21	52
j. 70+	22	55	d. Social Security	49	103
k. Unknown/Not Reported	0	0	e. Pension	1	9
			f. General Assistance	0	0
3. Ethnicity/Race	Quarter	Year to Date*	g. Unemployment Insurance	5	22
a. Hispanic/Latino	312	932	h. Employment + other sources	14	45
b. Not Hispanic/Latino	209	602	i. Employment only	70	254
c. Unknown/Not Reported	9	13	f. Other	1	4
a. Black/African American	66	134	k. Unduplicated # of Families Reporting Income Source**	151	458
b. White	395	1234			
c. American Indian/Alaskan Native	1	1	9. Level of Family Income	Quarter	Year to Date**
d. Asian	35	88	(% of HHS Guideline)		
e. Native Hawaiian/Pacific Islander	25	51	a. Up to 50%	51	167
f. Multi-race (2 or more of above)	2	7	b. 51 to 75%	30	70
g. Other	3	29	c. 76% to 100%	26	73
h. Unknown/Not Reported	3	3	d. 101% to 125%	21	84
			e. 126% to 150%	21	64
4. Education (age 24+)	Quarter	Year to Date*	f. 151% to 175%	12	28
a. 0-8th grade	258	703	g. 176% to 200%	3	9
b. 9-12 grade/non-graduate	101	289	h. 201% and over	1	5
c. High school graduate/GED	73	228	i. Unknown/Not Reported	0	0
d. 12+ some post secondary	23	81			
e. 2 or 4 year graduate	10	54	10. Housing	Quarter	Year to Date**
f. Non HS grad/GED	0	2	a. Own/Buy	66	184
g. Unknown/Not Reported	0	1	b. Rent	91	294
			c. Homeless	2	4
5. Other characteristics	Quarter	Year to Date	d. Other	6	18
a. Health Insurance	357	1096	e. Unknown/Not Reported	0	0
b. Disabled	53	118			
c. Veteran	0	4	Other characteristics	Quarter	Year to Date
			a. Receive Food Stamps	90	247
6. Family Type	Quarter	Year to Date**	b. Farmer	0	0
a. Single parent/female	35	107	c. Migrant farmworker	0	0
b. Single parent/Male	2	3	d. Seasonal farmworker	0	0
c. Two-parent household	58	184			
d. Single person	53	151			
e. Two Adults/no children	17	55			
f. Other	0	0			
g. Unknown/Not Reported	0	0			

* The sum of this category should not exceed the value of Item V. A.

** The sum of this category should not exceed the value of Item V. B.

UPPER DES MOINES OPPORTUNITY, INC.		CITY OF STORM LAKE	OCT 1 2012 THROUGH SEP 30	
Program			Number of Households	Assisted Individuals
<i>A & R Conservation Education</i>			237	694
			18	57
<i>A & R Crisis Application</i>			8	33
<i>A & R Customer Advocacy</i>			11	39
<i>A & R Needs Assessment</i>			2	5
<i>A & R Vendor Negotiation</i>			9	31
<i>A&R Budget Counseling</i>			11	44
<i>Baby's Room</i>	Car seat/crib		2	2
	Diapers		9	9
	Layettes		1	1
<i>BACK TO SCHOOL</i>	Backpack		36	81
	School clothes		9	18
	School Shoes		8	17
	School Supplies		37	92
<i>Clothing</i>			1	1
	Clothes		2	4
	Coats for kids		3	6
	Hat & Mittens		26	67
	Snow Boots		2	3
	Snow Pants		1	1
<i>DHS/Buena Vista Co.</i>			1	7
<i>Emergency Disaster Programs</i>	Iowa Disaster Flood Program/DHS		74	296
			2	8
<i>Emergency Energy Utilities</i>	Alliant Hometown Care		4	12
	I-Care/MidAmerican		4	20
<i>ENERGY CRISIS PROGRAM/CENTRAL</i>			5	21
<i>ESG Homeless Prevention</i>	ESG/Case Management		1	1
	ESG/Outreach and Engagement		1	3
	ESG/Rental Assistance		2	4
	ESG/Security Deposits		1	1
<i>ESG Rapid Housing</i>	ESG/Housing Search and Placement		1	3
	ESG/Security Deposits		1	3
<i>Food Programs</i>			2	2
	Bread		247	734
	Commodities		245	727
	Eggs		206	613
	Food For Life		242	721
	Food Pantries/non-food		71	195
	Food Pantry/food		70	184
	Garden		89	250
	School Backpack		1	1
	Surplus Foods		246	732
<i>Holiday Projects</i>	Adopt a family		147	571
	Adopt a family/food		147	571
	Birthday Box		6	21
	Christmas Food Certificate		11	24
	Holiday food		1	1
	Holiday gift/food		2	8
	Thanksgiving Baskets		1	2
	Toys		1	1
<i>Household Goods</i>	House Accessories		1	3
<i>Housing/Homeless Prevention</i>	Homeless Shelter		2	4
<i>Information and Referral</i>	I&R Employment		2	3
	I&R Linkages		9	29

UPPER DES MOINES OPPORTUNITY, INC.		CITY OF STORM LAKE		OCT 1 2012 THROUGH SEP 30	
Program		Number of Households	Assisted Individuals		
LIHEAP		279	779		
MISC.	Gift Certificate	1	1		
	Goodwill	2	7		
	Mr Goodfellow	2	9		
RECD/Buena Vista Co.		1	2		
ROMA		163	457		
		1	1		
Sara Lee		2	2		
Senior Programs	Chore Service	6	8		
	Home Repair	1	1		
Tyson		5	5		
Voucher Programs	County Voucher	1	7		
	RTF	1	1		
Weatherization-DOE		250	731		
	Totals	2,994	8,992		
	Total Cost of Services		\$379,103.78		



609 Cayuga Street
Storm Lake, IA 50588

ORIGINAL

December 6, 2013

Dear City of Storm Lake officials,

Please accept our application for grant funding for Fiscal Year 2014-15 in the amount of \$16,000.

