

**CITY OF STORM LAKE
REGULAR COUNCIL SESSION MEETING,
CITY HALL
COUNCIL CHAMBERS
SEPTEMBER 3, 2024
5:00 PM**



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

AGENDA

Access to the official meeting can also be done through the following ways:

BY TELEPHONE:

Dial: 1-312-626-6799 or toll-free: 1-888-475-4499

Zoom Meeting ID: 933-2006-3301

BY COMPUTER:

<https://zoom.us/j/93320063301>

Open the Meeting

- **Call to Order**
- **Pledge of Allegiance**
- **Proclamation**

- A. **Consideration of Changes in Agenda and Setting the Agenda**
- B. **Disclosure by City Council Members**
- C. **Hear the Public**
- D. **Consent Agenda**
 - 1. [Consent Agenda](#)
 - 2. [Motion to Approve the FY2025 the Storm Lake United Grant Agreement](#)
 - 3. [Motion to Approve Storm Lake High School Noise Variance Request](#)
 - 4. [Buy Local Information](#)
 - 5. [SLPD City Code Enforcement Summary](#)
- E. **Unfinished Business**
- F. **New Business**
 - 1. [Motion To Approve Storm Lake Rotary Turkey Fillet Fundraiser Request](#)
 - 2. [Resolution No. 21-R-2024-2025 To Approve SLU Street Closure And Noise Variance Request.](#)
 - 3. [Motion Setting Public Hearing On Fiscal Year 2024-2025 Budget Amendment](#)
 - 4. [Resolution No. 22-R-2024-2025 Approving of Construction Contract and Bond for the Construction of the Scout Park and Ice House Lift Station Project](#)
 - 5. [Resolution No. 23-R-2024-2025 Approving of Construction Contract and Bond for the](#)

Construction of the Production Well No. 22 Project.

6. Ordinance No. 01-O-2024-2025 Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, By Repealing And Replacing Chapter 8-9 Pertaining To Animal Control - 3rd Reading
7. Ordinance No. 02-O-2024-2025 Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, By Repealing And Replacing Chapters 8-3 Pertaining To Animal Control - 3rd Reading
8. Public Hearing On An Ordinance Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, Be Repealing And Replacing Chapter 8-4 Pertaining To Animal Control.
9. Ordinance No. 03-O-2024-2025 Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, Be Repealing And Replacing Chapter 8-4 Pertaining To Animal Control- 1st Reading
10. Public Hearing On An Ordinance Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, By Adding A New Subsection 8-1-1(A)(18) To Chapter 8-1, Nuisances, To Regulate The Keeping Of Domestic Pigeons Within The Corporate Limits Of Storm Lake, Iowa
11. Ordinance No 04-2024-2025 Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, By Adding A New Subsection 8-1-1(A)(18) To Chapter 8-1, Nuisances, To Regulate The Keeping Of Domestic Pigeons Within The Corporate Limits Of Storm Lake, Iowa- 1st Reading
12. City Council Requested Items / City Council Updates

G. **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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Find us on the Web at <http://www.stormlake.org>

Staff Summary

09/03/2024

Agenda Item # D.1.



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

REPORT TO: Honorable Mayor & Council

FROM: Mayra Martinez City Clerk

SUBJECT: **Consent Agenda**

BACKGROUND: The Consent Agenda Includes:

- List of Bills
- King's Pointe & Sunrise Pointe Disbursements ,
- Approve August 19, 2024 City Council Minutes
- Acknowledge The July 2024 Library Minutes
- Acknowledge The July 2024 Airport Minutes
- Approve Renewal Liquor License for MMS at Buena Vista College
- Motion to Approve the FY2025 Storm Lake United Grant Agreement
- Motion to Approve Storm Lake High School Noise Variance Request
- Approve Buy Local Information
- Approve Storm Lake Police Department City Code Enforcement Update

FISCAL IMPACT: City Will Pay The Following Expenditures:

- List of Bills: \$1,536,325.18
- King's Pointe & Sunrise Pointe Golf Course Bills: \$258,578.07

City Will Receive The Following Receipts:

- Liquor License Renewal Fee: \$585.00

RECOMMENDATION: Approve Consent Agenda

ATTACHMENTS:

[9/3/2024 City Expense Report.pdf](#)

[9/3/2024 King's Pointe Claims 8.10.2024 to 8.29.2024.xlsx](#)

[08/19/2024 City Council Minutes.docx](#)

[Library July 2024 Minutes](#)

[Airport July 2024 Minutes - Commission.docx](#)



Storm Lake, IA

Buy Local_v1

Payment Date Range: 08/22/2024 - 09/04/2024

Vendor Name	Vendor Number	Payable Description	Total Payments
BVC			
Buena Vista County Attorney	001144	City Collection Services	153.36
Buena Vista County Solid Waste	001035	Recycling	152.16
Keith Stober	002527	2024 Regional Fire Instructor	500.00
Mike's Electronics Inc	001196	Well 21 Service Call	1,550.00
Storm Lake Garage Door Service, LLC	002067	Lime Press Door Service	86.00
		BVC Total:	2,441.52
Contract/Agreement			
Midwestern Mechanical of Iowa, Inc	001819	Compresseor Work	270.00
Reding's Gravel & Excavating Co., Inc	001132	Pay #4 of Memorial/Utilities	813,659.89
SCE, LLC	001344	Jetting Services	591.50
Storm Lake Public Library Gallery Guild In	001361	FY2025 Grant Agreement	15,000.00
		Contract/Agreement Total:	829,521.39
Local			
A & A Automotive	001022	Service P9	588.42
Arnold Motor Supply, LLP	001007	Supplies	213.44
Bomgaars Supply, Inc	001151	Supplies	4,693.13
Edwards Storm Lake	001114	Battery Replacement	687.65
Graham Tire	001093	Tire Repairs	110.84
Hy-Vee, Inc	001152	Supplies	69.98
Iowa Office Supply Inc	001037	Office Supplies	105.07
McCrea Eneterprises	001176	Paint Supplies	71.30
Plumbing & Heating Wholesale, Inc	001126	PVC Tubing	3.26
Rebnord Technologies, Inc	001091	PC Rotation- CM	3,021.40
Rent-All, Inc	001210	Grinder Blade Rental	354.34
Smith Concrete Service Inc	001134	Concrete	3,787.75
Stanton Electric, Inc	001264	Flag Pole Connection	911.25
Storm City Auto Parts, Inc	001501	V-Belt	8.38
Storm Lake Hydraulics Co, Inc	001089	Hose	3.92
The Storm Lake Times	001214	July 2024 Publications	1,463.33
Vetter Equipment	001098	Trimmer Parts	157.32
Visual Edge Inc	001063	Copier Maintenance Agreement	352.71
WalMart #01-1526	001153	Supplies	528.07
		Local Total:	17,131.56
Non-Local			
A & K Consulting, LLC	002534	Support Training	300.00
ABC Pest Control, Inc	001078	Pest Control Services	286.78
Ahlers & Cooney, P.C.	001023	Legal Services	5,265.84
Alex Air Apparatus 2 LLC	002217	Cap	403.36
Axon Enterprises, Inc	001049	Cartridges	1,588.80
Benjamin Hand	002529	2024 Regional Fire Instructor	500.00
BLUUM USA, Inc	002533	SMART Board	4,089.00
Builders Sharpening & Service LLC	001011	Toolcat Supplies	499.80
Business Publications Corp., Inc.	002436	Programmatic	870.00
Central Iowa Distributing, Inc	001026	Cleaning Supplies	1,874.10
Civic Plus	001706	Annual Subscription	3,008.76
Continental Research Corporation	002277	Supplies	387.63
Dale Vitito	001061	Uniforms	67.45
DISCOUNTCELL LLC	002532	Cradlepoint R1900 with 1 Year NetCloud Ess	1,499.00
Dorsey & Whitney LLP	001954	TIF Legal Services	4,411.00
Ed M. Feld Equipment Company, Inc	001031	Boots	561.69

Buy Local_v1

Vendor Name	Vendor Number	Payable Description	Total Payments
Eliott Maul	002530	2024 Regional Fire Instructor	500.00
Engel Agri-Sales, Co	001366	Blades	269.90
Flock Group, Inc	002491	Traffic Analysis Package	3,000.00
Foundation Analytical Laboratory, Inc	001100	Testing Services	3,210.50
General Traffic Controls, Inc	001128	Cabinet Relocation- E 7th to E 6th	2,450.00
Hach Company	001034	Testing Supplies	1,360.99
Hallett Materials	001428	Sand	628.54
Hawkins, Inc	001112	Chemicals	11,610.29
HD Supply, Inc	001336	Sewer Posts/Signs	4,085.77
Heuss Printing, Inc	002496	Iowan Full Page Ad	750.00
Heying Enterprises	002060	Transmitter	202.00
Imagine the Possibilities, Inc	001883	Janitorial Services	800.00
Intoximeters, Inc	001514	Fuel Cell	355.25
Iowa Department of Natural Resources	001286	FY2025 NPDES Permit- 1178001	1,275.00
Iowa Individual Health Benefit Reinsurance	001568	2019 Assessment	1,109.00
Iowa Parks and Recreation Association	002144	Membership	75.00
Iowa Pump Works	001934	Check Valve	3,972.00
J.W. Pepper & Son, Inc	001647	Supplies	580.00
Jax, Inc	002535	Throw Bags	825.00
Jon Fahey-Smith	002526	2024 Regional Fire Instructor	500.00
Joshua Beeck	002472	Window Cleaning Services	45.00
Kasperbauer Cleaners, Inc	002435	Entrance Mat Services	40.62
Kenneth Hulls	002525	2024 Regional Fire Instructor	500.00
Kiesler Police Supply, Inc	001640	Ammo	996.40
Marcus Lumber Company Corp	002011	Blades & Fasteners	258.38
Mark Hajduk	002528	2024 Regional Fire Instructor	500.00
Martin Marietta Materials, Inc	001429	Rock	513.47
Mississippi Lime Company	001095	Lime	19,750.98
Modern Heating, Inc	002531	AC Repairs	255.05
Municipal Supply, Inc	001391	Dual Port TC SPs	8,429.30
Petersen Manufacturing	001088	Plaque Replacement	54.53
Polydyne Inc	001598	Chemicals	121.00
RJ Thomas Manufacturing Company, Inc	001090	Bench Repair Kit	120.00
SGS, LLC	002126	Garbage Services	1,352.62
State Industrial Products Corporation	002309	WW Program	3,284.68
TreeBiz LLC	002501	GPS Locator	9,974.45
Trojan Technologies Group ULC	002508	UV Bulbs	4,518.85
University of Hawaii	002524	Books	120.60
UPS	001121	Services	2.21
Vessco, Inc	001458	Seal	8,198.00
W. W. Grainger, Inc	001085	Vests	230.21
Ziegler, Inc	001097	Track Adjustment	916.88
		Non-Local Total:	123,355.68
Payroll/Refunds			
Glenn Schlessler	002077	FY2025 Member Reimb- IA Soc of Fire Inspe	61.54
		Payroll/Refunds Total:	61.54
		Grand Total:	972,511.69

King's Pointe Resort

Claims Publication

From 8/10/2024 to 8/29/2024

Vendor	Description	Amount
Amazon Capital Services Inc	Supplies	\$ 218.42
Cintas Corporation	Supplies	\$ 4,183.81
City of Storm Lake- Water Dept.	Utilities	\$ 4,185.91
COMMTRAK	Serv	\$ 625.66
Crescent Electric Supply Company	Supplies	\$ 329.29
Doll Distributing LLC	Beverages	\$ 1,059.10
EC Mechanical	Services	\$ 275.00
ECOLAB	Supplies	\$ 347.82
Foundation Analytical Laboratory	Testing	\$ 82.50
Guest Supply	Supplies	\$ 3,206.06
HyVee	Beverages	\$ 285.02
Iowa Information Inc.	Services	\$ 35.00
Johnson Brothers Beverages	Beverages	\$ 229.80
Kelli's Gift Shop Suppliers	Supplies	\$ 1,865.06
King's Pointe Payroll- 8/23/2024	Payroll	\$ 143,970.83
Martin Bros King's Pointe	Food	\$ 9,769.36
Mood Media North America Holding	Services	\$ 125.17
Pepsi Beverages Company	Beverages	\$ 3,470.15
Plumbing & Heating Wholesale Inc.	Supplies	\$ 315.55
Rebnord Technologies Inc.	Services	\$ 2,988.33
Rolloff Dumpster Rental	Utilities	\$ 513.96
S&L Hospitality LLC	Contract	\$ 42,276.74
Storm Lake Ace Hardware	Supplies	\$ 1,204.09
Storm Lake Times	Services	\$ 50.00
Symmetry Energy Solutions LLC	Services	\$ 8,811.45
Sysco Iowa, Inc	Food	\$ 25,585.65
TY Inc.	Supplies	\$ 1,280.66
Wilcor International Inc.	Services	\$ 1,287.68
		<u>□</u>

**CITY OF STORM LAKE CITY HALL COUNCIL CHAMBERS REGULAR COUNCIL
SESSION MEETING, AUGUST 19, 2024, 5:00 PM**

Present: Mayor Michael Porsch, Council Members Maggie Martinez, Member Matt Ricklefs, Member Maria Ramos, Member Kevin McKinney and Member Meg McKeon. Absent: None.

Staff Present: City Manager Keri Navratil, Assistant City Manager David Derragon, Police Chief Chris Cole, Fire Chief Glenn Schlessner, King's Pointe Manager Amy VonBank, Building and Code Compliance Director Scott Olesen, Development Services Specialist Lee Dutfeld, Communications Coordinator Dana Larsen, Public Services Supervisor Brandon Ripke, Public Works Director Matt Beckman, Library Director Elizabeth Huff, Staff Accountant Tyler Gibbins, and City Clerk Mayra Martinez.

Media Present: Allison Moore with the Storm Lake Times Pilot via Zoom.

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

Pledge of Allegiance

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

Agenda - Moved by Council Member Martinez to pull Consent Agenda item #9 out of the consent agenda regarding the Buddhist Temple Noise Variance request and moving it to the regular agenda items. Seconded by Council Member McKinney.

Disclosure by City Council Members – No items at this time.

Hear the Public – No comments from the public.

Consent Agenda - Moved by Council Member Ramos to approve the consent agenda, approve List of Bills Check #'s 59877, 81783 through 81832, EFT #'s 1445, 1447, and #5510 through 5602, King's Pointe & Sunrise Pointe Disbursements, Approve August 5, 2024 Regular City Council minutes and August 5, 2024 Special City Council minutes, Acknowledge the June 2024 Library minutes and the June 2024 Airport minutes, Approve Moving the Regular City Council Meeting from September 2nd, 2024 to Tuesday, September 3rd, 2024, Approve Renewal Liquor License for Coffee Tree, Approve new 5-Day liquor license for Watt Lao Simong Khoun Chanthalam (Buddhist Temple), Approve Noise Variance Request for Storm Lake Buddhist Temple, Approve the FY2025 North Central Iowa, Small Business Development Center grant agreement, Approve the FY2025 Witter Gallery grant agreement, Approve Buy Local Information, and Approve Storm Lake Police Department City Code Enforcement Update. Seconded by Council Member Ricklefs. Vote: All ayes. Motion carried.