The following proposal outlines Witter Gallery's desire to continue to foster and engage a community of creative people – artists and their supporters. The development of such a community will build relationships between disparate people, allowing them to share common experiences through art and culture. While a creative community will have positive effects on Witter Gallery, we believe this project will result in a vibrant and rich quality of life in Storm Lake.

Support from the City of Storm Lake for this project is crucial. Grant funding will allow Witter Gallery to continue operation and dedicate specific funds and efforts towards fostering this creative community.

We look forward to taking action on this project and continuing our partnership with the City of Storm Lake.

Sincerely,

Ron Stevenson
Director, Witter Gallery



DUE DATE:
December 6th,
2013

Application for City of Storm Lake Grant Funding

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

Please complete entire application, answering questions in the provided space with appropriate and concise answers.

Name of Organization: Witter Gallery

Mailing Address: 609 Cayuga St. Storm Lake, IA 50588

Contact Person: Ron Stevenson Title: Director

(Available During the Day)

Phone Number: 732-3400 Tax/Corporate Status of Organization: Non-profit Tax Exempt

E-Mail Address: wittergallery@yahoo.com Tax ID#: 42-1165174

Amount Requested FY 14/15: \$ 16,000

What are funds being requested for? Operation of gallery & a focused program to foster a creative community of artists and support

Previous Funding from the City of Storm Lake	FY 10/11	FY 11/12	FY 12/13	FY 13/14
Requested Funding	\$16,000.00	\$16,000.00	\$16,000.00	\$16,000.00
Allocated Funding	\$13,000.00	\$13,000.00	\$13,000.00	\$13,000.00

Describe the problem your project/program is attempting to prevent/solve or the issue(s) your project will address.

For 40 years, Witter Gallery has supported the appreciation and creation of fine arts in Storm Lake through exhibits, programs, and classes. The gallery wants to focus more efforts on building relationships between local artists and community members. Fostering a stronger relationship between artists and supporters will not only rejuvenate the gallery, it will help cultivate a healthy community –

An increase in funding from the city of Storm Lake will allow the gallery to offer a more diverse collection of programs and projects which will ultimately lead to a more creative and energized community.

Identify the desired results by describing what your project is expected to achieve in the short and long term. Indicate how you will know if you have been successful.

The desired short-term result of this project is the development of a community of creative people (defined as those who partake in creative activities, including those who may not identify as an "artist") who come together to inspire, support, and invest in each other. Successfully meeting this short-term goal will require identifying the creative people and developing events/meet-ups.

Desired long-term results will have a positive effect on Witter Gallery: an increase in memberships and an increase in visitors to the gallery and its events. More important, the long-term goal of building a community around arts and culture will bring together people of different backgrounds to share common experiences and who — together — can help revitalize our city and foster a rich quality of life.

Identify stakeholders in your community who are necessary for the success of your project and how you plan to engage them (or have already engaged them) in your proposed program/project work.

Building the creative community requires the main stakeholders in the project to be artists; however, since "artist" is not always a friendly label perhaps a better description of these stakeholders is anyone who is a creator, designer or originator of new, imaginative work in any media. Additional stakeholders are supporters – those who invest in (monetarily or otherwise) artists/creative people – including current members of Witter Gallery.

Some of these stakeholders are already engaged in the gallery through their membership or their exhibition of artwork. The challenge of this project will be identifying and inviting those stakeholders who do not already have a direct affiliation with the gallery. To engage those new stakeholders, the gallery will need to develop compelling, valuable, energized events which will bring all stakeholders together to facilitate the development of relationships which will aid in the building of a community. In preparing these events, additional stakeholders will likely surface – businesses, contractors and supporters – extending this creative community even further.

How many people does this project/program serve? (Describe how this number was determined.)

During the 2012-13 fiscal year, Witter Gallery welcomed nearly 8,000 visits to monthly exhibits, receptions and events including the annual Wassail Party and Halloween event; a number tracked via a register sheet at the entry of the gallery. Seventy-four children participated in nine youth art classes during the year. The gallery hosted two adult art classes during the fiscal year; eight adults participated in the classes.

Witter Gallery hosts "Art in the Park" during the Star Spangled Spectacular event and the 2013 event welcomed 313 participants. Additionally, the gallery plans and facilitates the cardboard boat race at the July 4 event. This year the event included 11 boats with a total of 27 participants (and many spectators!).

The number of people Witter Gallery has the potential to serve through its creative community project is indefinite. Activities such as new education programs for kids and adults, exhibits of high-quality work by regional artists, enhanced receptions with live music by local bands and evening events for young professionals can attract and sustain a new, refreshed audience.

If you received funding from the City during the previous year, please provide an explanation and documentation on how the funds were used. Were your goals/objectives met? If the goals/objectives were not met please explain why?

Witter Gallery received \$13,000 in funding from the City of Storm Lake for the previous year, fiscal year ending June 2013. That money was used for general operation of the gallery including: director salary and payroll tax, insurance, exhibit expenses, postage, printing, class supplies, telephone and general office supplies.