Unfinished Business

New Business

Buddhist Temple Noise Variance Request - Moved by Council Member McKinney to approve the Buddhist Temple noise variance request for August 31, 2024 and September 1st, 2024 . Seconded by Council Member Ramos. Vote: All ayes. Motion carried.

Water Recreation Access Cost-Share Program - Moved by Council Member McKeon to adopt Resolution No. 17-R-2024-2025 Water Recreation Access Cost Share program. Project estimated cost of \$227,700.00 with local match of \$66,900.00. Seconded by Council Member Ricklefs. Roll call vote: All ayes. Motion carried.

RESOLUTION NO. 17-R-2024-2025

RESOLUTION FOR MATCHING FUNDS FOR THE IOWA DEPARTMENT OF NATURAL RESOURCES WATER RECREATION GRANT APPLICATION

WHEREAS, the City of Storm Lake, Iowa has made an application to the Iowa Department of Natural Resources for funding from the Water Recreation Grant Program; and

WHEREAS, this funding will be used to improve the Sunrise Boat Ramp area in Storm Lake at an Engineer's Estimated Cost of \$227,700.00.

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

SECTION 1. The City Council hereby authorizes the local match of \$66,900.00 for this improvement project.

PASSED AND APPROVED THIS 19th DAY OF AUGUST 2024.

BY THE CITY COUNCIL OF THE CITY
OF STORM LAKE, IOWA

Michael Porsch, Mayor

ATTEST

Mayra A. Martinez, City Clerk

College & 3rd Lift Station Replacement Project - Moved by Council Member Martinez to adopt Resolution No. 18-R-2024-2025 to set a date for a Public Hearing for October 7, 2024 at 5:00 pm at City Hall Council Chambers to approve plans, specifications, form of contract and

engineer's estimate of cost and set a date for Bid Letting September 26, 2024 at 10:00 am at City Hall Council Chambers for the College & 3rd Lift Station Replacement project. Seconded by Council Member McKinney. Roll call vote: All ayes. Motion carried.

RESOLUTION NO. 18-R-2024-2025

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING TO APPROVE PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ENGINEERS ESTIMATE OF COST AND SET A DATE FOR BID LETTING FOR COLLEGE AND 3RD LIFT STATION REPLACEMENT PROJECT

WHEREAS, the City Council of the City of Storm Lake has undertaken a public improvement project for the College and 3rd Lift Station Replacement Project; and

WHEREAS, the engineer on the project has developed plans, specifications, and form of contract for the proposed project that are now on file with the City Clerk; and

WHEREAS, the City Council wishes to conduct a public hearing concerning the plans, specifications, form of contract, and engineers estimate of cost and set a bid letting date for the project.

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

SECTION 1. That a public hearing date and time is hereby established to review the plans, specifications, form of contract, and engineers estimate of cost for Monday, October 7, 2024, at 5:00 p.m. in the City Hall Council Chambers at 620 Erie Street, Storm Lake, Iowa for the purposes of reviewing and taking public input on the plans, specifications, and form of contract for the proposed project.

SECTION 2. Setting the bid letting date for Thursday, September 26, 2024, due before 10:00 am, for the College and 3rd Lift Station Replacement Project

BE IT FURTHER RESOLVED that the City Clerk be directed to publish notice of said public hearing in the City's official newspaper no less than four days before and not more than 20 days prior to the hearing date and Bid letting no less than 13 days before and no more than 45 days before the bid letting.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE THIS 19th DAY OF AUGUST 2024.

BY THE CITY COUNCIL OF THE CITY
OF STORM LAKE, IOWA

Michael Porsch, Mayor

ATTEST

Mayra A. Martinez, City Clerk

Ordinance Amending Chapter 8 Pertaining To Animal Control -

Vicious Dogs - Moved by Council Member McKeon to approve second reading of Ordinance No. 01-O-2024-2025 amending Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, by repealing and replacing Chapter 8-9 pertaining to animal control. Seconded by Council Member Martinez. Roll call vote: All ayes. Motion carried.

Dogs - Moved by Council Member Ricklefs to approve second reading of Ordinance No. 02-O-2024-2025 amending Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, by repealing and replacing Chapter 8-3 pertaining to animal control. Seconded by Council Member Ramos. Roll call vote: All ayes. Motion carried.

Cats - Moved by Council Member McKeon to adopt Resolution No. 19-R-2024-2025 to set a date for a Public Hearing for September 3, 2024, at 5:00 pm at City Hall Council Chambers on an Ordinance amending Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, by repealing and replacing Chapter 8-4 pertaining to animal control. Seconded by Council Member Ramos. Roll call vote: All ayes. Motion carried.

RESOLUTION NO. 19-2024-2025

RESOLUTION SETTING DATE OF A PUBLIC HEARING ON AN ORDINANCE AMENDING TITLE VIII OF THE 1994 RECODIFICATION OF THE MUNICIPAL CODE OF THE CITY OF STORM LAKE, IOWA, BY REPEALING AND REPLACING CHAPTER 8-4 PERTAINING TO ANIMAL CONTROL

WHEREAS, the City Council of the City of Storm Lake, Iowa will consider a proposed ordinance amending Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, by repealing and replacing Chapter 8-4 pertaining to animal control, specifically cats; and

WHEREAS, the proposed ordinance would revise existing animal control provisions of Municipal Code to improve regulation and enforcement mechanisms for animal ownership and presence within the corporate limits of the City of Storm Lake, Iowa; and

WHEREAS, the City Council will hold a public hearing on the animal control ordinance to seek public input prior to any passage, adoption, or enactment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Storm Lake, Iowa, that:

Section 1. A public hearing shall be held on the proposed ordinance before the City Council at its meeting which commences at 5:00 P.M. on September 3, 2024, in the Council Chambers, Storm Lake City Hall, 620 Erie Street, Storm Lake, Iowa, at which public comments shall be received.

Section 2. The City Clerk is authorized and directed to cause a notice of such public hearing to be published in The Storm Lake Times, at least once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing in accordance with Iowa Code section 362.3, such notice to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING ON AN ORDINANCE AMENDING TITLE
VIII OF THE 1994 RECODIFICATION OF THE MUNICIPAL CODE OF THE
CITY OF STORM LAKE, IOWA, BY REPEALING AND REPLACING
CHAPTER 8-4 PERTAINING TO ANIMAL CONTROL

The City Council of the City of Storm Lake, State of Iowa, will hold a public hearing before itself at its meeting which commences at 5:00 P.M. on September 3, 2024, in the Council Chambers, Storm Lake City Hall, 620 Erie Street, Storm Lake, Iowa, to receive public comments on a proposed ordinance amending Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, by repealing and replacing Chapter 8-4 pertaining to animal control.

A copy of the proposed ordinance amending Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, by repealing and replacing Chapter 8-4 pertaining to animal control is on file for public inspection in the office of the City Clerk, Storm Lake City Hall, 620 Erie Street, Storm Lake, Iowa.

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

This notice is given by order of the City Council of the City of Storm Lake, State of Iowa.

Dated this 19th day of August, 2024.

City Clerk, City of Storm Lake, State of Iowa

(End of Notice)

PASSED AND APPROVED this 19th day of August, 2024.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Ordinance New Subsection 8-1 -1(A)(18) Domestic Pigeons - Moved by Council Member Ricklefs to adopt Resolution No. 20-R-2024-2025 to set a date for a Public Hearing for September 3, 2024, at 5:00 pm at City Hall Council Chambers on an Ordinance amending Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, by repealing and replacing Chapter 8-1, Nuisances, to regulate the keeping of domestic pigeons within the Corporate Limits of Storm Lake, Iowa. pertaining to animal control. Seconded by Council Member Martinez. Roll call vote: All ayes. Motion carried.

RESOLUTION NO. 20-R-2024-2025

**RESOLUTION SETTING DATE OF A PUBLIC HEARING ON AN ORDINANCE
AMENDING TITLE VIII OF THE 1994 RECODIFICATION OF THE
MUNICIPAL CODE OF THE CITY OF STORM LAKE, IOWA, BY ADDING A**

**NEW SUBSECTION 8-1-1(A)(18) TO CHAPTER 8-1, NUISANCES, TO
REGULATE THE KEEPING OF DOMESTIC PIGEONS WITHIN THE
CORPORATE LIMITS OF STORM LAKE, IOWA**

WHEREAS, the City Council of the City of Storm Lake, Iowa will consider a proposed ordinance amending Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, by adding a new Subsection 8-1-1(A)(18) to Chapter 8-1, Nuisances, to regulate the keeping of domestic pigeons within the corporate limits of Storm Lake, Iowa; and

WHEREAS, the proposed ordinance would add a new nuisance control provision pertaining to the keeping of domestic pigeons to the Municipal Code to improve regulation and abatement of nuisances within the corporate limits of the City of Storm Lake, Iowa; and

WHEREAS, the City Council will hold a public hearing on the proposed nuisance ordinance to seek public input prior to any passage, adoption, or enactment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Storm Lake, Iowa, that:

Section 1. A public hearing shall be held on the proposed ordinance before the City Council at its meeting which commences at 5:00 P.M. on September 3, 2024, in the Council Chambers, Storm Lake City Hall, 620 Erie Street, Storm Lake, Iowa, at which public comments shall be received.

Section 2. The City Clerk is authorized and directed to cause a notice of such public hearing to be published in The Storm Lake Times, at least once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing in accordance with Iowa Code section 362.3, such notice to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING ON AN ORDINANCE AMENDING TITLE
VIII OF THE 1994 RECODIFICATION OF THE MUNICIPAL CODE OF THE
CITY OF STORM LAKE, IOWA, BY ADDING A NEW SUBSECTION 8-1-
1(A)(18) TO CHAPTER 8-1, NUISANCES, TO REGULATE THE KEEPING
OF DOMESTIC PIGEONS WITHIN THE CORPORATE LIMITS OF STORM
LAKE, IOWA

The City Council of the City of Storm Lake, State of Iowa, will hold a public hearing before itself at its meeting which commences at 5:00 P.M. on September 3, 2024, in the Council Chambers, Storm Lake City Hall, 620 Erie Street, Storm Lake, Iowa, to receive public comments on a proposed ordinance amending Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, by adding a new Subsection 8-1-1(A)(18) to Chapter 8-1, Nuisances, to regulate the keeping of domestic pigeons within the corporate limits of Storm Lake, Iowa.

A copy of the proposed ordinance amending Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, by adding a new Subsection 8-1-1(A)(18) to Chapter 8-1, Nuisances, to regulate the keeping of domestic pigeons within the corporate limits of Storm Lake, Iowa, is on file for public inspection in the office of the City Clerk, Storm Lake City Hall, 620 Erie Street, Storm Lake, Iowa.

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

This notice is given by order of the City Council of the City of Storm Lake, State of Iowa.

Dated this 19th day of August, 2024.

Mayra A. Martinez, City Clerk,
City of Storm Lake, State of Iowa

(End of Notice)

PASSED AND APPROVED this 19th day of August, 2024.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

2024 Mid-Year Report - Moved by Council Member McKinney to approve acknowledgement of 2024 Mid-Year Report. Seconded by Council Member Ramos. Vote: All ayes. Motion carried.

City Council Requested Items / City Council Updates – No items or requests at this time.

Adjourn - Moved by Council Member Ramos to adjourn at 5:37 pm. Seconded by Council Member McKinney. Vote: All ayes. Motion carried.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk



Storm Lake, IA 50588
712-732-8026
www.stormlake.lib.ia.us
Or visit us on Facebook

Library Board Meeting, City of Storm Lake, August 12, 2024, 4:00 p.m.

Present: Board President Mary Kay Hudspeth, Jim Eliason, Sarah Freking, and Rebecca Quesnell. Also present, Elizabeth Huff, Library Director and Julie Steinfeld, Witter Board President.

Board President Hudspeth called the meeting to order at 4:00 p.m.

Disclosures by Board Members - None

Agenda Approval – Moved by Board Member Quesnell to approve the agenda. Seconded by Board Member Eliason. Vote all ayes. Motion carried.

Public Hearing – None

Witter Gallery Report – Witter President Steinfeld distributed their class schedule and reported successful programs and exhibitions. She requested a dedication at the opening of Harmony Gardens but was referred to Dana Larsen by Board President Hudspeth.

Approval of Minutes – Moved by Board Member Quesnell to approve July Minutes. Seconded by Board Member Freking. Vote all ayes. Motion carried.

Director's Report – Newly hired library clerks were reported to the Board. There were no questions on the Calendar, Bar Charts and ledger. The Summer Reading Program had 18 Blackout winners and will be receiving the Friends' Barnes & Noble Gift Cards as prizes. RR Electric continued the LED conversion project with outdoor lighting. The outdoor lights have sensors, so if it is cloudy in the morning, the lights will stay on much longer. The Board Members saw the current work of Public Works on Harmony Gardens as they entered the building. In mid-September, there will be a BVU work/study, Social Work student who will provide referral service on community resources plus update both resource list and QR code bookmarks. The Director informed Aimee Kampbell, staff who purchase media there will be an upcoming shift away from DVD and towards Canopy or Hoopla Streaming Services.

Approval of Bills – Moved by Board Member Freking to approve August Bills. Seconded by Board Member Eliason. Vote all ayes. Motion carried.

Approval of Library Fees and Fines – Moved by Board Member Quesnell to approval Library Fines and Fees. Seconded by Board Member Freking. Vote ayes. Motion carried. Board Member Eliason abstained.

Work Session: New Five-year goals and forum – There was a discussion on Sustainability Goals. Work to be continued next month.

Trustee Continuing Education – Tabled until next month.

Library Board Member Requested Items – None.

Adjournment - Moved by Board Member Freking to adjourn the meeting at 4:39pm. Seconded by Board Member Eliason. Vote all ayes. Motion carried.

Elizabeth Huff, Library Director - Please note the above is an unapproved draft of minutes and will be approved by the Board of Trustees on September 9, 2024.

**Storm Lake Airport Commission
Regular Meeting, Airport Terminal
Tuesday, June 18, 2024, 4:00 PM**

Present: Commission Members Bob Ansorge, Cynthia Turner, Jason Dierking, Gary Worthan and Nathaniel Kitzrow. Absent: None.

Staff Present: Tyler Gibbins.

Public Attendance: Troy with VT Industries via telephone.

Chairman Bob Ansorge called the meeting to order at 4:00 pm.

New Business

Minutes - Moved by Commissioner Worthan to approve the June 10, 2024, minutes. Seconded by Commissioner Dierking. Vote: All ayes. Motion carried.

Financial Report - Moved by Commissioner Dierking to approve the June 2024 Financial Report. Seconded by Commissioner Turner. Vote: All ayes. Motion carried.

Fuel Report - Moved by Commissioner Turner to approve the June 2024 Fuel Report. Seconded by Commissioner Kitzrow. Vote: All ayes. Motion carried.

Airport Manager's Monthly Report

Purchased and installed a new handicap door handle for the outside bathroom.
Titan Fuel came and did their inspection and replaced all the fuel filters. We got an appraisal on the Ballanca in hangar A for the Buena Vista County Sheriff. Ballanca was appraised at \$110k and estimated to be a 1976. The "N" number has been decommissioned by the FAA. Will need to be applied for by any potential buyer.
We sprayed weeds in cracks around the terminal building. Iowa DOT was here June 325th to inspect the AWOS. R&R Electric replaced all of the lights with new LED lights.

Courtesy Car Usage: 7 Miles: 85

Fuel Meter Reading: Jet A – 723,011 (probe #2 is out stick reads 47-1/4 inches 5,236 gallons)

AV Gas – 166,846.8

Administration Report June 2024

Troy with VT called into the meeting and inquired about the location of the apron project and the status of the 17/35 lighting project schedule and closures. He also asked if the signed letter from Doug Claussen was received by the City. Noted the letter was received but not in time for the agenda.

Runway 17/35 Lighting Project Update - Voltmer is planning to begin the project the week of July 15th with equipment and materials beginning to arrive the week of July 8th. Notices have been sent to tenants and coordination will begin for the project start.

Manager's Contract Update - Staff is still working on the draft Manager's contract to reflect the actions taken by the Commission during the June Commission meeting.

Security Update - Staff and Engineers continue to look into funding opportunities for the upgrades to the security gate system at the airport. Unfortunately, the Airport does not qualify for the State's Immediate Safety Enhancement grant. The project could be considered on the State's annual program request with a local match.

Adjourn - Moved by Commissioner Turner to adjourn at 4:25 pm. Seconded by Commissioner Kitzrow. Vote: All ayes. Motion carried.

Mayra A. Martinez, City Clerk

Staff Summary

09/03/2024

Agenda Item # D.2.



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

REPORT TO: Honorable Mayor & Council

FROM: Tyler Gibbins Staff Accountant

SUBJECT: **Motion to Approve the FY2025 the Storm Lake United Grant Agreement**

BACKGROUND: During the budget workshop process for FY2024-2025, the City Council Awarded funds to non-profit agencies through outside agency funding application requests. As agreed during the application process, the City of Storm Lake and the awardees need to enter into a grant agreement in accordance with the Iowa Attorney General and Office of Auditor of State requirements.

The attached grant agreement for Storm Lake United outlines the public purpose for the expense of tax dollars and the terms and conditions which accompany these funds. The Storm Lake United application was a request for funds to be used for the City Membership and hosting public events.

Following the execution of the grant agreement, funds for Storm Lake United will be made available following July 1st, 2024.

FISCAL IMPACT: During the FY2024-2025 budget process, the City Council awarded Storm Lake United \$50,000.

RECOMMENDATION: Approve the FY2025 Grant Agreement with Storm Lake United and authorize the Mayor and City Clerk to execute the agreement.

ATTACHMENTS:
[Grant Agreement- SLU](#)

**GRANT AGREEMENT
IN SUPPORT OF
STORM LAKE UNITED**

THIS GRANT AGREEMENT ("Agreement") is made on or as of August 1, 2024, by and between the CITY OF STORM LAKE, IOWA ("City"), established pursuant to the Code of Iowa and acting under the authorization of Chapter 15A of the Code of Iowa, and STORM LAKE UNITED (the "Recipient").

WITNESSETH:

WHEREAS, the Recipient operates within City and the Recipient's operations, as further described herein, provide important services that improve quality of life within the City's community (the "Community Services"), which, in turn, helps the City to attract and retain residents and businesses within the City and thereby promotes economic development within the City; and

WHEREAS, the Recipient has requested grant funding from the City in support of the Recipient's operations that support economic development within the City and the City is willing to provide such funding pursuant to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the promises and the mutual obligations of the parties hereto, each of them does hereby covenant and agree with the other as follows:

Section 1. Recipient Representations and Warranties. The Recipient makes the following representations and warranties:

- a. During the term of this Agreement, the Recipient shall continue to operate within the City and provide the Community Services described on the Recipient's grant application, which application is attached hereto and incorporated by this reference.
- b. The Recipient shall expend all Grant funds received from the City under this Agreement in compliance with all federal, state, and local laws, regulations, and ordinances, and shall not discriminate against any applicant, employee, or customer because of age, color, creed, national origin, race, religion, marital status, sex, physical disability, or familial status.
- c. The Recipient's use of Grant funds received under this Agreement shall further the Recipient's ability to undertake and provide the Community Services.

Section 2. Grant Funding to Recipient.

- a. The City agrees to provide the Recipient with the requested grant in the amount of \$50,000 (the "Grant"), for and in consideration of the Community Services provided by Recipient, as more particularly described on Recipient's application, subject to the terms and conditions herein. The City intends to provide the Grant payment to Recipient within 90 days of execution of this Agreement.

b. At the time of each payment of a Grant, the Recipient must be in compliance with all terms of this Agreement, including timely filing of complete Annual Reports under Section 5 and proper use of any grant funds previously received.

Section 3. Local Purchasing. The Recipient shall make every effort to purchase locally in carrying out the Community Services. If a purchase is not made locally, the Recipient shall give written notification to the City Manager detailing the purchase so made and the reason the purchase was not made locally.

Section 4. Annual Reports.

a. After the execution of this Agreement and until the Termination Date (as defined in Section 10), the Recipient shall annually provide to the City, on or around each January 1, a report regarding: (i) an overview of the Community Services provided by the Recipient that were enabled by the Grant funding in the preceding year, (ii) a summary of how previously received Grant funds were used by the Recipient, and (iii) supporting documentation thereto (the "Annual Report"), which Annual Report shall be made by a duly authorized officer of the Recipient.

b. Upon receipt of the Recipient's Annual Report under this Section 4, the City shall review the report and may request additional substantiating information, including but not limited to invoices, receipts, and detailed information about any of the projects.

Section 5. Non-appropriation/Limitations on Grants.

a. Notwithstanding anything in this Agreement to the contrary, the Grant payment is subject to annual appropriation by the City Council. The right of non-appropriation reserved to the City in this Section is intended by the parties, and shall be construed at all times, so as to ensure that the City's obligation to make future Grants shall not constitute a legal indebtedness of the City within the meaning of any applicable constitutional or statutory debt limitation prior to the adoption of a budget which appropriates funds for the payment of that installment or amount. In the event that any of the provisions of this Agreement are determined by a court of competent jurisdiction or legal opinion to create, or result in the creation of, such a legal indebtedness of the City, the enforcement of the said provision shall be suspended, and the Agreement shall at all times be construed and applied in such a manner as will preserve the foregoing intent of the parties, and no event of default by the City shall be deemed to have occurred as a result thereof. If any provision of this Agreement or the application thereof to any circumstance is so suspended, the suspension shall not affect other provisions of this Agreement which can be given effect without the suspended provision. To this end the provisions of this Agreement are severable.

b. Notwithstanding anything in this Agreement to the contrary, the City shall have no obligation to make a Grant to the Recipient if at any time during the term hereof the City fails to appropriate funds for payment, or receives determination from a court of competent jurisdiction or an attorney retained by the City that the use of City funds to provide a Grant to the Recipient is not authorized or otherwise an appropriate project activity permitted to be undertaken by the City under the provisions of the Iowa Code, as then constituted. Upon receipt any such legal opinion or non-appropriation, the City shall promptly forward notice of the same to the Recipient and the City may terminate this Agreement, without penalty or other liability to the City, by written notice to the Recipient.

Section 6. Events of Default. If the Recipient (i) fails to substantially observe or perform any covenant, condition, or obligation under this Agreement and/or (ii) ceases to operate within the City, then an Event of Default under this Agreement shall have occurred.

Section 7. Remedies. If an Event of Default occurs, and the Recipient fails to cure the Event of Default within thirty (30) days after written notice from the City, the City may take any one or more of the following actions:

- a. Suspend payment of the Grant or demand repayment of the Grant, if previously paid; such repayment shall be due within thirty (30) days after the City makes a written demand for such repayment;
- b. Terminate this Agreement by delivering written notice to the Recipient; and/or
- c. Take any legal or equitable action deemed appropriate to enforce the Recipient's obligations under this Agreement.

Section 8. Notices. A notice, demand or other communication under this Agreement by any party to the other shall be sufficiently given or delivered if it is dispatched by registered or certified mail, postage prepaid, return receipt requested, or delivered personally, and

- a. In the case of the Recipient, is addressed or delivered personally to P.O. Box 584, Storm Lake, IA 50588_; Attn: Gary Sterling; and
- b. In the case of the City, is addressed to or delivered personally to the City of Storm Lake at, 620 Erie Street, Storm Lake, IA 50588; Attn: City Clerk.

Section 9. Conflicts of Interest. The Recipient will make commercially reasonable efforts to ensure that no officer or employee of the City, or their designees or agents, nor any consultant or member of the governing body of the City, and no other public official of the City who exercises or has exercised any functions or responsibilities with respect to this Agreement during his or her tenure, or who is in a position to participate in a decision-making process or gain insider information with regard to any potential Community Services undertaken in connection with this Agreement, has had or shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work or services to be performed in connection with any project that receives Grant funds.

Section 10. Termination Date. This Agreement shall terminate and be of no further force or effect on and after the first anniversary of the date of the Agreement, unless the Agreement is terminated earlier by the other terms of this Agreement.

Section 11. Miscellaneous.

- a. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the State of Iowa.
- b. Entire Agreement. This Agreement and the exhibits hereto reflect the entire agreement between the parties regarding the subject matter hereof, and supersedes and replaces all prior agreements, negotiations or discussions, whether oral or written. This Agreement may not be amended except by a subsequent writing signed by all parties hereto.

c. Successors. The Recipient's successors in interest are not third-party beneficiaries to the Grants under this Agreement and the parties do not intend that any rights in connection with the Grants be conferred upon any third party as a result of this Agreement.

d. No Third-Party Beneficiaries. No rights or privileges of either party hereto shall inure to the benefit of any landowner, contractor, subcontractor, material supplier, or any other person or entity, and no such contractor, landowner, subcontractor, material supplier, or any other person or entity shall be deemed to be a third-party beneficiary of any of the provisions contained in this Agreement.

e. Severability. If any provision of this Agreement is for any reason held to be illegal or invalid, such illegality or invalidity shall not affect any other provision entered into, each of which shall be construed and enforced as if such illegal or invalid portion were not contained herein. Nor shall such illegality or invalidity of any application thereof affect any legal and valid application thereof, and each such provision shall be deemed to be effective in the manner and to the full extent permitted by law.

f. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be regarded as an original and all of which shall constitute but one in the same instrument. The signature pages of each counterpart may be combined to form one final recordable version of this Agreement. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a "pdf" format data file, such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or "pdf" signature page were an original thereof.

IN WITNESS WHEREOF, the City has caused this Agreement to be duly executed in its name and behalf by its Mayor and its seal to be hereunto duly affixed and attested by its City Clerk, and the Recipient has caused this Agreement to be duly executed in its name and on its behalf by its authorized representative(s) all on or as of the day first above written.

[Remainder of this page intentionally left blank. Signature pages to follow.]

(SEAL)

CITY OF STORM LAKE, IOWA

By: _____
 Michael Porsch, Mayor

ATTEST:

By: _____
 Mayra A. Martinez, City Clerk

STATE OF IOWA)
) SS
 COUNTY OF BUENA VISTA)

On this _____ day of _____, 20____, before me a Notary Public in and for said State, personally appeared Michael Porsch and Mayra A. Martinez, to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Storm Lake, Iowa, a Municipality created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipality, and that said instrument was signed and sealed on behalf of said Municipality by authority and resolution of its City Council, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipality by it voluntarily executed.

 Notary Public in and for the State of Iowa

[Signature page to Grant Agreement – City of Storm Lake, Iowa]

STORM LAKE UNITED

By: *Gary Sterling*

Print Name: GARY STERLING

Its: PRESIDENT

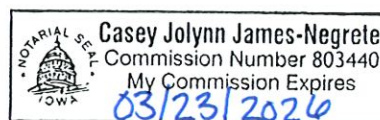
STATE OF Iowa

)

) SS

COUNTY OF Buena Vista

)



This record acknowledged before me on August 15th, 2024 by Gary Sterling as the President of STORM LAKE UNITED.

Casey James-Negrete
Notary Public in and for the State of Iowa

My commission expires: 03/23/2026

[Signature page to Grant Agreement - Recipient]

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Staff Summary

09/03/2024

Agenda Item # D.3.



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

REPORT TO: Honorable Mayor & Council

FROM: Chris Cole Police Chief

SUBJECT: **Motion to Approve Storm Lake High School Noise Variance Request**

BACKGROUND: The Storm Lake High School located at 621 Tornado Drive has requested a noise variance for a tailgate party event occurring after the football game. Organizers are requesting to play amplified music at the event which will be held after the homecoming football game at the south end of the football field on 09-27-2024 from post game to 11:00 PM.

The school has held similar events in the past and have had no issues.

FISCAL IMPACT: None

RECOMMENDATION: Vote on request

ATTACHMENTS:

Staff Summary

09/03/2024

Agenda Item # D.4.



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

REPORT TO: Honorable Mayor & Council

FROM: Mayra Martinez City Clerk

SUBJECT: Buy Local Information

BACKGROUND: In 2011 during a Study Session discussion Council asked staff to look at putting together some analysis information regarding the amount of purchases made locally. We have pulled that information together and a provided a summary of purchases identified in the current list of bills to be approved that are purchased locally (within the City of Storm Lake), within Buena Vista County, and outside of Buena Vista County are presented here for Council's review. This information is presented for both the City & King's Pointe's bills. As the reader reviews the information they should note the following key notes: Costs associated with any major capital project (those bid under the State of Iowa Bid Law) are excluded from the calculation Costs associated with travel is excluded from the calculation and % Costs associated with payroll is excluded from the calculation and % In some cases there is only one vendor or an item is only available from vendors outside of the City limits and/or Buena Vista County – we have not identified these some departments have fairly minor budgets and a major purchase can skew the % and or amount for a given review period (For Example: the Airport may have normally \$4,000 - \$6,000 in expenses until they purchase Jet Fuel or Av Gas which can be \$10,000 + and as a vendor who is not local this can skew the information for that review period) Local has been determined to be has an office front in the area and based on where the office front is located for local vs. BV County (For Example: Wal-Mart is considered local since they have a store in Storm Lake even though their headquarters is not located here) As with all analytical data it is possible to interpret the numbers in a variety of ways and as we move forward we would be happy to provide further detail and or revise the way in which we show the data. Likewise if you have any questions or concerns please don't hesitate to contact city staff.