The gallery's long-standing goal to maintain the offering of art classes to children was met. We hosted monthly art workshops for children and their parents. Additionally, the gallery offered a watercolor class taught by the exhibiting artist. The gallery's objective to expand art classes to include workshops for adults and teens is a continuing project and one that will be a goal for the remainder of the current fiscal year and fiscal year 2014-15.

What other ways does your organization raise funds for the operation and/or program/project you are requesting City funds for?

Witter Gallery raises funds for general operation through memberships paid by area residents. Members are solicited twice each year: at the time of their yearly renewal and again during an appeal to increase the gallery's annual fund. The gallery also depends on sponsorships from local businesses to fund exhibitions. A small amount of revenue comes from art classes, sales of artwork/gift gallery, and facility rental. Events and fundraising are also a source of income which the gallery budgets for each year. Annual events include the Wassail Party (Christmas-time event), Taste of Storm Lake, member appreciation event in the spring and a Halloween event co-hosted with the public library. The gallery board continues to search for appropriate grants to fund special projects such as the continued effort to display the collection of World War posters and the artwork of Ella Witter and Dorothy Skewis and enhanced art classes.

Organizational Budget

(This budget should show all the expected revenues and expenditures for your **ORGANIZATION**.)

☐ Calendar Year (Jan.-Dec.)

☐ Fiscal Year (July-June)

☐ Federal Fiscal Year (Oct.-Sept.)

	Revenues	Previous Year	Current Year	FY 2015
1	Fees	\$8,500.00	\$8,500.00	\$9,000.00
2	Federal Funding			
3	State Funding			
4	Buena Vista County Funding			
5	City of Storm Lake Funding	\$13,000.00	\$13,000.00	\$16,000.00
6	Other Governmental Funding (list below)	XXXXXX	XXXXXX	XXXXXX
	Grants	\$500.00	\$500.00	\$1,000.00
7	Fundraising	\$6,000.00	\$6,000.00	\$6,200.00
8	Donations	\$100.00	\$175.00	\$100.00
9	Other Funds (list below)	XXXXXX	XXXXXX	XXXXXX
	Art class fees/sponsors	\$1,000.00	\$1,000.00	\$1,300.00
	Art sales	\$1,000.00	\$1,000.00	\$1,200.00
	Gallery rental	\$200.00	\$200.00	\$200.00
10	Total Revenue	\$30,300.00	\$30,375.00	\$35,000.00
	Expenses			
11	Salaries, Wages, Benefits	\$15,000.00	\$15,000.00	\$15,000.00
12	Contractual Costs	\$800.00	\$1,000.00	\$1,000.00
13	Facilities Costs (Utilities/Rent)	\$650.00	\$700.00	\$700.00
14	Materials/Supplies	\$3,350.00	\$3,350.00	\$6,700.00
15	Other Expenses (list below)	XXXXXX	XXXXXX	XXXXXX
	Payroll taxes	\$6,000.00	\$5,500.00	\$5,500.00
	Fundraising/Projects/Programs	\$2,000.00	\$2,225.00	\$3,500.00
	Insurance	\$2,500.00	\$2,600.00	\$2,600.00
16	Total Expenses	\$30,300.00	\$30,375.00	\$35,000.00
17	Net Gain (Loss)	\$0.00	\$0.00	\$0.00

Organizational Budget Explanations: (if necessary, use this space to clarify any of the budget information provided)

Line item in revenues titled Fees is the gallery's memberships and exhibit/event sponsors (businesses).

Expenses line item titled Contractual Costs refers to art sales (payment to artists for works sold). Facilities Costs refers to the gallery's minor repairs and telephone/computer expenses. Materials/Supplies includes the gallery's expenses for art classes, general supplies, exhibit expenses, freight/postage, and advertising.

Explanation of proposed budget for fiscal year ending June 2014: As proven in the above budgets, Witter Gallery relies on City of Storm Lake grant funding to operate. The gallery also relies heavily on support from members and local businesses to live the mission of being a center for the creation and appreciation of art. However, in order to be a more sustainable organization, the gallery needs to focus funds and efforts on fostering a creative community. City grant funding of \$16,000 will allow the gallery to continue operation with a municipal subsidy budget line of \$13,000 and dedicate the remaining \$3,000 to the project of developing a creative community through art classes and events for those who support the arts.

Required submittals:

- A. Organizations may submit additional documents supporting their request; however, these supporting documents should be kept to a minimum and should not repeat information provided in the application.
- B. Projects/programs that are funded will be required to submit a year end report to show how the money was used and if results were achieved. (This will be sent toward the end of the budget year.)

Program Budget

(This budget should show all the expected revenues and expenditures for **PROGRAM/PROJECT** you are requesting funding for.)

☐ Calendar Year (Jan.-Dec.)

☐ Fiscal Year (July-June)

☐ Federal Fiscal Year (Oct.-Sept.)

	Program/Project Revenues	Previous Year	Current Year	FY 2015
1	Program/Project Fees	\$750.00	\$750.00	\$1,300.00
2	Federal Funding			
3	State Funding			
4	Buena Vista County Funding	\$500.00		
5	City of Storm Lake Funding	\$13,000.00	\$13,000.00	\$16,000.00
6	Other Organization Support (list below)	XXXXXX	XXXXXX	XXXXXX
	Grants		\$500.00	\$1,000.00
7	Fundraising	\$6,000.00	\$6,000.00	\$6,000.00
8	Donations	\$400.00		
9	Other Funding Sources (list below)	XXXXXX	XXXXXX	XXXXXX
	Class sponsorships		\$250.00	
10	Total Revenue	\$23,650.00	\$20,500.00	\$24,300.00
	Program/Project Expenses			
11	Salaries, Wages, Benefits(include person/position)	\$20,000.00	\$15,000.00	\$15,000.00
12	Contractual Costs	\$1,000.00	\$1,000.00	\$2,500.00
13	Facilities Costs (Utilities/Rent)			\$1,000.00
14	Travel Expenses	\$1,000.00		
15	Supplies/Materials	\$1,500.00	\$3,600.00	\$4,600.00
16	Advertising	\$1,200.00	\$900.00	\$1,200.00
17	Equipment	\$500.00		
18	Other Expenses (list below)	XXXXXX	XXXXXX	XXXXXX
19	Total Expenses	\$25,200.00	\$20,500.00	\$24,300.00
20	Net Gain (Loss)	\$-1,550.00	\$0.00	\$0.00