FISCAL IMPACT:

Breakout

Buena Vista County

Calculated Expenses

\$ 2,441.52

Contract/Agreement	829,521.39
Local	17,131.56
Non-Local	123,355.68
Payroll/UB Refunds/Pyrl Tax & Ins	<u>563,875.03</u>
TOTAL EXPENSES:	\$1,536,325.18

RECOMMENDATION: Approve Buy Local Information

ATTACHMENTS:

[9/3/2024 Project Expense.pdf](#)

Summary

Project Summary							
Project Number	Project Name	Total Budget	Date Range Budget	Beginning Balance	Total Activity	Ending Balance	Budget Remaining
OP1.122814	Richland Street, Phase 2 Improvem...	174,107.75	0.00	174,095.25	0.00	174,095.25	12.50
OP1.125106	BRIC	212,709.99	212,709.99	212,709.99	0.00	212,709.99	0.00
OP1.126252	Comprehansive Plan & Zoning Code U...	125,880.00	0.00	125,824.50	0.00	125,824.50	55.50
OP1.131538	Memorial Road Street & Utility Impro...	4,120,595.00	4,120,595.00	1,912,173.34	813,158.68	2,725,332.02	1,395,262.98
OT5.128791	Runway 17/35 Lighting Replacement	410,741.68	410,741.68	217,135.90	0.00	217,135.90	193,605.78
19-22797	Memorial Lift Station Improvements	2,533,320.00	0.00	2,554,600.96	0.00	2,554,600.96	-21,280.96
20-HSG-022	2021 Housing Sustainability Project	224,994.00	0.00	181,283.12	0.00	181,283.12	43,710.88
21-26215	Downtown Master Plan	113,000.00	0.00	103,650.00	0.00	103,650.00	9,350.00
22-26698	Storm Lake WTP- Well No. 21	1,795,006.50	1,795,006.50	769,309.16	0.00	769,309.16	1,025,697.34
22-26815	W 6th Street Utilities Extension	314,241.49	314,241.49	318,517.58	0.00	318,517.58	-4,276.09
22-27926	Storm Lake WTP- Well #22	2,543,115.00	2,543,115.00	80,402.50	0.00	80,402.50	2,462,712.50
23-092	King's Pointe Remodel/Refresh	446,537.52	446,537.52	426,545.09	0.00	426,545.09	19,992.43
23-29446	WWTP UV Disinfection Building	275,772.00	275,772.00	149,455.90	0.00	149,455.90	126,316.10
23-29447	College & 3rd St Lift Station Replacem...	185,000.00	185,000.00	120,645.00	0.00	120,645.00	64,355.00
FEMA HMGP (HMA) 4483	FEMA HMGP (HMA) 4483	4,589,528.00	4,589,528.00	182,257.50	0.00	182,257.50	4,407,270.50
HTG322020	T-Mobile Hometown Grant Q-3-22	0.00	0.00	45,619.48	0.00	45,619.48	-45,619.48
IA0091	SL Elevated Water Storage- Tower #5	7,384,100.15	7,384,100.15	1,854,405.04	0.00	1,854,405.04	5,529,695.11
New	Lead Service Line Replacement Prelim...	15,500.00	0.00	0.00	0.00	0.00	15,500.00
New1	WWTP Blower Project (EECBG)	129,600.00	129,600.00	21,350.00	0.00	21,350.00	108,250.00
OP1.125220	4th Street Watermain Improvement P...	553,406.16	0.00	581,342.16	0.00	581,342.16	-27,936.00
P11.118940	Oneida Street Reconstruction from RR...	2,526,433.98	0.00	2,513,334.28	0.00	2,513,334.28	13,099.70
P11.120411	Highway 7/110 Traffic Lane/Signalizat...	4,711,913.90	1,210.58	4,985,031.55	0.00	4,985,031.55	-273,117.65
SP21122	SL Library CDBG- COVID (CV) Grant	634,285.27	634,285.27	634,285.27	0.00	634,285.27	0.00
Report Total:		34,019,788.39	23,042,443.18	18,163,973.57	813,158.68	18,977,132.25	15,042,656.14

Group Summary						
Group	Total Budget	Date Range Budget	Beginning Balance	Total Activity	Ending Balance	Budget Remaining
Airport Projects	410,741.68	410,741.68	217,135.90	0.00	217,135.90	193,605.78
ARPA Project	1,795,006.50	1,795,006.50	769,309.16	0.00	769,309.16	1,025,697.34
Building Resilient Infrastructure and C...	212,709.99	212,709.99	212,709.99	0.00	212,709.99	0.00
Economic Development	778,115.49	314,241.49	774,894.68	0.00	774,894.68	3,220.81
King's Pointe Resort Projects	446,537.52	446,537.52	426,545.09	0.00	426,545.09	19,992.43
Library Project	634,285.27	634,285.27	634,285.27	0.00	634,285.27	0.00
Sanitary Sewer Projects	7,713,220.00	5,179,900.00	3,028,309.36	0.00	3,028,309.36	4,684,910.64
Street Construction	11,533,050.63	4,121,805.58	9,584,634.42	813,158.68	10,397,793.10	1,135,257.53
Water Project	10,496,121.31	9,927,215.15	2,516,149.70	0.00	2,516,149.70	7,979,971.61
Report Total:	34,019,788.39	23,042,443.18	18,163,973.57	813,158.68	18,977,132.25	15,042,656.14

Staff Summary

09/03/2024

Agenda Item # D.5.



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

REPORT TO: Honorable Mayor & Council
FROM: Chris Cole Police Chief
SUBJECT: **SLPD City Code Enforcement Summary**

BACKGROUND: 8/15/2024 to 8/26/2024

Tall Grass and Weeds - 35

Accumulate Junk - 23

Accumulate Trash - 2

Parking Restricted to hard surfaces - 1

Citations: 0

Total: 61

White Summons - 17

FISCAL IMPACT: None

RECOMMENDATION: None

ATTACHMENTS:

Staff Summary

09/03/2024

Agenda Item # F.1.



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

REPORT TO: Honorable Mayor & Council

FROM: Chris Cole Police Chief

SUBJECT: **Motion To Approve Storm Lake Rotary Turkey Fillet Fundraiser Request**

BACKGROUND: Attached is a request from the Storm Lake Rotary Club to utilize the Sunrise Park Golf Course Parking lot area for a fundraiser event on Wednesday September 18th from noon to 9 PM.

This event was previously held at the KC Hall. The request is to move the event to the Golf Course Parking lot area. Organizers have requested to route traffic into the south entrance to the golf course parking lot and form two lines moving north in the parking lot area where volunteers will serve the drivers with the meal to go. Traffic will then be directed out of the north entrance of the golf course northbound onto Sunrise Park Road.

There's a request to place cones across the north entrance to the golf course parking lot to reduce vehicles driving south on Sunrise Park Road and turning into the north golf course entrance, and a request to have the golf course rental fee waived.

Attached are copies of the request along with insurance for the event.

FISCAL IMPACT: None

RECOMMENDATION: Approve Request

ATTACHMENTS:
[Event Application](#)

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

City of Storm Lake Park Event / Rental Registration Application

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

Name of Requesting Party: Storm Lake Rotary Club Phone #: 712 299.0173

Mailing Address: Email: Phillipsm@stlcl.com

City: Storm Lake State: Iowa Zip: 50588

Cell Phone: 712.299.0173

2nd Contact: Matt Phillips Position/Relationship: President

Email: phillipsm@stlcl.com Cell Phone: 712 299.0173

Requested Park: Sunrise Pointe Event Date: 9.18.2024

Event Type: Fundraiser Event Start Time: 12:00 pm

Event End Time: 9:00 pm

Please answer the following questions regarding your proposed events:

Will there be amplified noise such as music, spoken word through a microphone or karaoke? (Use of amplified noise will require a noise variance) NO

Will you have horses involved in the event? (All animal feces must be managed and removed from public property) NO

Will you be selling food or drink as part of event? (Sale of food requires a permit from the BV County Sanitarian 712-749-2555, provide a copy of this permit to the City. Also, Council approval for food sale on public property.) yes

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

Will you be using an open shelter, the band shell, or the Chautauqua Park Shelter House? (These facilities are available for rent and have a rental fee associated with them - please fill out the rental agreement in addition to this document.) NO

Will you be erecting a tent? If YES attach a map of the park showing the location of the tent, size, and staking layout. NO

How many people will be attending the event? Provide your best estimate on attendance. 700 meals

Do you have electrical needs? NO Identify: Additional Electrical- \$150.00

Will there be alcohol at the event? yes from clubhouse Will alcohol be sold at the event? no Do you have a liquor license? NO

Will you have inflatables at the event? If yes you will be required to provide liability insurance to the City. NO

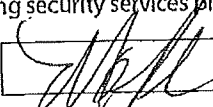
Are you requesting Street closures? Which Streets?

Starting Time:

Ending Time:

Will there be fireworks involved with this event? If Yes please contact the Fire Chief at 712-732-8010. NO

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

Signature Field 

Date: 8.22.24



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08.22.2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Hylant Group Inc 811 Madison Ave Toledo OH 43604	CONTACT NAME: Crystal Gleason	
	PHONE (A/C, No, Ext): 419-250-2710	FAX (A/C, No): 419-255-7557
E-MAIL ADDRESS:		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Westchester Surplus Lines Insurance Company		10172
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

Insured
 All Active US Rotary Clubs & Districts
 Storm Lake Rotary Club
 Attn: Risk Management Dept.
 1560 Sherman Avenue
 Evanston, IL 60201-3698

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y		G73578917003	7/1/2024	7/1/2025	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COM/OP AGG \$4,000,000 \$
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY	Y		G73578917003	7/1/2024	7/1/2025	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$			Not applicable			EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	Not applicable			PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER

CANCELLATION

City of Storm Lake Storm Lake, IA, 50588	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Judy K. Wilson</i>
---	--

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Storm Lake Rotary Club

President: Matthew Phillips

712.299.0173

phillipsm@stifel.com

To whom it may concern:

The Storm Lake Rotary Club will be hosting our annual Turkey Fillet Supper Fundraiser this year at the Sunrise Pointe Golf Course. We are requesting the use of the Senior Center for Wednesday, September 18th from noon until sundown.

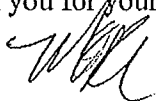
We have previously used the former KC Hall, but have decided with the changes that have occurred there, we would like to try a new venue. Sunrise Pointe seemed like a logical venue for a couple of reasons, One, there is ample room for us to accomplish what we need to that day. The other major factor, Lisa Funk (whom operates the senior meals) is a Rotarian, and will be helping us with cooking the food and preparing our meals to hand out.

Our main goal of this dinner is to raise funds to give back to the community. This event also works well as team building for our club. In the past couple of years we have netted over \$5,000! To raise these funds we ask our members to sell tickets, as well as we have many "drive thru" customers that will pay in cash that day.

We will use the main parking lot of Sunrise Pointe to have two lanes of traffic drive thru to pick up their food. Chief Chris Cole and I have come up with a plan that we feel should allow the traffic to flow smoothly.

Thank you for your time and consideration,

Matt



Staff Summary

09/03/2024

Agenda Item # F.2.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
[p \(712\) 732-8000](tel:(712)732-8000)
[f \(712\) 732-4114](tel:(712)732-4114)

REPORT TO: Honorable Mayor & Council

FROM: Chris Cole Police Chief

SUBJECT: **Resolution No. 21-R-2024-2025 To Approve SLU Street Closure And Noise Variance Request.**

BACKGROUND: Attached is a request from Storm Lake United for a road closure and noise variance for the Chills and Thrills Event scheduled for October 26th 2024. The request is to close the 500, 600 and 700 block of Lake Ave from 9AM to 11 AM.

FISCAL IMPACT: None

RECOMMENDATION: Motion To Approve Resolution No. 21-R-2024-2025 To Approve SLU Street Closure And Noise Variance Request.

ATTACHMENTS:

[SLU CnT street closure request.docx](#)

[Resolution No. 21-R-2024-2025 - Resolution temporarily closing street - Chills and Thrills Oct 26 2024 \(02399063x7F7E1\).docx](#)

27 August 2024

City of Storm Lake

Dear Mr. Larsen:

I am writing on behalf of Storm Lake United to formally request a street closure and noise variance for our upcoming community event, Chills and Thrills, scheduled for Saturday, October 26th, 2024. The event is planned to take place from 9:00 AM to 11:00 AM.

We are requesting the temporary closure of the 500, 600 and 700 during the event to ensure the safety of our participants and enhance the experience for attendees. After discussions with our insurance provider, it is their recommendation that we close the street.

Additionally, we request a noise variance during the event timeframe to accommodate music, public announcements and other activities that may exceed typical noise levels.

Chills and Thrills is a family-friendly event designed to bring our community together for a fun and festive morning filled with activities and drive thousands of potential shoppers downtown. Granting this request will be instrumental in ensuring a successful and safe event for everyone involved.

Please let us know if there are any additional requirements to facilitate this request. We appreciate your consideration and look forward to working together to make this event a great success for the Storm Lake community.

Should you have any questions or require further information, please feel free to contact me directly at 712.299.3321 or email joe@k-scopemarketing.com

Sincerely,
Joe Kelly
For Storm Lake United

RESOLUTION NO. 21-R-2024-2025

**RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN
CONNECTION WITH A SPECIAL EVENT KNOWN AS “CHILLS AND THRILLS”**

WHEREAS, Iowa Code Section 364.12(2) states "a city shall keep all public grounds, streets, sidewalks, alleys, bridges, culverts, overpasses, underpasses, grade crossing separations and approaches, public ways, squares, and commons open, in repair and free from nuisance;" and

WHEREAS, Iowa Code Section 364.12(2)(a) states "public ways and grounds may be temporarily closed by resolution;" and

WHEREAS, a request has been submitted for a temporary street closure in connection with a special event known as “Chills and Thrills,” and the City finds it is necessary and in the best interests of the attendees and public to temporarily close the following streets and any associated parking spaces from 9:00 a.m. to approximately 11:00 a.m. on the dates listed below, in conjunction with the special event known as “Chills and Thrills:”

500, 600, and 700 block of Lake Ave., on October 26, 2024.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Iowa Code Section 364.12(2)(a), the City Council of the City of Storm Lake, Iowa does hereby temporarily close the streets as stated above.

Dated this date: September 3, 2024

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

09/03/2024

Agenda Item # F.3.



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

REPORT TO: Honorable Mayor & Council

FROM: Tyler Gibbins Staff Accountant

SUBJECT: **Motion Setting Public Hearing On Fiscal Year 2024-2025 Budget Amendment**

BACKGROUND:

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

Prior to adoption of the budget amendment the City must hold a public hearing and publish notice. Passage of this motion will set the official public hearing date for Monday, September 16th, 2024 at 5:00 p.m. and directs the City Clerk to publish notice of the hearing as required by State of Iowa law.

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

RECOMMENDATION: Set the public hearing for Monday, September 16th, 2024 at 5:00 P.M.

ATTACHMENTS:

Staff Summary

09/03/2024

Agenda Item # F.4.



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

REPORT TO: Honorable Mayor & Council

FROM: Matt Beckman Public Works Director

SUBJECT: **Resolution No. 22-R-2024-2025 Approving of Construction Contract and Bond for the Construction of the Scout Park and Ice House Lift Station Project**

BACKGROUND: The City of Storm Lake has received an award of Hazard Mitigation Grant from Iowa Homeland Security and Emergency Management (IAHSEM) for the Scout Park and Ice House lift Station Project.

The Scout Park Lift Station is a critical component of the City's sanitary sewer collection system. The City has had and continues to have a need to make improvements to the Scout Park and Ice House Lift Stations to reduce and minimize the risks and damages to public and private property resulting from flooding in the sewer sheds.

The project consists of the complete replacement of each lift station and associated pump and electrical upgrades which will serve the current and projected service areas. Onsite emergency generators will be included to provide resiliency and operational sustainability. The Scout Park Lift Station electrical components (including the generator) will be installed within an enclosed building to enhance resiliency and sustainability of the particularly critical infrastructure.

Bids were received and opened on Tuesday, July 23, 2024, at 2:00 P.M. for the project referenced above. 2 Bids were received, and the results are tabulated below:

Company & Total Amount Bid

King Contracting LLC dba King Construction \$4,029,188.00
Woodruff Construction, Inc. \$4,170,000.00
Engineer's Opinion of Probable Cost \$3,552,346.00

The public hearing for the Scout Park and Ice House Lift Station Project was held at the City Council meeting on August 5, 2024, at 5:00 P.M.