Program/Project Budget Explanations: (if necessary, use this space to clarify any of the budget information provided)

As stated in the explanation of the organization budget on the previous page, a \$3,000 boost in City of Storm Lake funding will help Witter Gallery focus specific resources on developing additional art classes for both kids and adults and start a tradition of events and activities specifically designed for (but not limited to) young professionals. The above PROGRAM budget shows how the requested \$3,000 additional funds from the city would be combined with supplemental dollars to support new efforts to support a creative community in Storm Lake and continue to offer children's classes in FY 2015.

The PROGRAM budget shows revenues and expenses directly related to classes/workshops and extra programming. It does not reflect expenses and sponsorships for exhibitions, membership fees, or artwork sales.

CERTIFICATION:

- ☒ The undersigned is prepared to execute a 28E agreement with the City of Storm Lake.
- ☒ The undersigned will provide the City of Storm Lake full access to financial records and audits upon request.
- ☒ The undersigned will not discriminate on the basis of race, religion, age, sex, or natural origin.
- ☒ The undersigned understands that payments on approval requests will be made only after receipt of a written request along with any required documentation and at a time that is in the best interest of the City of Storm Lake for purposes of cash flows.

WITTER Gallery
Applicant Organization

Ron Steverson
Applicant Representative

Dec 6 2013
Date

Completed Applications are due by 5:00PM Friday, December 6, 2013. Any applications received after this date will not be accepted. The City of Storm Lake will hold a Question & Answer session on the grant application requests on December 16th, 2013 at 5:00PM in the Storm Lake Council Chambers located at 620 Erie Street, Storm Lake, Iowa. At that time applicants will be given three (3) minutes to explain their program and/or proposal to the City Council. At this time the Council may ask questions of the applicant. Determination of the level of funding will be made at the budget workshop in February 2014; the specific date will be announced at a later time and all applicants will be notified at that time.

Any funding approved through this process will be available after July 1, 2014 and all funds granted under this program must be requested prior to June 15, 2015.

Staff Summary

12/16/2013

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: Doug Rainforth, Water Resource Manager

SUBJECT: **Resolution No. 47-R-2013-2014 Approving Contract & Bond - Contract 6, WWTP Improvements**

BACKGROUND: As the final contract of six, Contract O will tie together Contracts 1 through 5 and satisfy our commitments to FEMA and Iowa Department of Natural Resources. This contract is separate from the first five in that it is solely financed by the City of Storm Lake while the first five were predominately funded by FEMA and the State of Iowa.

The final contract objectives consisted of ultra-violet disinfection, sludge holding tank improvements, sludge de-watering building improvements, rotary sludge press, bio-solids building, storage building and final clarifier diversion line.

This action would approve the contract and bond of the low bidder Magney Construction of Chanhassen, MN.

FISCAL IMPACT: The bid total of \$2,565,500 is the total Fiscal Impact of this contract. After a full accounting of projects 1 through 5 to date, a balance of \$2,378,025.49 remains from the funding provided by the Sewer Revenue Bond. The \$187,474.51 shortage will be drawn from existing Wastewater Fund Reserves.

There is no additional Fiscal Impact for approving this contract and bond.

RECOMMENDATION: As the contract arrived here late in the week and our City Attorney has had no opportunity for review, we recommend that Council approve Resolution No. 47-R-2013-2014, pending City Attorney's review and approval.

ATTACHMENTS:

Description	Type
 Contract	Contract
 Resolution No. 47-R-2013-2014	Resolution

AGREEMENT

THIS AGREEMENT is by and between the **CITY OF STORM LAKE, IOWA**, hereinafter called **OWNER**, and Magney Construction, Inc., hereinafter called **CONTRACTOR**.

OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1 - WORK

1.01 CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

Construct Contract 6 - Wastewater Treatment Plant Improvements including all materials, labor and equipment necessary for the construction of the Lime Building Improvements, Sludge Holding Tank Improvements, Sludge Dewatering Building Improvements, UV Structure Improvements, Control Building Improvements, Biosolids Building Improvements, and Storage Building Improvements, and miscellaneous associated work, including cleanup.

ARTICLE 2 - THE PROJECT

2.01 The Project for which the work under the Contract Documents may be the whole or only a part is generally described as follows:

Contract 6 - Wastewater Treatment Plant Improvements

ARTICLE 3 - ENGINEER

3.01 The Project has been designed by Veenstra & Kimm, Inc. who is hereinafter called ENGINEER and who is to act as OWNER'S representative, assume all duties and responsibilities, and have the rights and authority assigned to ENGINEER in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

ARTICLE 4 - CONTRACT TIMES

4.01 Time of the Essence

A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

4.02 Days to Achieve Substantial Completion and Final Payment

- A. Contract 6 - Wastewater Treatment Plant Improvements will be substantially completed within three hundred sixty-five (365) consecutive calendar days after the date when the Contract Times commence to run as provided in paragraph 2.03 of the General Conditions, and completed and ready for final payment in accordance with paragraph 14.07 of the General Conditions within three hundred ninety-five (395) consecutive calendar days after the date when the Contract Times commence to run.