The City Council awarded the construction contract at its August 5, 2024, meeting. Since that time, King Construction has signed the contract and provided the construction bond in accordance with the statutory and contractual requirements. The resolution being considered approves the construction contract and bond.

FISCAL IMPACT: The construction contract awarded to King Contracting LLC dba King Construction has an estimated amount of \$4,029,188.00

RECOMMENDATION: Approve Resolution No. 22-R-2024-2025 Approving the Construction Contract and Bond for the Scout Park and Ice House Lift Station Project.

ATTACHMENTS:
[2024-08-05 125106 Recommendation of Award.pdf](#)
[Resolution No. 22-R-2024-2025 - Construction Contract and Bond For The Construction of The Scout Park And Ice House Lift Station Project.docx](#)



August 5, 2024

Keri Navratil
City of Storm Lake
620 Erie Street
Storm Lake, Iowa 50588

RE: Wastewater Infrastructure Mitigation
Recommendation of Award
City of Storm Lake, Iowa
Project No.: OP1.125106

Dear Keri,

Bids were received and opened Tuesday, July 23, 2024 at 2:00 p.m. for the above-referenced project. Two (2) bids were received and read, and the results are tabulated below:

Bidders	Total Bid
King Contracting LLC dba King Construction	\$ 4,029,188.00
Woodruff Construction, Inc.	\$ 4,170,000.00
<i>Engineer's Estimate</i>	<i>\$ 3,552,346.00</i>

Based upon the tabulation, the low bidder for the project is King Contracting LLC dba King Construction of Wall Lake, Iowa. A bid abstract and the Engineer's Estimate are attached for your reference. If deemed economically feasible, we recommend awarding the construction contract to King Contracting LLC dba King Construction in the amount of \$4,029,188.00.

If you have any questions or need further information, please feel free to contact me at your convenience.

Sincerely,

Bolton & Menk, Inc.

Joshua A. Pope, PE, ENV SP, LEED AP BD+C
City Infrastructure Engineer

JP/ab
Enclosures



Real People. Real Solutions.

BID TABULATION

Project Location: City of Storm Lake, Iowa
Project Title: Wastewater Infrastructure Mitigation
Project No.: OP1.125106
Addendum(s): No. 1 – 07/02/2024
No. 2 – 07/17/2024

Bid Day/Date: Tuesday, July 23, 2024
Bid Time: 2:00 p.m.

BIDDERS	TOTAL PROJECT BASE BID PRICE
1. King Contracting LLC dba King Construction	\$4,029,188.00
2. Woodruff Construction, Inc.	\$4,170,000.00

RESOLUTION NO. 22-R-2024-2025

**A RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND FOR THE
SCOUT PARK AND ICE HOUSE LIFT STATION PROJECT**

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

That the construction contract and bond executed and insurance coverage for the construction of certain public improvements described in general as the Scout Park and Ice House Lift Station, and as described in detail in the plans and specifications heretofore approved, and which have been signed by the Mayor and Clerk on behalf of the City be and the same are hereby approved as follows:

Contractor: King Contracting LLC dba King Construction of Wall Lake, Iowa

Amount of bid: \$4,029,188.00
Bond Surety: Merchants Bonding Company (Mutual)
Date of Bond: September 3, 2024
Portion of project: All construction work

PASSED AND APPROVED THIS 3rd DAY OF SEPTEMBER 2024.

BY THE CITY COUNCIL OF THE
CITY OF STORM LAKE, IOWA

Michael Porsch, Mayor

ATTEST

Mayra A. Martinez, City Clerk

Staff Summary

09/03/2024

Agenda Item # F.5.



City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
[p \(712\) 732-8000](tel:(712)732-8000)
[f \(712\) 732-4114](tel:(712)732-4114)

REPORT TO: Honorable Mayor & Council

FROM: Matt Beckman Public Works Director

SUBJECT: **Resolution No. 23-R-2024-2025 Approving of Construction Contract and Bond for the Construction of the Production Well No. 22 Project.**

BACKGROUND: This project includes a 1,200 GPM well, well house and electrical controls, emergency generator, and associated piping. Well No. 22 is a direct replacement for well No. 15, which failed in 2023. The Engineer's estimate of cost for the project is \$2,326,150.00. The Project will be funded with a combination of CDBG grant funds, and SRF loan funds.

Bids for the Production Well No. 22 Project were opened on July 30th at City Hall, and two bids were received for the project. A summary of the bids received are below:

Contractor:	Total Bid
King Construction	\$2,280,915.00
Sargent Drilling	\$2,458,377.00
Engineer's Estimate	\$2,326,150.00

FISCAL IMPACT: The construction contract awarded to King Construction in the amount of \$2,280,915.00

RECOMMENDATION: Approve Resolution No. 23-R-2024-2025 Approving of Construction Contract and Bond for the Construction of the Production Well No.22 Project.

ATTACHMENTS:

[27926_ISG Letter of Recommendation.pdf](#)

[Resolution No. 23-R-2024-2025 - Construction Contract and Bond For the Construction of the Production Well No. 22 Project.docx](#)

JULY 30, 2024

Mr. Matt Beckman
City of Storm Lake
620 Erie Street
Storm Lake, IA 50588

ISG

RE: RECOMMENDATION OF AWARD, PRODUCTION WELL NO. 22

Dear Mr. Beckman,

Bids were received for the City of Storm Lake Production Well No. 22 project on Tuesday, July 30, 2024 and opened at 10:00 a.m. Two bids were received for the project. A detailed bid tabulation is attached, and a summary is provided below:

CONTRACTOR	TOTAL BID
King Construction, Wall Lake, IA	\$2,380,915.00
Sargent Drilling, Geneva, NE	\$2,458,377.00
ENGINEER'S ESTIMATE	\$2,326,150.00

After the City was awarded a Community Development Block Grant (CDBG) this spring, the Engineer's Estimate was revised to account for potentially higher bid prices due to the material requirements of the grant. A 10% increase was added to bring the engineer's total construction estimate to \$2,326,150.00.

The low bid of \$2,380,915.00 from King Construction is 2% above the Engineer's Estimate of cost. ISG has worked with King Construction previously and they have proven to be responsive and competent. Additionally, ISG has confirmed that the bid from King Construction is complete and thorough. Therefore, ISG recommends accepting the low bid of \$2,380,915.00 and award the construction contract to King Construction of Wall Lake, IA

If there are any questions regarding this recommendation, please contact us at 712.732.7745.

Sincerely,



Amanda Goodenow, P.E.
Civil Engineer
Amanda.Goodenow@ISGInc.com

Encl: Bid Tabulation

RESOLUTION NO. 23-R-2024-2025

**RESOLUTION APPROVING CONSTRUCTION CONTRACT
AND BOND FOR THE STORM LAKE PRODUCTION WELL NO. 22**

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

That the construction contract and bond executed and insurance coverage for the construction of certain public improvements described in general as the Storm Lake Production Well No. 22, and as described in detail in the plans and specifications heretofore approved, and which have been signed by the Mayor and Clerk on behalf of the City be and the same are hereby approved as follows:

Contractor: King Construction of Wall Lake, IA

Amount of bid: \$2,380,915.00

Bond surety: Merchants Bonding Company (Mutual)

Date of bond: 09/03/2024

Portion of project: All construction work

PASSED AND APPROVED this 3rd day of September 2024.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

09/03/2024

Agenda Item # F.6.



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

REPORT TO: Honorable Mayor & Council

FROM: Keri Navratil City Manager

SUBJECT: **Ordinance No. 01-O-2024-2025 Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, By Repealing And Replacing Chapter 8-9 Pertaining To Animal Control - 3rd Reading**

BACKGROUND: City Council made minor changes to Chapter, 8-9 Dangerous and Vicious Animals. The amended ordinance will create a more efficient process for declaring a Dangerous and Vicious Animal.

~~Public Hearing- August 5~~
~~1st Reading- August 5~~
~~2nd Reading- August 19~~
3rd Reading- Tuesday, September 3

FISCAL IMPACT: N/A

RECOMMENDATION: Third Reading for Ordinance No. 01-O-2024-2025 Amending Title E VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, By Repealing And Replacing Chapter 8-9 Pertaining To Animal Control

ATTACHMENTS:

[Ordinance No. 01-O-2024-2025 - Vicious Animal 8-9 - Ordinance Amending Title VIII Animal Control \(6.12 Rev. Draft\) \(02364608x7F7E1\).docx](#)

ORDINANCE NO. 01-O-2024-2025

AN ORDINANCE AMENDING TITLE VIII OF THE 1994 RECODIFICATION OF THE MUNICIPAL CODE OF THE CITY OF STORM LAKE, IOWA, BY REPEALING AND REPLACING CHAPTERS 8-9 PERTAINING TO ANIMAL CONTROL

WHEREAS, Title VIII, Police, of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa ("City Code") contains Chapter 8-9 pertaining to the control and regulation of animals and animal ownership within the corporate limits of Storm Lake; and

WHEREAS, the City Council of the City of Storm Lake ("Council" or "City," respectively) seeks to repeal and replace Chapter 8-9 pertaining to animal control and regulation for the purposes of updating the provisions; and

WHEREAS, the City finds it proper and necessary to adopt revised ordinances to protect the health and welfare of citizens; and

WHEREAS, the Council hereby determines the revisions and changes to the various animal control sections of City Code Title VIII are in the public's best interests.

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

SECTION ONE. Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, is hereby amended by repealing Chapter 8-9, Dangerous and Vicious Animals, in its entirety and replacing it with the following in lieu thereof:

Chapter 8-9

DANGEROUS AND VICIOUS ANIMALS

Sections:

8-9-1 Definitions

8-9-2 Keeping of Dangerous Animals Prohibited

8-9-3 Dangerous Animal Exceptions

8-9-4 Seizure, Impoundment and Disposition of Dangerous Animals

8-9-5 Keeping of Vicious Animals Prohibited

8-9-6 Vicious Animal Exception

8-9-7 Seizure, Impoundment and Disposition of Vicious Animals

8-9-8 Restrictions of Keeping of Potentially Vicious Animals

8-9-9 Complaint, Procedures and Restrictions of Potentially Vicious Animals

Section 8-9-1 Definitions

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purpose of this Chapter, have the meanings in this Section:

(A) "DANGEROUS ANIMAL":

1. Any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among, human beings or domestic animals and having known tendencies as a species to do so;
2. Any animals declared to be dangerous by the Board of Health of the County or the City Manager, or their designee;
3. The following animals which shall be deemed to be dangerous animals per se:
 - a. All cats, except domestic cats (Carnivora of the family Felidae including, but not limited to, lions, cougars, tigers, jaguars, leopards, lynx, and bobcats);
 - b. Wolves, coyotes and foxes;
 - c. Badgers, wolverines, weasels, skunks and mink;
 - d. Raccoons;
 - e. Bears;
 - f. All apes and monkeys, including chimpanzees;
 - g. Bats;
 - h. Alligators and crocodiles;
 - i. Scorpions;
 - j. Snakes that are venomous or constrictors; and
 - k. Gila monsters.

(B) "POTENTIALLY VICIOUS ANIMAL": Any animal, except for a dangerous animal per se, as listed above, which:

1. Chases or approaches a person, domestic animal, fowl, or livestock in an apparent attitude of attack, or
2. Attacks a person, domestic animal, fowl, or livestock; or
3. Bites, harms, or attempts to bite or harm a person, domestic fowl, or livestock; or
4. Has been trained to fight other domestic animals; or
5. Has been trained as a guard dog for people or property.

This definition shall not apply to law enforcement canines.

An animal provoked to an attitude of self-defense or assumes a defensive attitude in protection of its owner's property shall not be a per se potentially vicious animal. The City Manager or their designee may take various factors into consideration when determining whether an animal meets this definition. These factors include, but are not limited to, whether the animal was provoked, or whether the animal was acting to protect itself, its owner, or its owner's property.

(C) "VICIOUS ANIMAL": Any animal, except for a dangerous animal per se as listed above which:

1. Has inflicted serious injury on a human being unless the animal was on its owner's premises and either:
 - a. The animal was being provoked, teased or tormented; or
 - b. The victim was trespassing and was more than seven (7) years of age; or
2. Has attacked, and killed or caused disabling injury to other domestic animal without provocation while off the owner's premises; or
3. Is owned or harbored primarily or in part for the purpose of fighting in contests or any animal trained for such fighting.

As used herein, serious injury includes any one bite which breaks the skin of the victim.

Section 8-9-2 Keeping of Dangerous Animals Prohibited

No person shall keep, shelter, or harbor any dangerous animal as a pet, nor act as a temporary custodian for such animal, nor keep, shelter, or harbor such animal for any other purpose or in any other capacity within the corporate limits of the City of Storm Lake, except as provided in Section 8-9-3 of this Code.

Section 8-9-3 Dangerous Animal Exceptions

The prohibition contained in Section 8-9-2 of this Code shall not apply to the keeping of dangerous animals in the following circumstances:

- (A) The keeping of a service animal, as defined and required by state and federal law.
- (B) The keeping of dangerous animals in a public zoo, bona fide educational or medical institution, humane society, or museum where they are kept as live specimens for the public to view, or for the purpose of instruction, research, or study.
- (C) The keeping of dangerous animals for exhibition to the public by a bona fide traveling circus, carnival, exhibit, or show.
- (D) The keeping of dangerous animals in a bona fide, licensed veterinary hospital for treatment.
- (E) The keeping of dangerous animals by a wildlife rescue organization with appropriate permit from the Iowa Conservation Commission.
- (F) Any dangerous animals under the jurisdiction of and in the possession of the Iowa Conservation Commission, pursuant to Chapters 481A or 481B of the Iowa Code.

Section 8-9-4 Seizure, Impoundment and Disposition of Dangerous Animals

- (A) In the event that a dangerous animal is found at large and unattended upon public property, park property, public right-of-way, or the property of someone other than its owner, thereby

creating a hazard to person or property, such animal, may, in the discretion of the City Manager or his/her designee, or the Chief of Police, be destroyed if it cannot be confined or captured. The City of Storm Lake shall be under no duty to attempt the confinement or capture of a dangerous animal found at large, nor shall it have a duty to notify the owner of such animal prior to its destruction.

- (B) Upon the complaint of any individual that a person is keeping, sheltering, or harboring a dangerous animal on premises in the City of Storm Lake, the City Manager shall cause the matter to be investigated, and if after investigation, the facts indicate that the person named in the complaint is keeping, sheltering or harboring a dangerous animal in the City, the City Manager shall declare the animal to be dangerous and order the person named in the complaint to safely remove such animal from the City of Storm Lake, permanently place the animal with an organization or group allowed under Section 8-9-3 of this Code to possess dangerous animals, or humanely destroy the animal, within three (3) days of the receipt of such order. Such order shall be contained in a notice to remove dangerous animal, which notice shall be given in writing to the person keeping, sheltering or harboring the dangerous animal, and shall be served personally or by certified mail. Such order and notice to remove dangerous animal shall not be required where such dangerous animal has previously caused serious physical harm or death to any person in which case the City Manager shall cause the animal to be immediately seized and impounded or destroyed if seizure or impoundment are not possible without risk of serious physical harm or death to any person.
- (C) The order to remove a dangerous animal issued by the City Manager shall be appealable to the City Council. In order to appeal such order, written notice of appeal must be filed with the City Clerk within three (3) days after receipt of the order contained in the notice to remove dangerous animal. Failure to file such written notice of appeal shall constitute a waiver of right to appeal the order of the City Manager.
- (D) The notice of appeal shall state the grounds for such appeal and shall be delivered personally or by certified mail to the City Clerk. The hearing of such appeal shall be scheduled within seven (7) days of the receipt of notice of appeal. The hearing may be continued for good cause. The City Manager may direct quarantine or impound of the dangerous animal until after an appeal hearing. After such hearing, the City Council may affirm or reverse the order of the City Manager. Such determination shall be contained in a written decision and shall be filed with the City Clerk within three (3) days after the hearing, or any continued session thereof.
- (E) If the City Council affirms the action of the City Manager, the City Council shall order in its written decision that the individual or entity owning, sheltering, harboring, or keeping such dangerous animal, remove such animal from the corporate limits of the City of Storm Lake, permanently place such animal with an organization or group allowed under Section 8-9-3 of this Chapter to possess dangerous animals, or humanely destroy it. The decision and order shall immediately be served upon the person or entity against whom rendered in the same manner as the notice of removal. If the original order of the City Manager is not appealed and is not complied with within three (3) days of its issuance, the City Manager

or his/her designee is authorized to seize and impound such dangerous animal. An animal so seized shall be impounded for a period of five (5) days. If at the end of the impoundment period, the individual or entity against whom the decision and order of the City Manager or City Council was issued has not petitioned the Buena Vista County District Court for a review of said order, the City Manager shall cause the animal to be disposed of by sale, permanently place such animal with an organization or group allowed under Section 8-9-3 of this Chapter to possess dangerous animals, or humanely destroy such animal. Failure to comply with an order of the City Manager issued pursuant thereto and not appealed, or of the City Council after appeal, shall constitute a municipal infraction.

Section 8-9-5 Keeping of Vicious Animals Prohibited

No person shall keep, shelter or harbor for any reason within the City a vicious animal so defined herein, except as provided in Section 8-9-6 of this Code.

Section 8-9-6 Vicious Animal Exception

The prohibition contained in Section 8-9-5 of this Code shall not apply to the keeping of vicious animals in the following circumstances:

- (A) Animals under the control of a law enforcement or military agency.
- (B) The keeping of guard dogs. However, guard dogs must be kept within a structure of fixed enclosure at all times, and any guard dog found at large may be processed as a vicious animal pursuant to the provisions of Section 8-9-5 and 8-9-7 of this Code. Any premises guarded by a guard dog shall be prominently posted with a sign containing the wording "guard dog", "vicious dog", "beware of dog", or words of similar importance, and the owner of such premises shall inform the Chief of Police that a guard dog is on duty at such premises.

Section 8-9-7 Seizure, Impoundment and Disposition of Vicious Animals

- (A) Upon the complaint of any individual that a person is keeping, sheltering, or harboring a vicious animal on premises in the City of Storm Lake, the City Manager shall cause the matter to be investigated, and if after investigation, the facts indicate that the person named in the complaint is keeping, sheltering or harboring a vicious animal in the City, the City Manager shall declare the animal to be vicious and order the person named in the complaint to safely remove such animal from the City of Storm Lake, or humanely destroy the animal, within three (3) days of the receipt of such order. Such order shall set forth the description of the animal declared to be vicious and an explanation for the determination of viciousness. Such order shall be contained in a notice to remove vicious animal, which notice shall be given in writing to the person keeping, sheltering or harboring the vicious animal, and shall be served personally or by certified mail. Such order and notice to remove vicious animal shall not be required where such vicious animal has previously caused serious physical harm or death to any person in which case the City Manager shall cause the animal to be immediately seized and impounded or humanely

destroyed if seizure or impoundment are not possible without risk of serious physical harm or death to any person. If the order is not complied with within three (3) days of its issuance, the City Manager or his/her designee is authorized to seize and impound the animal. An animal so seized shall be impounded for a period of five (5) days. If at the end of the impoundment period, the individual or entity against whom the order of the City Manager or his/her designee was issued has not appealed such order to the City Council, the City Manager or his/her designee shall cause the animal to be destroyed.

- (B) The order to remove or destroy vicious animal issued by the City Manager or his/her designee shall be appealable to the City Council. In order to appeal such order, written notice of appeal must be filed with the City Clerk within three (3) days after receipt of the order to remove or destroy the vicious animal. Failure to file such written notice of appeal shall constitute a waiver of right to appeal the order of the City Manager or his/her designee. The animal shall continue to be quarantined or impounded as directed by the City Manager at the owner's cost until conclusion of the appeal.
- (C) The notice of appeal shall state the grounds for such appeal and shall be delivered personally or by certified mail to the City Clerk. The hearing of such appeal shall be scheduled within seven (7) days of the receipt of notice of appeal. The hearing may be continued for good cause. After such hearing, the City Council may affirm or reverse the order of the City Manager or his/her designee. Such determination shall be contained in a written decision and shall be filed with the City Clerk within three (3) days after the hearing, or any continued session thereof.
- (D) If the City Council affirms the action of the City Manager or his/her designee, the City Council shall order in its written decision that the individual or entity owning, sheltering, harboring, or keeping such vicious animal, shall remove such animal from the City or cause it to be destroyed in a humane manner. The decision and order shall immediately be served upon the person or entity against whom rendered in the same manner as the order to remove or destroy. If the original order of the City Manager or his/her designee is not appealed and is not complied with within three (3) days or the order of the City Council after appeal is not complied with within three (3) days of its issuance, the City Manager or his/her designee is authorized to seize and impound such vicious animal. An animal so seized shall be impounded for a period of five (5) days. If at the end of the impoundment period, the individual or entity against whom the decision and order of the City Manager or his/her designee and/or the City Council was issued has not petitioned the Buena Vista County District Court for a review of said order, the City Manager or his designee shall cause the animal to be destroyed in a humane manner.
- (E) Failure to comply with an order of the City Manager or his/her designee issued pursuant hereto and not appealed, or of the City Council after appeal, shall constitute a municipal infraction.
- (F) Any animal found at large which displays vicious tendencies may be processed as a vicious animal pursuant to the foregoing, unless the animal is so vicious that it cannot safely be

apprehended, in which case the City Manager, Police Chief, or their designee may immediately destroy it.

- (G) Any animal which is impounded or quarantined pending investigation or appeal of a vicious animal report, shall not be released to the owner, but shall continue to be held at the expense of the owner pending final disposition by administrative order or Council appeal. All costs of such impoundment or quarantine shall be paid by the owner if the animal is determined to be vicious. If the animal is not determined to be vicious, all costs of such impoundment or quarantine shall be paid by the City.

Section 8-9-8 Restrictions of Keeping of Potentially Vicious Animals

No person shall keep, shelter or harbor for any reason within the City a potentially vicious animal as defined herein after such animal has been determined to be potentially vicious as provided in Section 8-9-9, unless the terms and conditions imposed by the hearing officer, or the City Council, as appropriate, for keeping such animal within the City have been strictly complied with.

Section 8-9-9 Complaint, Procedures and Restrictions of Potentially Vicious Animals

- (A) The City Manager, or his/her designee, in his/her discretion or upon receipt of a complaint alleging that a particular animal is a potentially vicious animal as defined herein, shall cause the matter to be investigated, and if, after investigation, the facts indicate that the particular animal meets the definition of potentially vicious as provided herein, the City Manager or his/her designee shall declare the animal to be potentially vicious and may order the owner to comply with some or all the following restrictions with regard to the animal, as appropriate, as a condition of the animal owner's continued right to maintain the animal within the City limits.

1. The animal may be required to be muzzled at all times when upon public property.
2. The animal may be required to be restrained by a chain leash at all times when the animal is outside the owner's home, and which chain leash should be not more than six feet (6') in length if the animal is on public property.
3. The owner may be required to fence the owner's premises or a portion thereof with chain link or other type fence reasonably calculated to restrain the animal and keep it in good state of repair whenever the animal is outside on the owner's premises.
4. The owner shall provide the City with a copy of a certificate of insurance issued by an insurance company licensed to do business in the state providing personal liability insurance as in a homeowner's policy, with a minimum liability amount of \$100,000.00 for the injury or death of any person, for damage to property of others and for acts of negligence by the owner or his or her agents. The certificate shall require notice to the city if the underlying policy of insurance is cancelled for any reason. In lieu of such a certificate, a copy of a current homeowner's policy designating these requirements shall be sufficient proof of insurance for purposes of this subsection. If a certificate of insurance or policy is not immediately available, the City may provide up to 30 days subsequent to the determination that an animal is potentially vicious to obtain the certificate; however, if after 30 days a certificate of insurance or a policy has not been

submitted or the insurance coverage is cancelled, the animal shall be deemed unregistered or unlicensed and subject to immediate impoundment or removal from the corporate limits of the city.

(B) An order determining an animal to be potentially vicious and imposing restrictions upon the continued existence of that animal within the City limits shall be appealable to the same extent and subject to the same procedural requirements and safeguards as are contained in Section 8-9-7 relating to vicious animals.

(C) Failure to comply with an order of the City Manager's or his/her designee issued pursuant hereto and not appealed, or the City Council after appeal, shall constitute a municipal infraction. Further, failure to comply with regard to a particular animal shall qualify that animal as a vicious animal, notwithstanding the basic definition of vicious animal as contained in Section 8-9-1, and subject the owner and the animal involved to all of the provisions of this Chapter relating to vicious animals.

SECTION TWO. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

SECTION THREE. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION FOUR. Effective. This Ordinance shall be in full force and effect, from and after its passage, adoption, and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

SECTION FIVE. When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Recodification of the Municipal Code of the City of Storm Lake, Iowa.

PASSED on its first consideration the _____ day of _____, 2024.

PASSED on its second consideration the _____ day of _____, 2024.

Requirement of consideration and vote at two (2) prior Council meetings suspended the _____ day of _____, 2024.

PASSED AND APPROVED on its third consideration this _____ day of _____, 2024.

CITY OF STORM LAKE, IOWA

By: _____
Micheal Porsch, Mayor

_____ No action taken by Mayor.

_____ Vetoed this _____ day of _____, 2024.

Michael Porsch, Mayor

ATTEST:

Mayra A, Martinez, City Clerk

_____ Repassed and adopted over the veto this _____ day of _____, 2024.

_____ Veto affirmed this _____ day of _____, 2024 by failure of vote taken to repass.

_____ Veto affirmed no timely vote taken to repass over veto.

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

09/03/2024

Agenda Item # F.7.



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

REPORT TO: Honorable Mayor & Council

FROM: Keri Navratil City Manager

SUBJECT: **Ordinance No. 02-O-2024-2025 Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, By Repealing And Replacing Chapters 8-3 Pertaining To Animal Control - 3rd Reading**

BACKGROUND: City Council made significant changes to Chapters 8-3 Dogs ordinances. The amended ordinance also includes necessary updates to be compliant with Iowa State Code.

~~Public Hearing- August 5~~
~~1st Reading- August 5~~
~~2nd Reading- August 19~~
3rd Reading- Tuesday, September 3

FISCAL IMPACT: N/A

RECOMMENDATION: Motion to Approve Third Reading of Ordinance No. 02-O-2024-2025 Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, By Repealing And Replacing Chapter 8-3 Pertaining To Animal Control

ATTACHMENTS:

[Ordinance No. 02-O-2024-2025 - DOG 8-3 - Ordinance Amending Title VIII Animal Control \(6.12 Rev. Draft\) \(02364608x7F7E1\).docx](#)

ORDINANCE NO. 02-O-2024-2025

AN ORDINANCE AMENDING TITLE VIII OF THE 1994 RECODIFICATION OF THE MUNICIPAL CODE OF THE CITY OF STORM LAKE, IOWA, BY REPEALING AND REPLACING CHAPTERS 8-3 PERTAINING TO ANIMAL CONTROL

WHEREAS, Title VIII, Police, of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa ("City Code") contains Chapter 8-3 pertaining to the control and regulation of animals and animal ownership within the corporate limits of Storm Lake; and

WHEREAS, the City Council of the City of Storm Lake ("Council" or "City," respectively) seeks to repeal and replace Chapter 8-3 pertaining to animal control and regulation for the purposes of updating the provisions; and

WHEREAS, the City finds it proper and necessary to adopt revised ordinances to protect the health and welfare of citizens; and

WHEREAS, the Council hereby determines the revisions and changes to the various animal control sections of City Code Title VIII are in the public's best interests.

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

SECTION ONE. Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, is hereby amended by repealing Chapter 8-3, Dogs, in its entirety and replacing it with the following in lieu thereof:

Chapter 8-3

DOGS

Sections:

8-3-1 Definitions

8-3-2 License

8-3-3 Immunization

8-3-4 Kennel Dogs

8-3-5 Dogs Disturbing the Peace

8-3-6 Impounding

8-3-7 Municipal Infraction

Section 8-3-1 Definitions

For use within this Chapter the following are defined:

(A) "DOGS" includes both male and female members of the canine species, whether altered or not;

- (B) "AT LARGE" refers to any dog running otherwise than upon the premises of its owner when the dog is not attached to a leash 6 feet or less in length, or other similar physical restraint, under the control of a person physically competent to restrain or control the dog, properly restrained within a motor vehicle, or housed in an animal hospital or kennel;
- (C) "OWNER" includes any person, firm or corporation owning, harboring, sheltering or keeping a dog, including any person who feeds or otherwise cares for a dog.

Section 8-3-2 License

- (A) License Required. Every owner of a dog six (6) months of age or older shall annually procure a dog license from the City. The license fee shall be in the amount set by Council Resolution and shall be paid no later than January 1 of each year. It shall be unlawful for an owner to have a dog within the city without procuring a license as required by this Ordinance.
- (B) Application for License and Issuance Requirements. License applications shall be on a form provided and prescribed by the City Manager. Applications shall be made within six months of possession of the dog. Applications shall include evidence of rabies vaccination. The rabies vaccination required shall be that which is approved by the state of Iowa in accordance with the approved state agency's standards and requirements, and the frequency of revaccination necessary for approved vaccinations shall be established by that state department. The vaccine shall be administered by a licensed veterinarian and shall be given as approved by the state of Iowa.

A copy of a certificate from a licensed veterinarian must accompany all applications claiming an animal has been spayed or neutered. The city clerk or designee shall issue dog licenses when the application requirements are met and the license fee is paid.
- (C) Duration of License. A license granted pursuant to this provision shall be valid for a period of one year.
- (D) License Tag. Upon payment of the license fee, the City shall issue to the owner a license which shall contain the name of the owner, his/her place of residence, and a description of the dog. The City shall keep a duplicate of each license issued as a public record. Upon issuance of the license, the City shall deliver to the owner a metal tag stamped with the number of the license and the year for which it is issued. The license tag shall be securely fastened to a collar or harness which shall be worn by the dog for which the license is issued. Any dog found running at large without the license tag attached to its collar or harness shall be deemed unlicensed. Licenses and license tags are not transferable.
- (E) Exceptions. The requirements for licensing dogs shall not apply in the following circumstances:

1. The dog is in transit through the city only.

2. The first thirty (30) calendar days of residency in the city by the owner, or the first thirty (30) calendar days the owner has owned the dog and the dog is at least six months old.

Section 8-3-3 Immunization

Every dog owner shall comply with state law requirements to obtain proper immunization against rabies. Ownership or possession of a dog over six months of age within the corporate limits of Storm Lake without proper immunization against rabies shall be unlawful. Proof of immunization issued by a licensed veterinarian in the form of a metal tag shall be worn by any dog owner's dog, and the dog owner shall additionally maintain documented proof of such immunization.