4.03 Liquidated Damages

- A. CONTRACTOR and OWNER recognize that time is of the essence of this Agreement and that OWNER will suffer financial loss if the Work is not completed within the times specified in paragraph 4.02 above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by OWNER if the Work is not completed on time. Accordingly, instead of requiring any such proof, OWNER and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty), CONTRACTOR shall pay OWNER Five Hundred Dollars (\$500) for each day that expires after the time specified in paragraph 4.02 for Substantial Completion until the Work is substantially complete. After Substantial Completion, if CONTRACTOR shall neglect, refuse, or fail to complete the remaining Work within the Contract Time or any proper extension thereof granted by OWNER, CONTRACTOR shall pay OWNER Five Hundred Dollars (\$500) for each day that expires after the time specified in paragraph 4.02 for completion and readiness for final payment until the Work is completed and ready for final payment.

ARTICLE 5 - CONTRACT PRICE

- 5.01 OWNER shall pay CONTRACTOR for completion of the Work in accordance with the Contract Documents an amount in current funds equal to the sum of the amounts based on the base bid amount plus Bid Item f Storage Building and Bid Item h Diversion Structure determined pursuant to paragraphs 5.01.A below:

- A. For all Work other than Unit Price Work, a Lump Sum of:
Two Million Five Hundred Sixty Five Thousand Five Hundred Dollars
(\$2,565,500).

All specific cash allowances are included in the above price and have been computed in accordance with paragraph 11.02 of the General Conditions.

ARTICLE 6 - PAYMENT PROCEDURES

6.01 Submittal and Processing of Payments

- A. CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by ENGINEER as provided in the General Conditions.

6.02 Progress Payments; Retainage

- A. OWNER shall make progress payments on account of the Contract Price on the basis of CONTRACTOR's Applications for Payment each month during performance of the Work as provided in paragraphs 6.02.A.1 and 6.02.A.2 below. All such payments will be measured by the schedule of values established in paragraph 2.07.A of the General Conditions:
 - 1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below, but in each case, less the aggregate of payments previously made and less such amounts as ENGINEER may determine or OWNER may withhold, in accordance with paragraph 14.02 of the General Conditions:
 - a. Ninety-five percent (95%) of Work completed (with the balance being retainage).
 - b. Ninety-five percent (95%) of cost of materials and equipment not incorporated in the Work (with the balance being retainage).
 - 2. Upon Substantial Completion, OWNER shall pay an amount sufficient to increase total payments to CONTRACTOR to ninety-five percent (95%) of the Work completed, less such amounts as ENGINEER shall determine, or OWNER may withhold in accordance with paragraph 14.02.B.5 of the General Conditions. Payment of the retainage shall also be in accordance with the Code of Iowa.

6.03 Final Payment

- A. Within thirty (30) days of final completion and acceptance of the Work in accordance with paragraph 14.07 of the General Conditions, OWNER shall pay the remainder of the Contract Price as recommended by ENGINEER as provided in said paragraph 14.07.

ARTICLE 7 - INTEREST

- 7.01 All monies not paid when due as provided in Article 14 of the General Conditions shall bear interest at the maximum rate allowed by law at the place of the Project.

ARTICLE 8 - CONTRACTOR'S REPRESENTATIONS

8.01 In order to induce OWNER to enter into this Agreement CONTRACTOR makes the following representations:

- A. CONTRACTOR has examined and carefully studied the Contract Documents and the other related data identified in the Bidding Documents.
- B. CONTRACTOR has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress and performance of the Work.
- C. CONTRACTOR is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. CONTRACTOR has carefully studied all reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in the Supplementary Conditions as provided in paragraph 4.02 of the General Conditions.
- E. CONTRACTOR has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by CONTRACTOR, including applying the specific means, methods, techniques, sequences, and procedures of construction, if any, expressly required by the Contract Documents to be employed by CONTRACTOR, and safety precautions and programs incident thereto.
- F. CONTRACTOR does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.
- G. CONTRACTOR is aware of the general nature of work to be performed by OWNER and others at the Site that relates to the Work as indicated in the Contract Documents.

- H. CONTRACTOR has correlated the information known to CONTRACTOR, information and observations obtained from visits to the Site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.
- I. CONTRACTOR has given ENGINEER written notice of all conflicts, errors ambiguities, or discrepancies that CONTRACTOR has discovered in the Contract Documents, and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR.
- J. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of Work.

ARTICLE 9 - CONTRACT DOCUMENTS

9.01 Contents

- A. The Contract Documents consist of the following:
 - 1. This Agreement (pages 1 to 8, inclusive);
 - 2. Performance Bond (pages 1 to 2, inclusive);
 - 3. Payment Bond (pages 1 to 2 , inclusive);
 - 4. Maintenance Bond (pages 1 to 3, inclusive);
 - 5. General Conditions (pages 1 to 42, inclusive);
 - 6. Supplementary Conditions (pages 1 to 7, inclusive);
 - 7. Specifications as listed in the table of contents of the Project Manual;
 - 8. Drawings consisting of a cover sheet and sheets numbered 01-G-1 through 99-E-11, inclusive, with each sheet bearing the following general title:
Contract 6 Wastewater Treatment Plan Improvements;
 - 9. Addenda (numbers 1, inclusive);
 - 10. Exhibits to this Agreement (enumerated as follows):
 - a. CONTRACTOR's Bid (pages 1 to 9, inclusive);

11. The following which may delivered or issued on or after the Effective Date of the Agreement and are not attached hereto:
 - a. Written Amendments;
 - b. Work Change Directives;
 - c. Change Order(s).
- B. The documents listed in paragraph 9.01.A are attached to this Agreement (except as expressly noted otherwise above).
- C. There are no Contract Documents other than those listed above in this Article 9.
- D. The Contract Documents may only be amended, modified, or supplemented as provided in paragraph 3.05 of the General Conditions.

ARTICLE 10 - MISCELLANEOUS

10.01 Terms

- A. Terms used in this Agreement will have the meanings indicated in the General Conditions.

10.02 Assignment of Contract

- A. No assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, monies that may become due and monies that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

10.03 Successors and Assigns

- A. OWNER and CONTRACTOR each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

10.04 Severability

- A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon OWNER and CONTRACTOR, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement in duplicate. One counterpart each has been delivered to OWNER and CONTRACTOR. All portions of the Contract Documents have been signed or identified by OWNER and CONTRACTOR or on their behalf.

This Agreement will be effective on _____, 20____, which is the Effective Date of this Agreement.

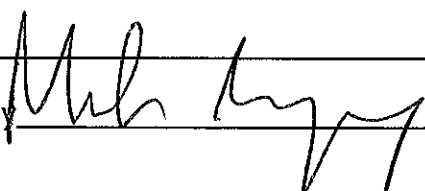
OWNER:

CONTRACTOR:

CITY OF STORM LAKE, IOWA

MAGNEY CONSTRUCTION, INC.

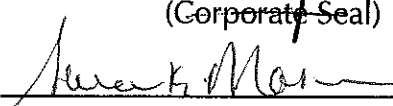
By _____
Mayor

By  _____

(Corporate Seal)

(Corporate Seal)

Attest: _____
City Clerk

Attest:  _____

Address for giving notices:

City of Storm Lake, Iowa

620 Erie Street

Storm Lake, Iowa 50588

(If OWNER is a public body, attach
evidence of authority to sign and
resolution or other documents
authorizing execution of Agreement.)

Designated Representative:

Name: _____

Title: _____

Address: _____

Phone: _____

Facsimile: _____

Address for giving notices:

1401 Park Road

Chanhassen, MN 55317

Agent for service of process:

(If CONTRACTOR is a corporation, attach
evidence of authority to sign.)

Designated Representative:

Name: _____

Title: _____

Address: _____

Phone: _____

Facsimile: _____

RESOLUTION NO. 47-R-2013-2014

RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND

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

That the construction contract and bond executed and insurance coverage for the construction of certain public improvements described in general as Sanitary Sewer System Mitigation Project, Contract 4 – Lift Stations and as described in detail in the plans and specifications heretofore approved, and which have been signed by the City Manager and Clerk on behalf of the City be and the same are hereby approved as follows:

Contractor:	Magney Construction, Inc., Chanhassen, MN
Date of Contract:	December 6, 2013
Bond Surety:	Fidelity and Deposit Company of Maryland
Date of Bond:	December 6, 2013
Portion of Project:	All

PASSED AND APPROVED this 16th day of December, 2013.

Jon F. Kruse, Mayor

ATTEST:

Justin Yarosevich, City Clerk

Staff Summary

12/16/2013

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: Justin Yarosevich, Assistant City Manager / City Clerk

SUBJECT: **Motion Approving Hiring Lundell Construction To Demolish Silo**

BACKGROUND: A couple of years back the City purchased a farm just east of the City's Wastewater Treatment plant. There were existing buildings located on the property including a tall silo that are not needed by the City.

Originally city staff had considered auctioning off the demolition of the silo hoping that someone would want to salvage the metal and other materials and would pay for that privilege. However, staff feels that the demolition of the silo contains more than normal risk of injury and as such would recommend that the City obtain insurance from anyone doing the demo. This requirement most likely would make salvage prohibitive financially.

Staff feels the best alternative is to pay an insured and experienced contractor to demo and remove the materials of the silo. Staff asked two companies for quotes to do the work and received the following quotes:

Gridor Construction - \$8,000 (this proposal would bury the foundation in place)

Lundell Construction - \$3,450 (includes full demolition and removal)

Lundell Construction would anticipate that they could demo the silo within the next 2-4 weeks pending weather.

City staff believes that leaving the silo in place poses a potential danger, provides no benefit to the City and is in the way of any future use of the land by the City.

FISCAL IMPACT: Cost of the demolition will be \$3,450.00. This item is **NOT** budgeted and so funds would have to come out of reserve funds in the General Fund.

This item will require a budget amendment later in the fiscal year.

RECOMMENDATION: Approve Motion

ATTACHMENTS:

Description		Type
	Lundell Silo Bid	Estimate
	Gridor Silo Bid	Estimate

Proposal

Lundell Construction Co., Inc.
1420 East Richland Drive
Storm Lake, IA 50588
Phone - 712-732-4059
Fax - 712-732-2839

Submitted To

City of Storm Lake
%Justin Yarosevich
620 Erie Street
Storm Lake, IA 50588

Date

12/06/2013

RE: Silo Removal

We hereby submit cost estimates for the following scope of work:

- Demolish existing concrete silo located at 1220 - 630th Street.
- Haul all debris away from site.
- Remove existing foundation and backfill excavated area.

Total bid - \$3,450.00

Justin Yarosevich

From: Doug Rainforth
Sent: Thursday, December 12, 2013 3:49 PM
To: Justin Yarosevich
Subject: FW: Silo demolition - Storm Lake, IA

From: Gregg Schreiner [<mailto:GreggS@gridor.com>]
Sent: Thursday, December 12, 2013 2:08 PM
To: Doug Rainforth
Subject: Silo demolition - Storm Lake, IA

Doug:

Per your request Gridor offers the following for your consideration –

- Demo concrete stave block silo on City property west of WTP site.
- Remove block/ steel bands/ metal roof from site
- Backfill foundation slab in place
- Does not include removal/ disposal of contents, if any in the silo.

For the lump sum price of \$8,000.00. Proposal valid for 30 days.

Please issue PO if you wish to proceed with this work.

Thanks!

Gregg Schreiner
Vice President
greggs@gridor.com

Gridor Constr., Inc.
3990 27th Street S.E.
Buffalo, MN 55313

763/ 746-9075
Cell 612/ 616-9506
Fax 763/ 559-3736

Staff Summary

12/16/2013

Agenda Item # 7.



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

REPORT TO: Honorable Mayor and City Council

FROM: James H. Patrick, City Manager

SUBJECT: **Resolution No. 48-R-2013-2014 Accepting The Prichard Property Donation Exclusively To Extend Sunset Park**

BACKGROUND: The Prichard family has graciously offered to give the City a vacant housing lot at the south east end of College Ave. This will extend Sunset Park to College Ave. This will allow the City lake trail to be extended to Circle Park. In return the Prichard family has asked for a plaque that will publicly acknowledge the gift be placed in the Park. There will be a restriction that should the City wish to sell the property or stop using it as a park, it would revert back to the Prichard Estate. The transfer documents are being prepared and the goal is to complete this transaction before the end of the calendar year.

FISCAL IMPACT: The only expenses will be the closing costs and title review along with the cost of the monument plaque.

RECOMMENDATION: Council approve Resolution No. 48-R-2013-2014 accepting the Prichard Property contingent on the City Attorney's approval of the deed of conveyance and the City Attorney's determination from an examination of the continued abstract of title that the grantor or grantors executing the deed have merchantable title to the Real Estate, and until the City Attorney has approved the deed.

ATTACHMENTS:

Description	Type
 Resolution No. 48-R-2013-2014	Resolution

RESOLUTION NO. 48-R-2013-2014

RESOLUTION ACCEPTING GIFT OF REAL ESTATE FROM THE PRICHARD FAMILY FOR PUBLIC PARK PURPOSES AND SUBJECT TO A REVERSIONARY INTEREST

WHEREAS, real property described as:

Lot 6, Block 91, College Addition to City of Storm Lake with easement for water
and sewer line across Lot 5, Block 91, in College Addition

(the “Real Estate”) is owned by one or more of the following: The Estate of James M. Prichard, Eloise Y. Prichard, James Y. Prichard, Thomas W. Prichard, and Jane E. Prichard (collectively, the “Prichard Family”);

WHEREAS, the Prichard Family proposes to make a gift of the Real Estate to the City of Storm Lake by delivering to the City a deed of conveyance, executed by the owner or owners of the Real Estate, conveying the Real Estate to the City for use as a public park and subject to a reversionary interest retained by the grantor or grantors under the deed, such that, should the Real Estate cease to be used as a public park, title to the Real Estate would revert to the grantor or grantors, or to the heirs and assigns of such grantor or grantors.

WHEREAS, the City Council of the City of Storm Lake, Iowa wishes to accept such gift on behalf of the City on the terms proposed by the Prichard Family set forth above and is willing to dedicate the Real Estate to public park purposes;

WHEREAS, the deed for the conveyance of the Real Estate to the City of Storm Lake, Iowa, has not yet been prepared and, therefore, not yet reviewed by the City Attorney, and the abstract has not yet been continued and examined by the City Attorney;

WHEREAS, the Prichard Family desires that the gift to the City be completed in calendar year 2013.

NOW, THEREFORE, BE IT HEREBY RESOLVED that, subject to the City Attorney's approval of the deed of conveyance and the City Attorney's determination from an examination of the continued abstract of title that the grantor or grantors executing the deed have merchantable title to the Real Estate, the City of Storm Lake, Iowa does hereby accept the deed for the conveyance of the Real Estate to the City of Storm Lake for use as a public park, which conveyance will be subject to a reversionary interest retained by the grantor or grantors of the Real Estate such that, should the Real Estate cease to be used as a public park, title to the Real Estate would revert to such grantor or grantors or to the heirs and assigns of the grantor or grantors.

IT IS FURTHER RESOLVED that the City staff shall not accept delivery of the deed of conveyance and shall not record the deed in the office of the Buena Vista County Recorder unless and until the City Attorney has approved the deed and determined that the grantor or grantors of the deed have merchantable title to the Real Estate.

IT IS FURTHER RESOLVED that, when delivery of the deed is accepted by the City, the City staff shall arrange for a plaque to be permanently displayed on the Real Estate acknowledging that the Real Estate is a gift from "the James Prichard Family."

Passed and approved this 16th day of December, 2013.

Jon F. Kruse, Mayor

Attest:

Justin Yarosevich, City Clerk

Staff Summary

12/16/2013

Agenda Item # 8.



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

REPORT TO: Honorable Mayor and City Council

FROM: Justin Yarosevich, Assistant City Manager / City Clerk

SUBJECT: **Potential Changes To Solicitor License Ordinance**

BACKGROUND: City staff has fielded a number of questions from potential vendors regarding the length of the permits that are issued under the Solicitor, Peddler, and Transient Merchant Ordinance. Currently the City issues permits for one (1) day or one (1) week. Some solicitors have indicated that they would prefer longer licenses such as monthly licenses and potentially longer licenses as they only operate for a couple of days a week but desire to operate for several months.

Originally this ordinance was set up for a couple of reasons, as follows:

1. To provide some protection to residents from transient merchants that would come in and sell and then leave.
2. To provide a level playing field with local businesses that purchase and/or rent buildings and pay taxes within the community.

Item > above really is the background that deals with the length that an ordinance is issued. The primary assumption made is that a longer timeframe on a permit would provide for cheaper permit fees and save time to the vendor in having to get the permit each time or each week.

Staff believes that there may be some latitude to the discussion and that the City could look at implementing a permit for a longer period of time than one week but that the City should be careful to protect the existing and established local businesses that invest in the community through their property taxes. That said a one month license might be something to consider, but anything longer would be, in staff's opinion, extensive and not recommended.

The shorter time periods of the license also provide for a "renewal" process in which if there are problems the City could deny the issuance of a new license. While the code does allow for the

revocation of a license that process could be extensive.

Staff is bringing this topic forth for discussion with the Council in the Study Session format. Following the discussion staff will work with the City Attorney to write up proposed changes to Ordinance 5-3 of the City Code and bring forth those recommended changes for Council approval at a future Council Meeting.

FISCAL IMPACT:

There is no fiscal impact to the current discussion of this topic.

RECOMMENDATION:

Discussion on the term of licenses issued by the City for solicitors and transient merchants.

Staff Summary

12/16/2013

Agenda Item # 9.



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

REPORT TO: Honorable Mayor and City Council

FROM: Justin Yarosevich, Assistant City Manager / City Clerk

SUBJECT: **Motion To Go Into Closed Session Reference Iowa Code Chapter 21.5 (j) To Discuss The Purchase Of Property**

BACKGROUND: The Iowa Code provides for discussion of a handfull of topics, including the purchase of land, under a closed session, not open to the public, in cases where the discussion could be expected to increase the price the governmental body would have to pay for the property.

No decisions may be made in a Closed Session and so Council would be required to come back into open session to make any final decision. In the event it is anticipated that the Council would need action a seperate agenda item would follow this item for that specific purpose.

FISCAL IMPACT: No fiscal impact is anticipated for the closed session item.

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

Council will be required to go back into open session with a roll call vote upon the end of the closed session.

Staff Summary

12/16/2013

Agenda Item # 10.



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

REPORT TO: Honorable Mayor and City Council

FROM: Justin Yarosevich, Assistant City Manager / City Clerk

SUBJECT: **Closed Session Reference Iowa Code Chapter 21.5 (i) City Manager Evaluation**

BACKGROUND: Iowa Code allows the Council to go into closed or executive session reference a limited number of specific items. One of these items is for the purpose of evaluating staff that is appointed, hired, and/or discharged by the Council. This session is only allowed to be closed when the individual who is being evaluated formally requests that the session is closed.

City Manager, James Patrick, has formally requested that his annual evaluation be done in closed session (see the attached request).

The Mayor and City Council may discuss Mr. Patrick's performance during the closed session; however, any decisions that the Mayor and Council wish to decide regarding Mr. Patrick will have to be made in open session.

FISCAL IMPACT: There is no fiscal impact to this agenda item.

RECOMMENDATION: Move to go into Closed Session Reference Iowa Code Chapter 21.5 (i) for the Purpose of Evaluating the City Manager.

The Council must vote to go into Closed Session via a roll call vote.

At the end of the Closed Session the Council must vote to go back to open session via a roll call vote.

ATTACHMENTS:

Description	Type
 Patrick Request For Closed Session 2013	Letter

Date: December 6, 2013

To: Mayor Jon F. Kruse & City Council Members
Cc: Justin Yarosevich, City Clerk
From: James Patrick

Re: Annual Evaluation

Please accept this as my formal request to have the Council enter into Closed Session reference Iowa Code Section 21.5F for the purpose of reviewing my performance and conducting my annual evaluation.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'James H. Patrick', with a large, stylized loop at the end.

James H. Patrick
City Manager

Staff Summary

12/16/2013

Agenda Item # 11.



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

REPORT TO: Honorable Mayor and City Council

FROM: Justin Yarosevich, Assistant City Manager / City Clerk

SUBJECT: **Motion Authorizing Renewal Of City Manager Contract & Pay Changes**

BACKGROUND: It is traditional that following the evaluation of the City Manager the Mayor and City Council consider any compensation changes that they desire to make for the upcoming year.

Decisions regarding the wages and other compensation for the City Manager must be made in open session. This agenda item will provide for Council to make any changes to the contract and compensation package that they desire at this time.

As a brief history of James H. Patrick's times with the City of Storm Lake staff is providing the following information:

James H. Patrick was hired by the City and he started work on January 1, 2010.

The following chart shows his history of compensation:

Effective Date	Salary	Retirement Benefit	Health Insurance Reimbursement	Total Compensation
January 1, 2010	103,000.00	7,000.00	4,688.28	\$114,688.28
January 20, 2011	104,200.00	7,300.00	4,014.36	\$115,514.36
January 1, 2012	105,200.00	8,300.00	4,014.36	\$117,514.36
January 1, 2013	106,400.00	9,500.00	4,014.36	\$119,914.36

Mr. Patrick has elected in the past to have the City reimburse him for the cost of his medical insurance which is at a lower cost than the annual premiums of the City's policy. Because of this the cost for the reimbursement is shown here separately.

FISCAL IMPACT: The fiscal impact of this item will depend on the changes made by the City Council.

RECOMMENDATION: Depending on the Council's desires make a motion to amend the contract and compensation for the City Manager.