Section 8-3-4 Kennel Dogs

Kennel dogs which are kept or raised solely for the bona fide purpose of sale and which are kept under constant restraint are not subject to the provisions of this Chapter.

Section 8-3-5 Dogs Disturbing the Peace – Leashing Required

- (A) It shall be unlawful for an owner of a dog to allow or permit such dog to pass upon the premises of another.
- (B) It shall be unlawful for an owner of a dog to allow or permit such dog to run at large. Dogs may not run at large in any city park, public sidewalk, or trail. Dogs that are not properly attached to a leash 6 feet or less in length, or other similar physical restraint, shall be deemed at large.
- (C) It shall be unlawful for an owner of a dog to allow or permit such dog to cause serious annoyance or disturbance to any person by frequent and habitual howling, yelping, barking or otherwise; or by running after or chasing persons, bicycles, automobiles or other vehicles.
- (D) It shall be unlawful for any person who owns, possesses, or controls an animal to permit the animal's excrement to be left upon any public property, or any private property neither owned nor occupied by such person. Animal excrement shall be immediately removed and properly disposed of in a trash receptacle.
- (E) The provisions of Subsections (A) and (B) shall not apply to dogs being run by an employee of the City or by a person, including the person's employee, under contract with the City of Storm Lake for the purpose of controlling and minimizing the presence of geese in the City parks or other property owned by the City.

Section 8-3-6 Impounding

- (A) Any unlicensed dog found at large, or any licensed dog found at large in violation of the provisions of this Chapter, shall be seized and impounded.

(B) The owners of such licensed dogs shall be notified in writing within two (2) days of impounding that upon payment of impounding costs such dogs will be returned. If the impounded licensed dogs are not recovered by their owners within five (5) days after notice, the dogs shall be humanely disposed of by the Chief of Police.

(C) Impounded unlicensed dogs may be recovered by the owner, upon proper identification, by payment of license fee and impounding costs. If such dogs are not claimed within five (5) days after impounding, they shall be humanely disposed of by the Chief of Police.

Section 8-3-7 Municipal Infraction

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

SECTION TWO. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

SECTION THREE. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION FOUR. Effective. This Ordinance shall be in full force and effect, from and after its passage, adoption, and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

SECTION FIVE. When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Recodification of the Municipal Code of the City of Storm Lake, Iowa.

PASSED on its first consideration the _____ day of _____, 2024.

PASSED on its second consideration the _____ day of _____, 2024.

Requirement of consideration and vote at two (2) prior Council meetings suspended the _____ day of _____, 2024.

PASSED AND APPROVED on its third consideration this _____ day of _____, 2024.

CITY OF STORM LAKE, IOWA

By: _____

Micheal Porsch, Mayor

_____ No action taken by Mayor.

_____ Vetoed this _____ day of _____, 2024.

Michael Porsch, Mayor

ATTEST:

Mayra A, Martinez, City Clerk

_____ Repassed and adopted over the veto this _____ day of _____, 2024.

_____ Veto affirmed this _____ day of _____, 2024 by failure of vote taken to repass.

_____ Veto affirmed no timely vote taken to repass over veto.

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

09/03/2024

Agenda Item # F.8.



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

REPORT TO: Honorable Mayor & Council

FROM: Keri Navratil City Manager

SUBJECT: **Public Hearing On An Ordinance Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, Be Repealing And Replacing Chapter 8-4 Pertaining To Animal Control.**

BACKGROUND: The new ordinance adds section 8-4-70 Population Control Programs

A nonprofit engaged in the practice of implementing a comprehensive population control program may operate such program within the City for unlicensed feral, stray, or otherwise unclaimed cats at large without incurring liability as an owner. As part of the program hereunder, a cat may be returned to the area where it was captured unless the property owner or the caretaker of the property where the cat was captured requests that the cat not be returned, or the cat is sick or injured. The City shall have no liability for the activities of any such nonprofit, nor shall the nonprofit's program interfere with the City's continued enforcement of all ordinances applicable to cats and other animals, including all otherwise applicable at-large and nuisance violation provisions of this Chapter for cats that have been subject to a population control program.

FISCAL IMPACT: N/A

RECOMMENDATION: Open Hearing
Hear Comments
Close Hearing

ATTACHMENTS:
[Ordinance Amending Title VIII Animal Control Cats 8-4 - Final \(02391858x7F7E1\).docx](#)

ORDINANCE NO. 03-O-2024-2025

AN ORDINANCE AMENDING TITLE VIII OF THE 1994 RECODIFICATION OF THE MUNICIPAL CODE OF THE CITY OF STORM LAKE, IOWA, BY REPEALING AND REPLACING CHAPTER 8-4 PERTAINING TO ANIMAL CONTROL

WHEREAS, Title VIII, Police, of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa ("City Code") contains Chapter 8-4 pertaining to the control and regulation of animals and animal ownership within the corporate limits of Storm Lake; and

WHEREAS, the City Council of the City of Storm Lake ("Council" or "City," respectively) seeks to repeal and replace Chapter 8-4 pertaining to animal control and regulation for the purposes of updating the provisions; and

WHEREAS, the City finds it proper and necessary to adopt revised ordinances to protect the health and welfare of citizens; and

WHEREAS, the Council hereby determines the revisions and changes to the various animal control sections of City Code Title VIII are in the public's best interests.

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

SECTION ONE. Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, is hereby amended by repealing Chapter 8-4, Cats, in its entirety and replacing it with the following in lieu thereof:

Chapter 8-4

CATS

Sections:

8-4-1 Definitions

8-4-2 License

8-4-3 Immunization

8-4-4 Kennel Cats

8-4-5 Cats Disturbing the Peace

8-4-6 Impounding

8-4-7 Population Control Programs

8-4-8 Municipal Infraction

Section 8-4-1 Definitions

For use within this Chapter the following are defined:

- (A) "AT LARGE": Refers to any cat running otherwise than upon the premises of its owner when the cat is not attached to a leash held by a competent person, restrained within a motor vehicle, or in any animal hospital or kennel.
- (B) "CATS": Includes both male and female members of the felis catus domestica species, whether altered or not.
- (C) "OWNER": Any person, firm or corporation owning, harboring, sheltering or keeping a cat, including any person who feeds or otherwise cares for a cat.
- (D) "POPULATION CONTROL PROGRAM" shall mean a program allowed by the City Council exempting persons from liability under this Chapter for carrying on a comprehensive population management strategy.

Section 8-4-2 License

- (A) License Required. Every owner of a cat shall annually procure a cat license from the City. The license fee shall be in the amount set by Council Resolution and shall be paid no later than January 1 of each year. It shall be unlawful for an owner to have a cat within the city without procuring a license as required by this Ordinance.
- (B) Application for License and Issuance Requirements. License applications shall be on a form provided and proscribed by the City Manager. Applications shall be made within six months of possession of the cat. Applications shall include evidence of rabies vaccination. The rabies vaccination required shall be that which is approved by the state of Iowa in accordance with the approved state agency's standards and requirements, and the frequency of revaccination necessary for approved vaccinations shall be established by that state department. The vaccine shall be administered by a licensed veterinarian and shall be given as approved by the state of Iowa.

A copy of a certificate from a licensed veterinarian must accompany all applications claiming an animal has been spayed or neutered. The city clerk or designee shall issue cat licenses when the application requirements are met and license fee is paid.
- (C) Duration of License. A license granted pursuant to this provision shall be valid for a period of one year.
- (D) License Tag. Upon payment of the license fee, the City shall issue to the owner a license which shall contain the name of the owner, his/her place of residence, and a description of the cat. The City shall keep a duplicate of each license issued as a public record. Upon issuance of the license, the City shall deliver to the owner a metal tag stamped with the number of the license and the year for which it is issued. The license tag shall be securely fastened to a collar or harness which shall be worn by the cat for which the license is issued. Any cat found running at large without the license tag attached to its collar or harness shall be deemed unlicensed. Licenses and license tags are not transferable.

(E) Exceptions. The requirements for licensing cats shall not apply in the following circumstances:

1. The cat is in transit through the city only.
2. The first thirty (30) calendar days of residency in the city by the owner, or the first thirty (30) calendar days the owner has owned the cat and the cat is at least six months old.

Section 8-4-3 Immunization

Every cat owner shall obtain proper immunization against rabies. Ownership or possession of a cat within the corporate limits of Storm Lake without proper immunization against rabies shall be unlawful. Proof of immunization issued by a licensed veterinarian in the form of a metal tag shall be worn by any cat owner's cat, and the cat owner shall additionally maintain documented proof of such immunization.

Section 8-4-4 Kennel Cats

Kennel cats which are kept or raised solely for the bona fide purpose of sale and which are kept under constant restraint are not subject to the provisions of this Chapter.

Section 8-4-5 Cats Disturbing the Peace

- (A) It shall be unlawful for an owner of a cat to allow or permit such cat to pass upon the premises of another.
- (B) It shall be unlawful for an owner of a cat to allow or permit such cat to run at large. This provision shall not be construed to prohibit population control programs undertaken by a nonprofit in conformity with Section 8-4-7.
- (C) It shall be unlawful for an owner of a cat to allow or permit such cat to cause serious annoyance or disturbance to any person by frequent and habitual howling, whining, meowing, or otherwise.
- (D) It shall be unlawful for any person who owns, possesses or controls an animal to permit the animal's excrement to be left upon any public property, or any private property neither owned nor occupied by such person. Animal excrement shall be immediately removed and properly disposed of in a trash receptacle.

Section 8-4-6 Impounding

- (A) Any unlicensed cat found at large, or any licensed cat found at large in violation of the provisions of this Chapter, shall be seized and impounded at the owner's cost.

(B) The owners of such licensed cats shall be notified in writing within two (2) days of impounding that upon payment of impounding costs such cats will be returned. If the impounded licensed cats are not recovered by their owners within five (5) days after notice, the cats shall be humanely disposed of by the Chief of Police.

(C) Impounded unlicensed cats may be recovered by the owner, upon proper identification by payment of the license fee and impounding costs. If such cats are not claimed within five (5) days after impounding, they shall be humanely disposed of by the Chief of Police.

Section 8-4-7 Population Control Programs

A nonprofit engaged in the practice of implementing a comprehensive population control program may operate such program within the City for unlicensed feral, stray, or otherwise unclaimed cats at large without incurring liability as an owner. As part of the program hereunder, a cat may be returned to the area where it was captured unless the property owner or the caretaker of the property where the cat was captured requests that the cat not be returned, or the cat is sick or injured. The City shall have no liability for the activities of any such nonprofit, nor shall the nonprofit's program interfere with the City's continued enforcement of all ordinances applicable to cats and other animals, including all otherwise applicable at-large and nuisance violation provisions of this Chapter for cats that have been subject to a population control program.

Section 8-4-8 Municipal Infraction

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

SECTION TWO. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

SECTION THREE. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION FOUR. Effective. This Ordinance shall be in full force and effect, from and after its passage, adoption, and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

SECTION FIVE. When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Recodification of the Municipal Code of the City of Storm Lake, Iowa.

PASSED on its first consideration the _____ day of _____, 2024.

PASSED on its second consideration the _____ day of _____, 2024.

Requirement of consideration and vote at two (2) prior Council meetings suspended the _____ day of _____, 2024.

PASSED AND APPROVED on its third consideration this _____ day of _____, 2024.

CITY OF STORM LAKE, IOWA

By: _____

Mike Porsch, Mayor

_____ No action taken by Mayor.

_____ Vetoed this _____ day of _____, 2024.

Michael Porsch, Mayor

ATTEST:

Mayra A, Martinez, City Clerk

_____ Repassed and adopted over the veto this _____ day of _____, 2024.

_____ Veto affirmed this _____ day of _____, 2024 by failure of vote taken to repass.

_____ Veto affirmed no timely vote taken to repass over veto.

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

09/03/2024

Agenda Item # F.9.



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

REPORT TO: Honorable Mayor & Council

FROM: Keri Navratil City Manager

SUBJECT: **Ordinance No. 03-O-2024-2025 Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, Be Repealing And Replacing Chapter 8-4 Pertaining To Animal Control- 1st Reading**

BACKGROUND: The new ordinance adds section 8-4-70 Population Control Programs

A nonprofit engaged in the practice of implementing a comprehensive population control program may operate such program within the City for unlicensed feral, stray, or otherwise unclaimed cats at large without incurring liability as an owner. As part of the program hereunder, a cat may be returned to the area where it was captured unless the property owner or the caretaker of the property where the cat was captured requests that the cat not be returned, or the cat is sick or injured. The City shall have no liability for the activities of any such nonprofit, nor shall the nonprofit's program interfere with the City's continued enforcement of all ordinances applicable to cats and other animals, including all otherwise applicable at-large and nuisance violation provisions of this Chapter for cats that have been subject to a population control program.

First Reading- September 3
Second Reading- September 16
Third Reading- October 7

FISCAL IMPACT: N/A

RECOMMENDATION: **Motion to Approve Ordinance Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, Be Repealing And Replacing Chapter 8-4 Pertaining To**

Animal Control

ATTACHMENTS:

[Ordinance No. 03-O-2024-2025 - Cats 8-4 - Ordinance Amending Title VIII Animal Control - Cats 8-4 -
_Final__02391858x7F7E1_.docx](#)

ORDINANCE NO. 03-O-2024-2025

AN ORDINANCE AMENDING TITLE VIII OF THE 1994 RECODIFICATION OF THE MUNICIPAL CODE OF THE CITY OF STORM LAKE, IOWA, BY REPEALING AND REPLACING CHAPTER 8-4 PERTAINING TO ANIMAL CONTROL

WHEREAS, Title VIII, Police, of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa ("City Code") contains Chapter 8-4 pertaining to the control and regulation of animals and animal ownership within the corporate limits of Storm Lake; and

WHEREAS, the City Council of the City of Storm Lake ("Council" or "City," respectively) seeks to repeal and replace Chapter 8-4 pertaining to animal control and regulation for the purposes of updating the provisions; and

WHEREAS, the City finds it proper and necessary to adopt revised ordinances to protect the health and welfare of citizens; and

WHEREAS, the Council hereby determines the revisions and changes to the various animal control sections of City Code Title VIII are in the public's best interests.

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

SECTION ONE. Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, is hereby amended by repealing Chapter 8-4, Cats, in its entirety and replacing it with the following in lieu thereof:

Chapter 8-4

CATS

Sections:

8-4-1 Definitions

8-4-2 License

8-4-3 Immunization

8-4-4 Kennel Cats

8-4-5 Cats Disturbing the Peace

8-4-6 Impounding

8-4-7 Population Control Programs

8-4-8 Municipal Infraction

Section 8-4-1 Definitions

For use within this Chapter the following are defined:

- (A) "AT LARGE": Refers to any cat running otherwise than upon the premises of its owner when the cat is not attached to a leash held by a competent person, restrained within a motor vehicle, or in any animal hospital or kennel.
- (B) "CATS": Includes both male and female members of the felis catus domestica species, whether altered or not.
- (C) "OWNER": Any person, firm or corporation owning, harboring, sheltering or keeping a cat, including any person who feeds or otherwise cares for a cat.
- (D) "POPULATION CONTROL PROGRAM" shall mean a program allowed by the City Council exempting persons from liability under this Chapter for carrying on a comprehensive population management strategy.

Section 8-4-2 License

- (A) License Required. Every owner of a cat shall annually procure a cat license from the City. The license fee shall be in the amount set by Council Resolution and shall be paid no later than January 1 of each year. It shall be unlawful for an owner to have a cat within the city without procuring a license as required by this Ordinance.
- (B) Application for License and Issuance Requirements. License applications shall be on a form provided and proscribed by the City Manager. Applications shall be made within six months of possession of the cat. Applications shall include evidence of rabies vaccination. The rabies vaccination required shall be that which is approved by the state of Iowa in accordance with the approved state agency's standards and requirements, and the frequency of revaccination necessary for approved vaccinations shall be established by that state department. The vaccine shall be administered by a licensed veterinarian and shall be given as approved by the state of Iowa.

A copy of a certificate from a licensed veterinarian must accompany all applications claiming an animal has been spayed or neutered. The city clerk or designee shall issue cat licenses when the application requirements are met and license fee is paid.
- (C) Duration of License. A license granted pursuant to this provision shall be valid for a period of one year.
- (D) License Tag. Upon payment of the license fee, the City shall issue to the owner a license which shall contain the name of the owner, his/her place of residence, and a description of the cat. The City shall keep a duplicate of each license issued as a public record. Upon issuance of the license, the City shall deliver to the owner a metal tag stamped with the number of the license and the year for which it is issued. The license tag shall be securely fastened to a collar or harness which shall be worn by the cat for which the license is issued. Any cat found running at large without the license tag attached to its collar or harness shall be deemed unlicensed. Licenses and license tags are not transferable.

(E) Exceptions. The requirements for licensing cats shall not apply in the following circumstances:

1. The cat is in transit through the city only.
2. The first thirty (30) calendar days of residency in the city by the owner, or the first thirty (30) calendar days the owner has owned the cat and the cat is at least six months old.

Section 8-4-3 Immunization

Every cat owner shall obtain proper immunization against rabies. Ownership or possession of a cat within the corporate limits of Storm Lake without proper immunization against rabies shall be unlawful. Proof of immunization issued by a licensed veterinarian in the form of a metal tag shall be worn by any cat owner's cat, and the cat owner shall additionally maintain documented proof of such immunization.

Section 8-4-4 Kennel Cats

Kennel cats which are kept or raised solely for the bona fide purpose of sale and which are kept under constant restraint are not subject to the provisions of this Chapter.

Section 8-4-5 Cats Disturbing the Peace

- (A) It shall be unlawful for an owner of a cat to allow or permit such cat to pass upon the premises of another.
- (B) It shall be unlawful for an owner of a cat to allow or permit such cat to run at large. This provision shall not be construed to prohibit population control programs undertaken by a nonprofit in conformity with Section 8-4-7.
- (C) It shall be unlawful for an owner of a cat to allow or permit such cat to cause serious annoyance or disturbance to any person by frequent and habitual howling, whining, meowing, or otherwise.
- (D) It shall be unlawful for any person who owns, possesses or controls an animal to permit the animal's excrement to be left upon any public property, or any private property neither owned nor occupied by such person. Animal excrement shall be immediately removed and properly disposed of in a trash receptacle.

Section 8-4-6 Impounding

- (A) Any unlicensed cat found at large, or any licensed cat found at large in violation of the provisions of this Chapter, shall be seized and impounded at the owner's cost.

(B) The owners of such licensed cats shall be notified in writing within two (2) days of impounding that upon payment of impounding costs such cats will be returned. If the impounded licensed cats are not recovered by their owners within five (5) days after notice, the cats shall be humanely disposed of by the Chief of Police.

(C) Impounded unlicensed cats may be recovered by the owner, upon proper identification by payment of the license fee and impounding costs. If such cats are not claimed within five (5) days after impounding, they shall be humanely disposed of by the Chief of Police.

Section 8-4-7 Population Control Programs

A nonprofit engaged in the practice of implementing a comprehensive population control program may operate such program within the City for unlicensed feral, stray, or otherwise unclaimed cats at large without incurring liability as an owner. As part of the program hereunder, a cat may be returned to the area where it was captured unless the property owner or the caretaker of the property where the cat was captured requests that the cat not be returned, or the cat is sick or injured. The City shall have no liability for the activities of any such nonprofit, nor shall the nonprofit's program interfere with the City's continued enforcement of all ordinances applicable to cats and other animals, including all otherwise applicable at-large and nuisance violation provisions of this Chapter for cats that have been subject to a population control program.

Section 8-4-8 Municipal Infraction

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

SECTION TWO. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

SECTION THREE. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION FOUR. Effective. This Ordinance shall be in full force and effect, from and after its passage, adoption, and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

SECTION FIVE. When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Recodification of the Municipal Code of the City of Storm Lake, Iowa.

PASSED on its first consideration the _____ day of _____, 2024.

PASSED on its second consideration the _____ day of _____, 2024.

Requirement of consideration and vote at two (2) prior Council meetings suspended the
_____ day of _____, 2024.

PASSED AND APPROVED on its third consideration this _____ day of _____, 2024.

CITY OF STORM LAKE, IOWA

By: _____

Mike Porsch, Mayor

_____ No action taken by Mayor.

_____ Vetoed this _____ day of _____, 2024.

Michael Porsch, Mayor

ATTEST:

Mayra A, Martinez, City Clerk

_____ Repassed and adopted over the veto this _____ day of _____, 2024.

_____ Veto affirmed this _____ day of _____, 2024 by failure of vote taken to
repass.

_____ Veto affirmed no timely vote taken to repass over veto.

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

09/03/2024

Agenda Item # F.10.



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

REPORT TO: Honorable Mayor & Council

FROM: Keri Navratil City Manager

SUBJECT: **Public Hearing On An Ordinance Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, By Adding A New Subsection 8-1-1(A)(18) To Chapter 8-1, Nuisances, To Regulate The Keeping Of Domestic Pigeons Within The Corporate Limits Of Storm Lake, Iowa**

BACKGROUND: There have been some requests to create an Ordinance which will help prevent conflicts between owners of Pigeons and adjoining property owners.

FISCAL IMPACT: N/A

RECOMMENDATION: Open Hearing
Hear Comments
Close Hearing

ATTACHMENTS:
[Pigeon Ordinance - Nuisance Code \(1.0\) \(02392353x7F7E1\).DOCX](#)

ORDINANCE NO. __-O-2024-2025

AN ORDINANCE AMENDING TITLE VIII OF THE 1994 RECODIFICATION OF THE MUNICIPAL CODE OF THE CITY OF STORM LAKE, IOWA, BY ADDING A NEW SUBSECTION 8-1-1(A)(18) TO CHAPTER 8-1, NUISANCES, TO REGULATE THE KEEPING OF DOMESTIC PIGEONS WITHIN THE CORPORATE LIMITS OF STORM LAKE, IOWA

WHEREAS, Title VIII, Chapter 8-1, Nuisances, of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa ("City Code") regulates the health, safety, and welfare of the citizens of Storm Lake, Iowa, through the defining and prohibition of various nuisances; and

WHEREAS, the City Council of the City of Storm Lake ("Council" or "City," respectively) finds it proper and necessary to adopt an ordinance amending City Code Title VIII, Chapter 8-1, by adding a new Subsection, 8-1-1(A)(18), concerning the maintenance of certain domestic pigeons as a nuisance within the corporate limits of the City; and

WHEREAS, the Council hereby determines the provisions set out herein are in the public's best interests to adopt and enforce henceforth.

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

SECTION ONE. Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, is hereby amended by adding a new Subsection 8-1-1(A)(18) to Chapter 8-1, Nuisances, as follows:

18. The keeping, maintaining, or harboring of all pigeons, except as provided as follows:

- a. The keeping, maintaining, or harboring of seamless banded, domestic pigeons will not constitute a nuisance if the owner of such domestic pigeon(s) demonstrates the following:
 - i. The domestic pigeons are banded by a recognized association of pigeon fanciers;
 - ii. The permitted number of domestic pigeons kept on the premises shall not exceed ten (10);
 - iii. Seamless banded, domestic pigeons may be released for exercise or performance from 7:00 a.m. to 9:00 am and 6:00 p.m. to 8:00 p.m. between May 1 and October 31, as well as from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. from November 1 through April 31;
 - iv. Upon release for exercise or performance, the owner or persons who have possession of authorized pigeons shall not permit them to occupy or interfere with the building or property of others;

- v. Other than the time that domestic pigeons are permitted to be exercised or trained, as set forth above, the pigeons shall be confined to cages or pens; and
 - vi. No pigeons shall be brought to or kept on private premises until an approved permit with terms and conditions recommended by the City Manager is obtained from the City Council. Persons who have violated this Chapter or the terms of a previous domestic pigeon permit shall be denied a permit.
- b. For purposes of this Chapter, “pigeons” include both male and female members of the Columbia livia. “Domestic pigeons” shall include pigeons kept for exhibition or show purposes, or aerial performance purposes, including carrier, homing, racing, high-flying, rolling, and diving.

SECTION TWO. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

SECTION THREE. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION FOUR. Effective. This Ordinance shall be in full force and effect, from and after its passage, adoption, and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

SECTION FIVE. When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Recodification of the Municipal Code of the City of Storm Lake, Iowa.

PASSED on its first consideration the _____ day of _____, 2024.

PASSED on its second consideration the _____ day of _____, 2024.

Requirement of consideration and vote at two (2) prior Council meetings suspended the _____ day of _____, 2024.

PASSED AND APPROVED on its third consideration this _____ day of _____, 2024.

CITY OF STORM LAKE, IOWA

By: _____

Micheal Porsch, Mayor

_____ No action taken by Mayor.

_____ Vetoed this _____ day of _____, 2024.

Michael Porsch, Mayor

ATTEST:

Mayra A, Martinez, City Clerk

_____ Repassed and adopted over the veto this _____ day of _____, 2024.

_____ Veto affirmed this _____ day of _____, 2024 by failure of vote taken to repass.

_____ Veto affirmed no timely vote taken to repass over veto.

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

09/03/2024

Agenda Item # F.11.



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

REPORT TO: Honorable Mayor & Council

FROM: Keri Navratil City Manager

SUBJECT: **Ordinance No 04-2024-2025 Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, By Adding A New Subsection 8-1-1(A)(18) To Chapter 8-1, Nuisances, To Regulate The Keeping Of Domestic Pigeons Within The Corporate Limits Of Storm Lake, Iowa- 1st Reading**

BACKGROUND: There have been some requests to create an Ordinance which will help prevent conflicts between owners of Pigeons and adjoining property owners.

First Reading- September 3
Second Reading- September 16
Third Reading- October 7

FISCAL IMPACT: N/A

RECOMMENDATION: **Motion to Approve Ordinance Amending Title VIII Of The 1994 Recodification Of The Municipal Code Of The City Of Storm Lake, Iowa, By Adding A New Subsection 8-1-1(A)(18) To Chapter 8-1, Nuisances, To Regulate The Keeping Of Domestic Pigeons Within The Corporate Limits Of Storm Lake, Iowa**

ATTACHMENTS:

[Ordinance No. 04-O-2024-2025 - Pigeon Ordinance - Nuisance Code 1.0 - 02392353x7F7E1_\(1\).DOCX](#)

ORDINANCE NO. __-O-2024-2025

**AN ORDINANCE AMENDING TITLE VIII OF THE 1994
RECODIFICATION OF THE MUNICIPAL CODE OF THE CITY OF
STORM LAKE, IOWA, BY ADDING A NEW SUBSECTION 8-1-
1(A)(18) TO CHAPTER 8-1, NUISANCES, TO REGULATE THE
KEEPING OF DOMESTIC PIGEONS WITHIN THE CORPORATE
LIMITS OF STORM LAKE, IOWA**

WHEREAS, Title VIII, Chapter 8-1, Nuisances, of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa ("City Code") regulates the health, safety, and welfare of the citizens of Storm Lake, Iowa, through the defining and prohibition of various nuisances; and

WHEREAS, the City Council of the City of Storm Lake ("Council" or "City," respectively) finds it proper and necessary to adopt an ordinance amending City Code Title VIII, Chapter 8-1, by adding a new Subsection, 8-1-1(A)(18), concerning the maintenance of certain domestic pigeons as a nuisance within the corporate limits of the City; and

WHEREAS, the Council hereby determines the provisions set out herein are in the public's best interests to adopt and enforce henceforth.

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

SECTION ONE. Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, is hereby amended by adding a new Subsection 8-1-1(A)(18) to Chapter 8-1, Nuisances, as follows:

18. The keeping, maintaining, or harboring of all pigeons, except as provided as follows:

- a. The keeping, maintaining, or harboring of seamless banded, domestic pigeons will not constitute a nuisance if the owner of such domestic pigeon(s) demonstrates the following:
 - i. The domestic pigeons are banded by a recognized association of pigeon fanciers;
 - ii. The permitted number of domestic pigeons kept on the premises shall not exceed ten (10);
 - iii. Seamless banded, domestic pigeons may be released for exercise or performance from 7:00 a.m. to 9:00 am and 6:00 p.m. to 8:00 p.m. between May 1 and October 31, as well as from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. from November 1 through April 31;
 - iv. Upon release for exercise or performance, the owner or persons who have possession of authorized pigeons shall not permit them to occupy or interfere with the building or property of others;

- v. Other than the time that domestic pigeons are permitted to be exercised or trained, as set forth above, the pigeons shall be confined to cages or pens; and
 - vi. No pigeons shall be brought to or kept on private premises until an approved permit with terms and conditions recommended by the City Manager is obtained from the City Council. Persons who have violated this Chapter or the terms of a previous domestic pigeon permit shall be denied a permit.
- b. For purposes of this Chapter, “pigeons” include both male and female members of the Columbia livia. “Domestic pigeons” shall include pigeons kept for exhibition or show purposes, or aerial performance purposes, including carrier, homing, racing, high-flying, rolling, and diving.

SECTION TWO. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

SECTION THREE. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION FOUR. Effective. This Ordinance shall be in full force and effect, from and after its passage, adoption, and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

SECTION FIVE. When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Recodification of the Municipal Code of the City of Storm Lake, Iowa.

PASSED on its first consideration the _____ day of _____, 2024.

PASSED on its second consideration the _____ day of _____, 2024.

Requirement of consideration and vote at two (2) prior Council meetings suspended the _____ day of _____, 2024.

PASSED AND APPROVED on its third consideration this _____ day of _____, 2024.

CITY OF STORM LAKE, IOWA

By: _____

Micheal Porsch, Mayor

_____ No action taken by Mayor.

_____ Vetoed this _____ day of _____, 2024.

Michael Porsch, Mayor

ATTEST:

Mayra A, Martinez, City Clerk

_____ Repassed and adopted over the veto this _____ day of _____, 2024.

_____ Veto affirmed this _____ day of _____, 2024 by failure of vote taken to repass.

_____ Veto affirmed no timely vote taken to repass over veto.

ATTEST:

Mayra A. Martinez, City Clerk

Staff Summary

09/03/2024

Agenda Item # F.12.



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

REPORT TO: Honorable Mayor & Council

FROM: Mayra Martinez City Clerk

SUBJECT: City Council Requested Items / City Council Updates

BACKGROUND:

FISCAL IMPACT:

RECOMMENDATION:

ATTACHMENTS: