

**CITY OF STORM LAKE  
REGULAR COUNCIL MEETING, CITY HALL  
COUNCIL CHAMBERS  
MAY 15, 2017  
5:00 PM**



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

**AGENDA**

1. Hear the Public
2. Consent Agenda
  - A. Approve Consent Agenda
  - B. Buy Local Information
  - C. Motion Authorizing A Noise Variance For The Lao Buddhist Temple
3. Resolution No. 101-R-2016-2017 Setting A Public Hearing On An Ordinance Prohibiting The Use Of "First-Class Consumer Fireworks" Within The City Of Storm Lake, Iowa For June 5 Council Meeting.
4. Motion Approving Agreement Between The City Of Storm Lake And Methodist Manor Retirement Community
5. Motion Setting Public Hearing On A Proposed Zoning Change To The Storm Lake Zoning Ordinance Official Zoning Map
6. Motion Setting Public Hearing On A Proposed Zoning Change To The Storm Lake Zoning Ordinance Official Zoning Map
7. Motion Setting a Public Hearing For An Update to the 2014 Housing Rehabilitation Program
8. Resolution No. 102-R-2017-2018 Recommending The Award Of Contract For The 2017 Richland Street Project
9. Resolution No. 103-R-2016-2017 Approving Change Order #1 For The 3rd Addition Phase 2 Improvements, 13th Street Extension
10. Resolution No. 104-R-2016-2017 Approving North Central Storm Water Change Order 5
11. Resolution No. 105-R-2016-2017 North Central Stormwater Final Acceptance
12. Resolution No. 106-R-2016-2017 Approving a Supplemental Contract for the North Central Stormwater Project
13. Motion 2017 Fall Alliant Energy Branching Out Application
14. Ordinance No. 08-O-2016-2017 Setting Water Rates For The City Of Storm Lake
15. Resolution No.107-R-2016-2017 Revising Procurement Policy
16. Public Hearing for FY 2017 Budget Amendment
17. Resolution No. 108-R-2016-2017 Amending The Current Budget For the Fiscal Year Ending June 30, 2017

18. **Resolution No. 109-R-2016-2017 Approving Agreement With Bolton And Menk For GIS Services**
19. **Resolution No. 110-R-2016-2017 Approving Sub-Lease Agreement For Memorial Ballfields**
20. **Resolution No. 111-R-2016-2017 Approving Waiving The Fees For The RV Care-A-Vanners**
21. Adjourn

### ***Meeting Protocol***

If you wish to speak today, please:

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

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

*\*\*Ordinances may be read at three consecutive meetings or readings may be waived and ordinances may be passed at only one or two meetings.*



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# Staff Summary

5/15/2017

Agenda Item # A.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Mayra Martinez, City Clerk

**SUBJECT:** **Approve Consent Agenda**

**BACKGROUND:** The Consent Agenda Includes:

- List of bills for approval
- King's Pointe disbursements for approval
- Sunrise Pointe bills for approval
- Approve the May 1st, 2017 City Council Minutes
- Approve New Liquor License for Giovanni's Italian Restaurant (723 Lake Avenue)
- Approve Liquor License renewal for La Juanita
- Approve Noise Variance at the Buddhist Temple (See Staff Summary)

**FISCAL IMPACT:** The City will pay the following expenditures:

- List of Bills - \$877,432.67
- King's Pointe and Sunrise Pointe Golf Course Bills - \$204,306.85

The City will receive the following revenues:

- Liquor license - \$1,690.00

**RECOMMENDATION:** Approve Consent Agenda

## ATTACHMENTS:

Description	Type
☐ Minutes - May 1, 2017	Minutes
☐ List of Bills	List of Bills
☐ List of Bills - Kings Pointe and Golf Course	List of Bills
☐ Giovanni's License Application	Application
☐ La Juanita Liquor Report	Backup Material

**REGULAR COUNCIL MEETING, CITY OF STORM LAKE, IOWA, CITY HALL,  
MAY 1, 2017 5:00 P.M.**

Present: Mayor Jon Kruse, Council Members Dan Anderson, Bruce Engelmann, Mike Porsch and Tyson Rice. Absent: None. Staff present: City Manager Jim Patrick, Asst. City Manager Keri Navratil, City Attorney Phil Havens, Public Safety Director Mark Prosser, Fire Chief Mike Jones, Public Works Director Jason Etnyre, Water Plant Superintendent Mike Davis, Wastewater Superintendent Mark Streed, and City Clerk Mayra Martinez

Mayor Kruse called the meeting to order at 5:01pm.

**Hear the Public** – Lynn Humes (209 W 8<sup>th</sup> Street) expressed his concern in regards to a safety issue about an ash tree located at his neighbor's house.

**Consent Agenda** – Moved by Council Member Porsch to approve the consent agenda which include the list of bills, minutes from the April 17, 2017 City Council Minutes, liquor license renewal for Malarkys Pub and Walgreens #11330, and Barbara Wells appointment to the Board of Band Trustees. Seconded by Council Member Anderson. Vote: All ayes. Motion carried.

**Alliant Energy Update** – Rebecca Gisel from Alliant Energy presented to the Council the Annual Community Report.

**Iowa Lakes Corridor** – Kiley Miller from the Iowa Lakes Corridor presented to the Council the Iowa Lakes Corridor quarterly update.

**Water Rate Study** - Moved by Council Member Engelmann to approve 2nd reading of Ordinance No. 08-O-2016-2017 Setting Water Rates for the City of Storm Lake. An increase of 3%. Seconded by Council Member Porsch. Vote: All ayes. Motion carried.

**2016-2017 Budget Amendment** – Moved by Council Member Anderson to approve setting May 15, 2017 at 5:00pm for a public hearing on FY 2016-2017 Budget Amendment. Seconded by Council Member Carlson. Motion carried.

**Erie Street CDBG Stormwater Project** - Moved by Council Member Porsch to adopt Resolution No. 98-R-2016-2017 approving change order #4 which is an increase of \$15,500 to the contract with Hulstein Excavating Inc. for the 2016 Erie Street CDBG Stormwater project. The contract cost after change order #4 is \$1,086,338.74. Seconded by Council Member Engelmann. Vote: All ayes. Motion carried.

**RESOLUTION NO. 98-R-2016-2017**

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

To approve Change Order No. 4 to the contract with Hulstein Excavating Inc. for the Erie Street CDBG Stormwater Improvements Project, an increase of \$15,550.00 to the contract for a rain garden retaining wall on the corner of 7<sup>th</sup> and Erie Street.

Total cost of Change Order No. 4 is an increase of \$15,550 to the contract. Total contract cost after change order #4 is \$1,086,338.74.

PASSED AND APPROVED this 1st day of May, 2017.

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Jon F. Kruse, Mayor

ATTEST:

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Mayra A. Martinez, City Clerk

**Sign Replacement Program for Cities & Counties (SRPFCC)** – Moved by Council Member Anderson to adopt Resolution No. 99-R-2016-2017 approving the 2017 application for the Iowa DOT sign replacement program for cities and counties. Total for this year's application would be \$4,900. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

RESOLUTION NO. 99-R-2016-2017

**IOWA DEPARTMENT OF TRANSPORTATION  
SIGN REPLACEMENT PROGRAM FOR CITIES**

WHEREAS the City of Storm Lake, Iowa recognizes the importance of maintaining the regulatory, warning, and school area signs on the street system in conformance with the Manual on Uniform Traffic Control Devices, Federal Highway Administration, U.S. Department of Transportation, and

WHEREAS a review of signs has been conducted by the City of Storm Lake or its agent to identify deficiencies in those signs eligible for replacement under the rules of the program, and

WHEREAS the Iowa Department of Transportation will reimburse up to \$5,000 for conforming regulatory, warning, and school area signing materials to the City of Storm Lake, and

WHEREAS it is understood that applications will be considered in order of receipt and will be limited to regulatory, warning, and school area signs (as listed in 2009 MUTCD Chapters 2B, 2C, and 7B), excluding the following:

- R5-7 through R5-11
- R7-1 through R7-203
- R8-1 through R8-7

- R9-1 through R9-14
- R10-1 through R10-32P

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

The mayor is hereby directed to submit the grant application and request for signing materials to replace signs the city has identified as deficient in their review. This application is to be submitted to the Iowa Department of Transportation's Program Coordinator for the Sign Replacement Program for Cities, and

BE IT FURTHER RESOLVED THAT:

- A) All signing materials will be installed by the City of Storm Lake, Iowa within 180 days after the sign materials are furnished, and,
- B) All signs will be installed in compliance with the Manual of Uniform Traffic Control Devices, Federal Highway Administration, U.S. Department of Transportation, as adopted per Iowa Administrative Rules 761, Chapter 130, and,
- C) The City of Storm Lake, Iowa will certify in writing to the Department of Transportation's Program Coordinator within 30 days after the sign materials and/or signs have been installed.
- D) The City of Storm Lake, Iowa recognizes that submission of this resolution along with an application, requesting signs and sign posts, represents approval by the city to participate in the Sign Replacement Program for Cities. Sign Replacement Program for Cities

PASSED AND APPROVED THIS 1<sup>st</sup> DAY OF MAY, 2017

\_\_\_\_\_  
Mayor signature

\_\_\_\_\_  
City Clerk Signature

Application must be approved by Iowa DOT prior to ordering signs. Reimbursement, up to the program maximum, will be sent to the grantee AFTER the DOT receives a copy of the sign order invoice and the cancelled sign-order payment check.

Iowa DOT approval by:	
_____ Iowa DOT representative	_____ Date

**2017 Airport Improvements** - Moved by Council Member Porsch to adopt Resolution No. 100-R-2016-2017 approving the acceptance of the plans, specifications, and form of contract for the 2017 Airport Improvement and setting June 5, 2017 at 5:00 pm for a public hearing for the Airport Improvements and approve bids. Seconded by Council Member Engelmann. Vote: All ayes. Motion carried.

**RESOLUTION NO. 100-R-2016-2017**

**RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COST AND SETTING THE PUBLIC HEARING FOR THE CITY OF STORM LAKE 2017 AIRPORT IMPROVEMENTS**

WHEREAS, the plans, specifications, form of contract, and estimate of cost were filed with the CITY for the construction of certain public improvements described in general as the 2017 Airport Improvements Project; and

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

Section 1. That the said plans, specifications, form of contract, estimate of cost, and setting public hearing for June 5, 2017 at 5:00pm are hereby approved as the plans, specifications, form of contract, estimate of cost, and public hearing date for said public improvements, as described in the preamble of this Resolution.

PASSED AND APPROVED this 1st day of May, 2017.

\_\_\_\_\_  
Jon F. Kruse, Mayor

ATTEST:

\_\_\_\_\_  
Mayra A. Martinez, City Clerk

Jim Patrick invited the Council and public to the open house following the Council meeting May 1<sup>st</sup> in regards to the update of the North Central Phase 2 Seneca and Spooner project. Also, the City of Storm Lake United Coffee will held tomorrow May 2<sup>nd</sup> at 10:30 am for an update of current and upcoming projects.

**Adjournment** – Moved by Council Member Porsch to adjourn the meeting at 5:23 pm. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

\_\_\_\_\_  
Jon F. Kruse, Mayor

ATTEST:

\_\_\_\_\_  
Mayra A. Martinez, City Clerk

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

Checks for Approval Report

From: 05/02/17 To 05/15/17  
User: tyler.gibbins

UNAVAILABLE

AFLAC	PR Batch 00551.05.2017 Aflac Pretax	116.21
AFLAC	PR Batch 00551.05.2017 Aflac After tax	60.08
AFLAC	PR Batch 00552.05.2017 Aflac Pretax	385.11
AFLAC	PR Batch 00552.05.2017 Aflac After tax	71.78
AGUILERA HERNANDEZ NOEL	Refund Check	126.65
AMON JESSE	Refund Check	20.66
AMON JESSE	Refund Check	30.61
AMON JESSE	Refund Check	6.50
AMON JESSE	Refund Check	1.44
AMON JESSE	Refund Check	3.06
AMYDA HERMINO	Refund Check	88.99
BELL MICHAEL	Refund Check	129.14
CISNEROS HERNANDEZ SERGIO	Refund Check	26.81
City of Storm Lake	PR Batch 00551.05.2017 Dental insurance employee c	1.13
City of Storm Lake	PR Batch 00551.05.2017 Dental employee/spouse	16.17
City of Storm Lake	PR Batch 00551.05.2017 Dental insurance family	29.34
City of Storm Lake	PR Batch 00551.05.2017 125 Flexible Benefits	258.34
City of Storm Lake	PR Batch 00551.05.2017 Flex- Child Care	20.83
City of Storm Lake	PR Batch 00551.05.2017 Health Insurance Family	799.20
City of Storm Lake	PR Batch 00551.05.2017 Health Insurance Single	26.71
City of Storm Lake	PR Batch 00552.05.2017 Dental employee/child	6.00
City of Storm Lake	PR Batch 00552.05.2017 Dental insurance employee c	26.00
City of Storm Lake	PR Batch 00552.05.2017 Dental employee/spouse	12.78
City of Storm Lake	PR Batch 00552.05.2017 Dental insurance family	72.16
City of Storm Lake	PR Batch 00552.05.2017 125 Flexible Benefits	679.82
City of Storm Lake	PR Batch 00552.05.2017 Flex- Child Care	269.15
City of Storm Lake	PR Batch 00552.05.2017 Health Insurance Family	1,660.23
City of Storm Lake	PR Batch 00552.05.2017 Health Insurance Single	567.18
Collection Services Center	PR Batch 00552.05.2017 Child Support Payments to I	222.00
Collection Services Center	PR Batch 00551.05.2017 Child Support Payments to I	406.00
Conseco Health Insurance Co	PR Batch 00552.05.2017 Cancer Pre Tax Insurance	20.59
EFTPS	PR Batch 00552.05.2017 Federal Income Tax	10,701.73
EFTPS	PR Batch 00552.05.2017 FICA Employee Portion	3,808.04
EFTPS	PR Batch 00552.05.2017 FICA Employer Portion	3,808.04
EFTPS	PR Batch 00552.05.2017 Medicare Employee Portion	1,410.01
EFTPS	PR Batch 00552.05.2017 Medicare Employer Portion	1,410.01
EFTPS	PR Batch 00551.05.2017 Federal Income Tax	4,697.87
EFTPS	PR Batch 00551.05.2017 FICA Employee Portion	1,958.62
EFTPS	PR Batch 00551.05.2017 FICA Employer Portion	1,958.62
EFTPS	PR Batch 00551.05.2017 Medicare Employee Portion	595.50
EFTPS	PR Batch 00551.05.2017 Medicare Employer Portion	595.50
ESTUPINIAN-MARTINEZ IRMA	Refund Check	128.27
FIORENDINO GENE	Refund Check	4.32
FIORENDINO GENE	Refund Check	6.19
FIORENDINO GENE	Refund Check	1.41
FIORENDINO GENE	Refund Check	0.30
FIORENDINO GENE	Refund Check	0.67
HAGOS TEKLEBRHAN	Refund Check	31.31
HAGOS TEKLEBRHAN	Refund Check	55.49
HAGOS TEKLEBRHAN	Refund Check	12.94
HAGOS TEKLEBRHAN	Refund Check	2.18
HAGOS TEKLEBRHAN	Refund Check	6.09
ICMA Retirement Trust 457	PR Batch 00551.05.2017 ICMA	705.00
ICMA Retirement Trust 457	PR Batch 00551.05.2017 ICMA City Paid	550.01
ICMA Retirement Trust 457	PR Batch 00551.05.2017 ICMA City paid for Police	451.85
ICMA Retirement Trust 457	PR Batch 00552.05.2017 ICMA	1,275.00
Iowa Public Employees	PR Batch 00552.05.2017 IPERS	3,316.35



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From: 05/02/17 To 05/15/17  
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Iowa Public Employees	PR Batch 00552.05.2017 IPERS City Share	4,977.21
Iowa Public Employees	PR Batch 00551.05.2017 IPERS	1,610.14
Iowa Public Employees	PR Batch 00551.05.2017 IPERS City Share	2,416.53
ITT Hartford AMS RPVA	PR Batch 00551.05.2017 457 Hartford	325.00
ITT Hartford AMS RPVA	PR Batch 00552.05.2017 457 Hartford	175.00
LE LOI	Refund Check	25.92
LE LOI	Refund Check	51.05
LE LOI	Refund Check	16.23
LE LOI	Refund Check	1.81
LE LOI	Refund Check	7.64
LOWREY SUSAN	Refund Check	127.15
MORALES PEREZ OR ALCIDE	Refund Check	30.23
MORALES PEREZ OR ALCIDE	Refund Check	45.26
MORALES PEREZ OR ALCIDE	Refund Check	7.83
MORALES PEREZ OR ALCIDE	Refund Check	2.12
MORALES PEREZ OR ALCIDE	Refund Check	3.68
Muni Fire/Police Retire	PR Batch 00551.05.2017 Muni Police/Fire Pension	570.68
Muni Fire/Police Retire	PR Batch 00551.05.2017 Muni Police/Fire Pension Ci	1,573.61
Muni Fire/Police Retire	PR Batch 00552.05.2017 Muni Police/Fire Pension	3,105.73
Muni Fire/Police Retire	PR Batch 00552.05.2017 Muni Police/Fire Pension Ci	8,563.94
ROBINSON WHITNEY	Refund Check	60.00
RODRIGUEZ MICHAEL	Refund Check	68.57
ROSALES RIVAS SINDY	Refund Check	21.99
ROSALES RIVAS SINDY	Refund Check	40.38
ROSALES RIVAS SINDY	Refund Check	13.26
ROSALES RIVAS SINDY	Refund Check	1.54
ROSALES RIVAS SINDY	Refund Check	6.24
STEUK JESSICA	Refund Check	13.44
STEUK JESSICA	Refund Check	20.13
STEUK JESSICA	Refund Check	4.90
STEUK JESSICA	Refund Check	0.94
STEUK JESSICA	Refund Check	2.30
Teamsters Local Union 554	PR Batch 00552.05.2017 Union Dues	297.00
THIS OLDE SHOP	Refund Check	118.84
Treasurer State Of Iowa	PR Batch 00551.05.2017 State Income Tax	1,889.94
Treasurer State Of Iowa	PR Batch 00552.05.2017 State Income Tax	3,837.57
VELIZ LAZARO	Refund Check	65.06
WASHINGTON FRASHAUNA	Refund Check	13.10
WASHINGTON FRASHAUNA	Refund Check	26.30
WASHINGTON FRASHAUNA	Refund Check	7.91
WASHINGTON FRASHAUNA	Refund Check	0.92
WASHINGTON FRASHAUNA	Refund Check	3.72
XIONG PAO	Refund Check	20.29
XIONG PAO	Refund Check	35.15
XIONG PAO	Refund Check	10.91
XIONG PAO	Refund Check	1.42
XIONG PAO	Refund Check	5.13

<b>UNAVAILABLE</b>	<b>Department Total =</b>	<b>73,875.70</b>
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**Police Department**

Alliant Energy	Gas Service Mar/Apr 2017	321.87
Alta Body Shop	Towing Services	1,980.00
Bomgaars Supply, Inc	Supplies	7.99
Custodian of Petty Cash	Postage	8.77
Custodian of Petty Cash	Postage	6.65
Custodian of Petty Cash	Postage	27.00
Custodian of Petty Cash	Postage	9.13

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# Checks for Approval Report

From: 05/02/17 To 05/15/17  
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Genesis Development	April 2017- Janitorial Services	600.00
Havens Philip E	April 2017 Legal Services	150.00
Hy-Vee, Inc	Supplies	3.99
Hy-Vee, Inc	Supplies	40.10
Iowa Office Supply Inc	Time Cards	49.95
Iowa State University	Tauma Interview Training	60.00
Jack's Uniforms & Equipment	Body Armour & Unifoms	12,000.00
Jack's Uniforms & Equipment	Uniform	100.89
JNB Acquisition Corporation	Copier Maintenance Agreement	248.64
Lakeshore Canvas/Leather	Shoulder Covers	90.00
Neuroth Kevin	Garbage Service April 2017	24.50
Prime Media Acquisition Corp	Bags	157.04
Rasmussen's	Bumper Repairs & Alignment	3,442.96
Rohr Manufacturing Services, Ltd	Fire Extinguisher Inspection	86.80
Star Energy, LLC	Fuel April 2017	2,644.42
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	22,229.33
Universal Credit Services Inc	Background Check	25.72
Verizon Wireless Inc	Phone Service- April 2017	1,004.41
Wal Mart #01-1526	Supplies	19.94
Wal Mart #01-1526	Supplies	34.21
Wal Mart #01-1526	Supplies	17.44
Wal Mart #01-1526	Supplies	15.16
Wal Mart #01-1526	Supplies	25.74
Wal Mart #01-1526	Supplies	8.82
Wal Mart #01-1526	Supplies	1.97
Wal Mart #01-1526	Supplies	11.62
Wal Mart #01-1526	Supplies	39.94

## Police Department

Department Total = 45,495.00

## Fire Department

Alliant Energy	Gas Service Mar/Apr 2017	303.02
Alpha Wireless	Pager Repairs	69.00
Bomgaars Supply, Inc	Supplies	24.90
Bomgaars Supply, Inc	Supplies	15.24
Hy-Vee, Inc	Supplies	20.26
Julius Dennis R.	April 2017 Laundry Service	41.89
Keller Ken	Pressure Switch & Supplies	159.58
KSL Convenience LLC	Kerosene	48.30
MS Door Service Ltd	Pest Control Services	18.00
Neuroth Kevin	Garbage Service April 2017	54.25
North Lake Truck Repair	Flasher Unit for Engine 72	54.48
NW Iowa Planning & Development Commission	CPR Training- SLFD	361.00
Rust's Western Shed	Bunker Pants Repairs	49.00
Star Energy, LLC	Fuel April 2017	209.81
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	46,568.22
Verizon Wireless Inc	Phone Service- April 2017	150.49
Wal Mart #01-1526	Supplies	13.28
Wal Mart #01-1526	Supplies	26.10

## Fire Department

Department Total = 48,186.82

## Building Official

Bomgaars Supply, Inc	Floor Mat Set	29.99
Emmons & Olivier Resources Inc	Ordinance Assistance	775.00
Star Energy, LLC	Fuel April 2017	56.88
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	915.33

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From: 05/02/17 To 05/15/17  
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Verizon Wireless Inc	Phone Service- April 2017	100.33
<b>Building Official</b>		<b>Department Total = 1,877.53</b>
<b>Animal Care</b>		
Johnson Dianne	Bd & Disp of Cats & Dogs	280.00
<b>Animal Care</b>		<b>Department Total = 280.00</b>
<b>Police Special Revenues</b>		
Hy-Vee, Inc	Dare Supplies	9.80
<b>Police Special Revenues</b>		<b>Department Total = 9.80</b>
<b>Law Enforcement</b>		
Jack's Uniforms & Equipment	Body Armour & Unifoms	2,006.51
<b>Law Enforcement</b>		<b>Department Total = 2,006.51</b>
<b>Crime Prevention</b>		
Hy-Vee, Inc	Supplies	11.97
Reding Gravel & Excavating Co., Inc	Rock	746.55
Reding Gravel & Excavating Co., Inc	Rock	774.45
<b>Crime Prevention</b>		<b>Department Total = 1,532.97</b>
<b>Roadway Maintenance</b>		
Alliant Energy	Gas Service Mar/Apr 2017	817.57
Bolton & Menk, Inc	Street Sufficiency Rating Map Preperation	720.00
Bolton & Menk, Inc	Redesign & Construction Service through 4/26/2017	565.00
Bomgaars Supply, Inc	Supplies	26.98
Cemstone Products Company	Concrete	150.00
City of Storm Lake	Master Cylinder Repairs & Break Repairs #8	145.63
CNH Industrial America LLC	Supplies	358.50
Inquirehire	Background Checks	15.50
Neuroth Kevin	Garbage Service April 2017	127.00
Star Energy, LLC	Fuel April 2017	1,809.48
Stille Pierce & Pertzborn	2017 Insurance Renewal April 1, 2017 to March 31st 2	4,140.38
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	7,641.07
Unity Point Health Trinity Regional Medical Center	CDL/Data Testing	37.00
Verizon Wireless Inc	Phone Service- April 2017	100.33
<b>Roadway Maintenance</b>		<b>Department Total = 16,654.44</b>
<b>Snow Removal</b>		
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	2,785.52
<b>Snow Removal</b>		<b>Department Total = 2,785.52</b>
<b>Airport</b>		
Ansorge Bob	IPWA Spring Conference- Cedar Rapids- Ansorge	519.58
Bolton & Menk, Inc	Design Services through 4/28/2017	3,225.00

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From: 05/02/17 To 05/15/17  
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Century Link	Phone Services 5/1/2017	155.75
Eastern Aviation Fuels, Inc	Jet A Fuel	15,752.69
Iowa Dept of Agriculture & Land Stewardship	FY2018 Meter Licenses	9.00
MS Door Service Ltd	Pest Control Services	45.00
Nepple Electric Inc	Light Repairs	928.00
Wal Mart #01-1526	Supplies	11.94

<b>Airport</b>	<b>Department Total =</b>	20,646.96
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**Transit**

DeWall Jeff	Rides Discount	229.00
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<b>Transit</b>	<b>Department Total =</b>	229.00
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**Library**

Alliant Energy	Gas Service Mar/Apr 2017	537.08
Genesis Development	April 2017- Janitorial Services	600.00
Holiday Inn Des Moines Airport	Hotel- Miller- 5/1/2017 Departure	106.40
Miller Melissa	Kids First Conference- Des Moines- Miller	188.22
Neuroth Kevin	Garbage Service April 2017	38.25
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	223.56

<b>Library</b>	<b>Department Total =</b>	1,693.51
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**Band**

Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	17.93
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<b>Band</b>	<b>Department Total =</b>	17.93
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**Parks Department**

Alliant Energy	Gas Service Mar/Apr 2017	115.59
Arnold Motor Supply, LLP	Filters	12.61
Arnold Motor Supply, LLP	Supplies	16.98
Arnold Motor Supply, LLP	Supplies	22.09
Bluegrass Playground Inc	Playground Equipment	293.00
Bomgaars Supply, Inc	Supplies	37.98
Bomgaars Supply, Inc	Supplies	3.83
Bomgaars Supply, Inc	Supplies	77.95
Bomgaars Supply, Inc	Supplies	23.98
Emmons & Olivier Resources Inc	Rain Garden Engineering Servcies	1,386.39
Havens & Havens Trust Acct	Land Purchase for Park 721 E 5th Street	59,536.24
Havens Philip E	April 2017 Legal Services	490.00
Inquirehire	Background Checks	15.00
Joyce's Greenery	Trees	220.00
Neuroth Kevin	Garbage Service April 2017	205.50
ProBuild	Sand	28.20
Star Energy, LLC	Fuel April 2017	1,826.90
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	3,850.59
Storm Lake Hydraulics Co Inc	Rebuild Mower Cylinder	126.41
Storm Lake Times The	April 2017 Publications	212.67
Turfwerks	Blades	299.33
Verizon Wireless Inc	Phone Service- April 2017	150.49

<b>Parks Department</b>	<b>Department Total =</b>	68,951.73
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City of Storm Lake  
620 Erie Street PO Box 1086  
Storm Lake IA, 505881086

Checks for Approval Report

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**Golf Course**

Arnold Motor Supply, LLP	Supplies	38.83
Arnold Motor Supply, LLP	Supplies	0.74
Bomgaars Supply, Inc	Supplies	6.49
Bomgaars Supply, Inc	Supplies	29.46
Bomgaars Supply, Inc	Supplies	13.98
Crescent Electric Supply Co	Supplies	1.48
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	487.72

<b>Golf Course</b>	<b>Department Total =</b>	578.70
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**Campgrounds**

Bomgaars Supply, Inc	Planter & Landscape Supplies	139.96
Color-ize Inc	Campground Brochures	328.25
Custodian of Petty Cash	2017 Start Up Cash	200.00
Custodian of Petty Cash	2017 Start Up Cash	60.00
Graffix, Inc	Campground Uniforms	143.40
Neuroth Kevin	Garbage Service April 2017	93.00
Recycle Center Harold Rowley	Recycling	36.85
Recycle Center Harold Rowley	Recycling	29.70
Schuelke Powersports	Service	37.44
Stanton Electric, Inc	Reset GFI Outlet	102.14
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	1,031.32
Wal Mart #01-1526	Supplies	61.77
Walkon Water Inc	Dock	9,655.00

<b>Campgrounds</b>	<b>Department Total =</b>	11,918.83
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**UNAVAILABLE**

Stille Pierce & Pertzborn	2017 Insurance Renewal April 1, 2017 to March 31st 2	2,010.95
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<b>UNAVAILABLE</b>	<b>Department Total =</b>	2,010.95
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**UNAVAILABLE**

Stille Pierce & Pertzborn	2017 Insurance Renewal April 1, 2017 to March 31st 2	3,660.96
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<b>UNAVAILABLE</b>	<b>Department Total =</b>	3,660.96
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**Shelter House**

Alliant Energy	Gas Service Mar/Apr 2017	108.75
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<b>Shelter House</b>	<b>Department Total =</b>	108.75
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**UNAVAILABLE**

Fastenal Company	Dock Supplies	43.04
Neuroth Kevin	Garbage Service April 2017	93.00
Stille Pierce & Pertzborn	2017 Insurance Renewal April 1, 2017 to March 31st 2	26,400.16
Storm Lake Times The	April 2017 Publications	35.60

<b>UNAVAILABLE</b>	<b>Department Total =</b>	26,571.80
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**TIF**

City of Storm Lake  
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Checks for Approval Report

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Emmons & Olivier Resources Inc	Condo Site Driveway Project	2,664.75
<b>TIF</b>		<b>Department Total = 2,664.75</b>
<b>Storm Lake Sub-Division #5</b>		
Ahlers & Cooney, P.C.	Legal Services for Sale of Lots	4,945.00
Bolton & Menk, Inc	13th Street Ph II Engineering through 4/26/2017	6,862.50
<b>Storm Lake Sub-Division #5</b>		<b>Department Total = 11,807.50</b>
<b>Housing Program</b>		
Buena Vista Co Recorder	Recording Fees	21.00
<b>Housing Program</b>		<b>Department Total = 21.00</b>
<b>Dredging</b>		
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	138.67
<b>Dredging</b>		<b>Department Total = 138.67</b>
<b>Mayor, Council, Manager</b>		
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	50.62
<b>Mayor, Council, Manager</b>		<b>Department Total = 50.62</b>
<b>Policy &amp; Administration</b>		
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	110.20
<b>Policy &amp; Administration</b>		<b>Department Total = 110.20</b>
<b>Legal Services</b>		
Havens Philip E	April 2017 Legal Services	533.33
<b>Legal Services</b>		<b>Department Total = 533.33</b>
<b>City Hall Building</b>		
Alliant Energy	Gas Service Mar/Apr 2017	182.86
Bomgaars Supply, Inc	Supplies for Chambers	4.17
Bomgaars Supply, Inc	Supplies	20.91
Genesis Development	April 2017- Janitorial Services	200.00
Iowa Office Supply Inc	Name Plates	53.20
Julius Dennis R.	April 2017 Entrance Mat Service	66.30
MS Door Service Ltd	Pest Control Services	23.00
Neuroth Kevin	Garbage Service April 2017	28.50
ProElect/Professional Electronics	New Smoke Detector & Service Call	81.95
Steve's Window Svc	Window Cleaning Service	37.00
Verizon Wireless Inc	Phone Service- April 2017	49.64
<b>City Hall Building</b>		<b>Department Total = 747.53</b>
<b>Tort Liability</b>		

City of Storm Lake  
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## Checks for Approval Report

From: 05/02/17 To 05/15/17  
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Stille Pierce & Pertzborn	2017 Insurance Renewal April 1, 2017 to March 31st 2	101,563.40
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<b>Tort Liability</b>	<b>Department Total =</b>	101,563.40
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### Other Policy & Administration

Bolton & Menk, Inc	Engineering Services on Trail System Concept	375.50
Central Bank	Meeting Expense	103.31
Central Bank	Webinar Training- Patrick	173.75
Central Bank	Hotel- Des Moines- IMFOA	76.16
Central Bank	Hotel- Des Moines- IMFOA	38.07
Central Bank	IGFI Workshop Registration- Gibbins	21.66
Central Bank	IGFI Workshop Registration- Oakleaf	21.66
Central Bank	Investment Lunch	62.75
Central Bank	Des Moines Register	9.99
Custodian of Petty Cash	Postage	8.50
Custodian of Petty Cash	Postage	0.49
Genesis Development	April 2017- Shredding Services	15.88
Inquirehire	Background Checks	105.00
Iowa Office Supply Inc	Office Supplies	48.30
Oakleaf Brian	2017 Spring IMFOA Conf- Des Moines- Oakleaf	183.48
Storm Lake Bakery	United Coffee Supplies	18.33
Storm Lake Times The	April 2017 Publications	403.45
The Bridge of Storm Lake	Storm Lake Blend Coffee	10.00
US 20 Association	2017 Membership- City of Storm Lake	100.00
Wal Mart #01-1526	Supplies	73.15
Wal Mart #01-1526	Supplies	39.98

<b>Other Policy &amp; Administration</b>	<b>Department Total =</b>	1,889.41
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### Water Administration

Accela, Inc #774375	IVR & Web Payments March 2017	160.25
Accela, Inc #774375	IVR & Web Payments April 2017	157.25
Central Bank	IGFI Workshop Registration- Oakleaf	21.67
Central Bank	IGFI Workshop Registration- Gibbins	21.67
Central Bank	Hotel- Des Moines- IMFOA	76.15
Central Bank	Hotel- Des Moines- IMFOA	38.08
Central Bank	Webinar Training- Patrick	173.75
Genesis Development	April 2017- Janitorial Services	200.00
Iowa Office Supply Inc	Office Supplies	48.29
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	395.45
Verizon Wireless Inc	Phone Service- April 2017	49.65

<b>Water Administration</b>	<b>Department Total =</b>	1,342.21
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### Water Plant

Alliant Energy	Gas Service Mar/Apr 2017	502.22
Arcbest II, Inc	Shipping for Valve	231.54
Bolton & Menk, Inc	Engineering Services on Water Plant Driveway	465.00
Bomgaars Supply, Inc	Supplies	15.19
Bomgaars Supply, Inc	Supplies	67.95
Fastenal Company	Emergency Light Supplies	410.17
Fastenal Company	Supplies	56.99
Fastenal Company	Supplies	58.59
Fastenal Company	Supplies & Plug	4.49
Foundation Analytical Laboratory Inc	Testing	168.00
Foundation Analytical Laboratory Inc	Testing	48.00

City of Storm Lake  
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Checks for Approval Report

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Foundation Analytical Laboratory Inc	Testing	15.00
Foundation Analytical Laboratory Inc	Testing	15.00
Foundation Analytical Laboratory Inc	Testing	168.00
Foundation Analytical Laboratory Inc	Testing	220.00
Grainger Inc W.W.	Repair Kit	53.05
Hawkins, Inc	Hypo	4,398.57
Iowa Office Supply Inc	Office Supplies	81.94
Jensen Josh	Drinking Water 1 Registration- Pass	30.00
Jensen Josh	Drinking Water 1 Application	20.00
Mike's Electronics Inc	Outlet & SCADA Repairs	771.63
Mike's Electronics Inc	Alarm Repairs	97.50
Mississippi Lime Company	Lime	4,517.76
Mississippi Lime Company	Lime	4,521.60
Neuroth Kevin	Extra Garbage April 2017	30.00
Neuroth Kevin	Garbage Service April 2017	82.75
PraxAir inc	Carbon Dioxide	973.16
Schoon Construction & Excavation, LLC	Pay Estimate #1 of Water Main Improvements	81,039.75
Skarshaug Testing Laboratory, Inc	Gloves	27.05
Star Energy, LLC	Fuel April 2017	172.70
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	5,990.21
Stille Pierce & Pertzborn	2017 Insurance Renewal April 1, 2017 to March 31st 2	66,525.57
UPS Store The	Shipping	9.40
Verizon Wireless Inc	Phone Service- April 2017	200.65
Wal Mart #01-1526	Supplies	9.97

<b>Water Plant</b>	<b>Department Total =</b>	171,999.40
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**Water Distribution**

Alliant Energy	Gas Service Mar/Apr 2017	89.95
Bolton & Menk, Inc	Construction Service through 4/26/2017	1,395.00
Cemstone Products Company	Concrete	225.00
Cemstone Products Company	Concrete	510.00
Cemstone Products Company	Concrete	255.00
Havens Philip E	April 2017 Legal Services	683.33
Reding Gravel & Excavating Co., Inc	Rock	413.76
Star Energy, LLC	Fuel April 2017	348.37
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	1,291.79
Unity Point Health Trinity Regional Medical Center	CDL/Data Testing	37.00
Verizon Wireless Inc	Phone Service- April 2017	150.49
Wal Mart #01-1526	Supplies	156.72

<b>Water Distribution</b>	<b>Department Total =</b>	5,556.41
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**Water Meters**

Hamer Stephan	Drinking Water 1 Test Reigstration- Fail	30.00
Hamer Stephan	Water Distribution 1 Registration- Pass	30.00
Hamer Stephan	Water Distribution 1 Application	20.00
Star Energy, LLC	Fuel April 2017	101.26
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	885.27
Verizon Wireless Inc	Phone Service- April 2017	46.39

<b>Water Meters</b>	<b>Department Total =</b>	1,112.92
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**Wastewater Administration**

Accela, Inc #774375	IVR & Web Payments March 2017	160.25
Accela, Inc #774375	IVR & Web Payments April 2017	157.25



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Central Bank	Webinar Training- Patrick	173.75
Central Bank	Hotel- Des Moines- IMFOA	38.08
Central Bank	Hotel- Des Moines- IMFOA	76.15
Central Bank	IGFI Workshop Registration- Gibbins	21.67
Central Bank	IGFI Workshop Registration- Oakleaf	21.67
Genesis Development	April 2017- Janitorial Services	200.00
Iowa Office Supply Inc	Office Supplies	48.29
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	330.58
Verizon Wireless Inc	Phone Service- April 2017	51.20

<b>Wastewater Administration</b>	<b>Department Total =</b>	<b>1,278.89</b>
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## Wastewater Treatment Plant

Alliant Energy	Gas Service Mar/Apr 2017	965.00
Bomgaars Supply, Inc	Supplies	20.59
Bomgaars Supply, Inc	Core Returned	-26.00
Bomgaars Supply, Inc	Generator Battery	185.98
Bomgaars Supply, Inc	Flash Light Charger for LS	299.98
Bomgaars Supply, Inc	Supplies	197.55
Bomgaars Supply, Inc	Supplies	12.72
Bomgaars Supply, Inc	Supplies	68.32
Control System Specialists, LLC	HVAC Unit Repairs at WWTP	1,031.14
Foundation Analytical Laboratory Inc	Testing	1,090.00
Foundation Analytical Laboratory Inc	Testing	344.00
Graham Tire	Mower Tire Repairs	17.00
JNB Acquisition Corporation	Copier Maintenance Agreement	28.25
Larson Oil & Distributing Co, Inc	Cylinder Fill	17.00
Neuroth Kevin	Garbage Service April 2017	67.00
Ramos Daniel	Drinking Water 2 Registration- Pass	30.00
Ramos Daniel	Drinking Water 2 Application	20.00
Ramos Daniel	Water Dist 2 Registration- Pass	30.00
Ramos Daniel	Water Dist 2 Application	20.00
Recycle Center Harold Rowley	Recycling	10.00
Reinert Michael P	Radio Park LS Supplies	90.00
Rohr Manufacturing Services, Ltd	Fire Extinguisher Inspection	257.00
Stanton Electric, Inc	Gate at WWTP	1,312.11
Star Energy, LLC	Fuel April 2017	407.70
Stille Pierce & Pertzborn	2017 Insurance Renewal April 1, 2017 to March 31st 2	66,525.58
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	5,099.67
Streed Mark	WW Grade Application Renewal	60.00
US Peroxide, LLC	Facility & Maintenance Service	750.00
Verizon Wireless Inc	Phone Service- April 2017	299.09
Vessco Inc	Sludge Press Supplies	562.02
Wal Mart #01-1526	Supplies	39.50
Wal Mart #01-1526	Supplies	40.16
Wal Mart #01-1526	Supplies	82.71
Ziegler Inc	Supplies- Golf Course LS	120.07
Ziegler Inc	Supplies for Scout Park LS	885.89

<b>Wastewater Treatment Plant</b>	<b>Department Total =</b>	<b>80,960.03</b>
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## Wastewater Collection

Arnold Motor Supply, LLP	Supplies	37.62
Bomgaars Supply, Inc	Supplies	204.47
Bomgaars Supply, Inc	Supplies	21.74
Fastenal Company	Supplies	100.90
Rehab Systems Inc.	Jet Vac Cleaning	7,678.45

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Star Energy, LLC	Fuel April 2017	179.47
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	11,836.48

<b>Wastewater Collection</b>	<b>Department Total =</b>	20,059.13
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**Landfill**

Accela, Inc #774375	IVR & Web Payments March 2017	160.25
Accela, Inc #774375	IVR & Web Payments April 2017	157.25
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	22.14

<b>Landfill</b>	<b>Department Total =</b>	339.64
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**Storm Water Administration**

Accela, Inc #774375	IVR & Web Payments April 2017	157.25
Accela, Inc #774375	IVR & Web Payments March 2017	160.25
Central Bank	Webinar Training- Patrick	173.75
Fareway Store #461	Distilled Water	7.47
Genesis Development	April 2017- Janitorial Services	200.00
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	37.96

<b>Storm Water Administration</b>	<b>Department Total =</b>	736.68
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**Storm Water Collection**

Bolton & Menk, Inc	Design Service through 4/26/2017	9,557.00
Bomgaars Supply, Inc	Supplies	27.25
Bomgaars Supply, Inc	Supplies	4.98
Bomgaars Supply, Inc	Supplies	147.37
Emmons & Olivier Resources Inc	10th & Ontario Infrastructure Mapping	4,286.39
Emmons & Olivier Resources Inc	Northwest Ag Land Cost Estimate	4,998.50
Emmons & Olivier Resources Inc	Data Collection & Design Service	952.50
Emmons & Olivier Resources Inc	Data Collection & Design Service & Project Coordina	37,559.49
Emmons & Olivier Resources Inc	Data Collection & Design Service & Project Coordina	8,002.61
Emmons & Olivier Resources Inc	Credit Trading & Monitoring	4,010.02
Foundation Analytical Laboratory Inc	Testing	272.00
H & W Contracting LLC	Pay Estimate #14 (Final) NCSW	350.00
Havens Philip E	April 2017 Legal Services	133.34
Hulstein Excavating Inc	Pay Request #8 of Erie Street SW	28,051.60
Rent-All	Concrete Saw Rental	65.00
Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	837.29

<b>Storm Water Collection</b>	<b>Department Total =</b>	99,255.34
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**Street Cleaning**

Stille Pierce & Pertzborn	17-18 Worker's Comp Audit	659.08
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<b>Street Cleaning</b>	<b>Department Total =</b>	659.08
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**Insurance**

Auxiant - Claims Account	5/1/2017 Claims	39,911.34
Auxiant - Flex Account	4/26/2017 Flex	217.08
Auxiant - Flex Account	5/3/2017 Flex Claims	251.20

<b>Insurance</b>	<b>Department Total =</b>	40,379.62
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From: 05/02/17 To 05/15/17  
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**UNAVAILABLE**

Johnson Kelly	April 2017 Punches	144.00
Salus LLC	April 2017 Memberships	160.00

**UNAVAILABLE**

**Department Total = 304.00**

**Vehicle Maintenance**

Arnold Motor Supply, LLP	Filter	72.12
Arnold Motor Supply, LLP	Filter	106.93
Arnold Motor Supply, LLP	Oil Seals	16.16
Arnold Motor Supply, LLP	Oil Seals	267.78
Arnold Motor Supply, LLP	Core Returned	-84.00
Arnold Motor Supply, LLP	Supplies	29.19
Arnold Motor Supply, LLP	Supplies for #92	100.76
Arnold Motor Supply, LLP	Supplies	94.68
Bomgaars Supply, Inc	Valve	126.28
Bomgaars Supply, Inc	Clamps	84.97
Storm Lake Hydraulics Co Inc	Supplies	10.04
Storm Lake Hydraulics Co Inc	Supplies	29.59

**Vehicle Maintenance**

**Department Total = 854.50**

**Technology**

Rebnord Technologies Inc	2 Factor Auth	375.00
Rebnord Technologies Inc	My AntiSpam	75.00
Rebnord Technologies Inc	IT Service Agreement	3,325.00
Rebnord Technologies Inc	IT Service Agreement- Fiber Network	200.00

**Technology**

**Department Total = 3,975.00**

**Grand Total = 877,432.67**

**Operating**  
City of Storm Lake  
Check Register  
From 5/2/2017 to 5/12/2017

<b>Vendor</b>	<b>Description</b>	<b>Amount</b>
Munters Corporation	Equipment	62,500.00
Weigand Omega Management Payroll	Payroll	62,729.41
ACCO Unlimited Corporation	Supplies	8,676.03
Ameripride Services, Inc.	Supplies	540.62
Bomgaars Supply Inc.	Supplies	94.30
City of Storm Lake- Water Dept.	Utilities	3,595.45
Clears Inc.	Services	6,055.00
Color-ize	Supplies	289.10
JNB Acquisition Corporation	Services	458.71
Crescent Electric Supply Company	Supplies	361.02
ECOLAB	Supplies	728.28
Ferguson Enterprises Enterprises Inc #1657	Supplies	1,771.96
Grainger	Supplies	404.53
GuestSupply	Supplies	10,995.35
Hotel Solutions, Inc.	Services	1,538.58
HyVee	Supplies	130.94
Joyce M. Smith	Services	4,485.00
Julius Cleaners	Services	45.42
Citadel Communications Company LTD	Services	1,450.00
Michael Wayne Stark	Refund	550.00
MidAmerican Energy	Utilities	4,850.14
Munters Corporation	Equipment	10,800.00
Office Elements	Supplies	473.38
Orkin, 536-Sioux City, IA	Services	155.68
Pasquales Food Service Inc.	Food	225.00
Paul A. Grieme	Services	1,855.00
Pepsi Beverages Company	Beverages	857.16
Rebnord Technologies, Inc.	Services	2,258.33
Roto-Rooter	Services	434.75
Sceptre Hospitality Resources, LLC	Services	2,362.58
Star Leasing LLC	Services	230.13
Steve's Window Service	Services	374.50
Storm Lake Ace Hardware	Supplies	375.35
The Storm Lake Times	Advertising	887.73
UPS	Shipping	38.64
US Foods, Inc.	Food	6,770.34
Vast Business	Utilities	2,964.66
Vi Bumgarner	Refund	368.98
Vista Paints	Supplies	216.10
Vizergy	Services	220.00
Water Safety Products, Inc.	Supplies	188.70
		<b>204,306.85</b>

**Applicant License Application ( )**

<b>Name of Applicant:</b> <u>Mustafa Zeqiri</u>		
<b>Name of Business (DBA):</b> <u>Giovanni's Italian Restaurant</u>		
<b>Address of Premises:</b> <u>723 Lake Ave</u>		
<b>City</b> <u>Storm Lake</u>	<b>County:</b> <u>Buena Vista</u>	<b>Zip:</b> <u>50588</u>
<b>Business</b> <u>(712) 732-9887</u>		
<b>Mailing</b> <u>723 Lake Ave</u>		
<b>City</b> <u>Storm Lake</u>	<b>State</b> <u>IA</u>	<b>Zip:</b> <u>50588</u>

**Contact Person**

<b>Name</b> <u>Giovanni Zeqiri</u>	
<b>Phone:</b> <u>(817) 845-9920</u>	<b>Email</b> <u>mustafazeqiri@hotmail.com</u>

**Classification** Class C Liquor License (LC) (Commercial)

**Term:**12 months

**Effective Date:** 06/01/2017

**Expiration Date:** 01/01/1900

**Privileges:**

Class C Liquor License (LC) (Commercial)

Sunday Sales

**Status of Business**

<b>BusinessType:</b> <u>Sole Proprietorship</u>	
<b>Corporate ID Number:</b>	<b>Federal Employer ID</b>

**Ownership**

**Mustafa Zeqiri**

<b>First Name:</b> <u>Mustafa</u>	<b>Last Name:</b> <u>Zeqiri</u>	
<b>City:</b> <u>Storm Lake</u>	<b>State:</b> <u>Iowa</u>	<b>Zip:</b> <u>50588</u>
<b>Position:</b> <u>Owner</u>		
<b>% of Ownership:</b> <u>100.00%</u>	<b>U.S. Citizen:</b> <u>Yes</u>	

**Insurance Company Information**

<b>Insurance Company:</b> <u>Illinois Casualty Co</u>	
<b>Policy Effective Date:</b> <u>06/01/2017</u>	<b>Policy Expiration</b> <u>05/31/2018</u>
<b>Bond Effective</b>	<b>Dram Cancel Date:</b>
<b>Outdoor Service Effective</b>	<b>Outdoor Service Expiration</b>
<b>Temp Transfer Effective</b>	<b>Temp Transfer Expiration Date:</b>

# M E M O R A N D U M

TO: MAYRA MARTINEZ

FROM: MARK PROSSER

DATE: May 11, 2017

REFERENCE: LIQUOR LICENSE RENEWAL  
LA JUANITA  
613 LAKE AVE

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

	5-28-2015 to 5-30-2016	5-30-2016 to 5-09-2017
INCIDENTS		
Accident	1	1
Animal Call	0	1
Assault	1	1
Bar Check	89	111
Burglar Alarm	1	1
Business Assist	0	1
Business Security	38	31
Citizen Assist	0	1
Disturbance/Loud Noise	3	0
Fight	0	2
Forgery	1	0
Found	0	1
General Information	0	2
Harassment	0	1
Hit and Run	0	1
Interpretation	0	1
Intoxicated Driver	2	1
Intoxicated Pedestrian	0	1
Keys Locked In Car	2	6
Law Department Assist	0	2
Missing Person	1	0
Motorist Assist	0	1
PR/Talk/Presentation	2	11
Registration Check	1	0
Riot	1	0

Street Beat	7	8
Subpoena Service	2	0
Vehicle Stop	6	4
Wants/Warrants Check	3	3
Warrant Service	0	1

ARRESTS

Disorderly Conduct	1	1
Mittimus	0	1
Operating While Intoxicated	0	1
Selling Alcohol to a Minor	0	1
Public Intoxication	1	0
Violation of Probation	0	1

Recommendation: Approval of liquor license.

## Staff Summary

5/15/2017  
Agenda Item # B.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Mayra Martinez, City Clerk

**SUBJECT:** Buy Local Information

**BACKGROUND:** Early in 2011 during a Study Session discussion Council asked staff to look at putting together some analysis information regarding the amount of purchases made locally. We have pulled that information together and a provided a summary of purchases identified in the current list of bills to be approved that are purchased locally (within the City of Storm Lake), within Buena Vista County, and outside of Buena Vista County are presented here for Council's review. This information is presented for for both the City and King's Pointe's bills.

As the reader reviews the information they should note the following key notes:

- Costs associated with any major capital project (those bid under the State of Iowa Bid Law) are excluded from the calculation
- Costs associated with travel is excluded from the calculation and %
- Costs associated with payroll is excluded from the calculation and %
- In some cases there is only one vendor or an item is only available from vendors outside of the City limits and/or Buena Vista County – we have not identified these
- Some departments have fairly minor budgets and a major purchase can skew the % and or amount for a given review period (For Example: the Airport may have normally \$4,000 - \$6,000 in expenses until they purchase Jet Fuel or Av Gas which can be \$10,000 + and as a vendor who is not local this can skew the information for that review period)
- Local has been determined to be has an office front in the area and based on where the office front is located for local vs. BV County (For Example: Wal-Mart is considered local since they have a store in Storm Lake even though their headquarters is not located here)

As with all analytical data it is possible to interpret the numbers in a variety of ways and as we move forward we would be happy to provide further detail and or revise the way in which we show the data. Likewise if you have any questions or concerns please don't hesitate to contact city staff.

**FISCAL IMPACT:**

	Total Expenses	Calculated Expenses	Local	%	BV Co	%	Non Local	%
City	\$877,432.67	\$593,071.89	\$424,855.65	71.64	\$3,983.22	.68	\$164,233.02	27.68
King's Pointe	\$204,306.85	\$140,658.46	\$19,191.94	13.65			\$121,466.52	86.35

**RECOMMENDATION:** Review Buy Local Information



## Staff Summary

5/15/2017

Agenda Item # C.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Mark Prosser, Public Safety Director

**SUBJECT:** **Motion Authorizing A Noise Variance For The Lao Buddhist Temple**

**BACKGROUND:** Attached is a written request for a Noise Variance to be issued at the Lao Buddhist Temple located at 6010 Rothmoor Road for outdoor, amplified entertainment at one of their annual events scheduled for Saturday, July 1, 2017 between the hours of 1:00pm and 1:00am.

This event has occurred for many years and runs well.

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

**FISCAL IMPACT:** None

**RECOMMENDATION:** Pass Motion

### ATTACHMENTS:

Description	Type
PERMIT	Resolution

noise ordinance

April 20, 2017

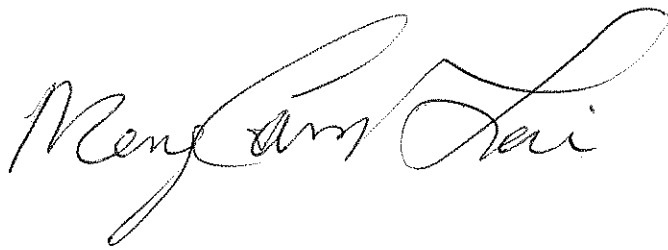
Storm Lake City Council  
Chief Mark Prosser,  
Public Safety

On behalf of the  
Storm Lake Lao Temple, we  
are requesting a noise  
ordinance on July 1st  
from 1pm through 1am July  
2nd. For a ceremonial  
celebration.

# noise ordinance

If there are any  
questions please contact:  
Meng Lai, China House,  
712-299-1068

Sincerely;

A handwritten signature in cursive script, appearing to read "Meng Lai".



**Public Safety  
Police & Fire  
PERMIT**

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

Event: Lao Temple Celebration

Issued To:

Name: Meng Lai

Organization: Temple Board

Address: 624 West Milwaukee Avenue, Storm Lake, IA 50588

Phone: 712-299-1068

Date(s) of Event: Saturday, 7-1-2017

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

Expiration of Permit: 7-3-2017

Location / Area  
of Use:

Buddhist Temple, 6010 Rothmoor Road

Type of Permit

☒ Noise Variance (8-7-4)

☐ Ride/Run/Walk (9-13-4)

☐ Parade (9-13-4)

☐ Public Demonstration (8-7-4)

☐ Street Closing

☐ Fireworks (8-2-1(I2A))

☐ Authorized Burn (7-2-2-B)

☒ Other

Authorized by:

Mark A. Prosser

Date:

5-16-2017

Please Print

Signature:

Title:

Public Safety Director

## Staff Summary

5/15/2017

Agenda Item # 3.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** James H. Patrick, City Manager

**SUBJECT:** **Resolution No. 101-R-2016-2017 Setting A Public Hearing On An Ordinance Prohibiting The Use Of "First-Class Consumer Fireworks" Within The City Of Storm Lake, Iowa For June 5 Council Meeting.**

**BACKGROUND:** The City has a Fireworks Ordinance (8-2-1 (I)) which prohibits the possession and use of Fireworks within City limits. The State of Iowa passed a law that allows for the sale and possession of fireworks but does not address the use of fireworks leaving it to local governments to establish laws governing firework use.

The City of Storm Lake is in the process of revising the City ordinance governing fireworks to conform to State Code and Administrative procedures for the new law. The proposed Ordinance would allow Second Class Consumer Fireworks to be used within the City limits while prohibiting the use of First Class fireworks. It is the recommendation from City Staff that the use of Class one fireworks (as defined by APA 87-1) continue to be prohibited within the City limits. Second Class fireworks as defined by APA 87-1, section 3.5 will be allowed to be used within City Limits.

This Ordinance does not affect licensed and properly permitted individuals from using First Class fireworks as permitted by proper authority.

**FISCAL IMPACT:** There is no fiscal impact to this Resolution other than the publishing fee.

**RECOMMENDATION:** Council adopt Resolution No. 101-R-2016-2017 Setting a Public Hearing for an Ordinance Prohibiting the use of First Class Consumer Fireworks within the City of Storm Lake, Iowa on June 5th, at 5:00 PM.

**ATTACHMENTS:**

Description	Type
📎 Public Hearing Notice	Backup Material
📎 Resolution No. 101-R-2016-2017	Resolution

## NOTICE TO THE PUBLIC

Notice is hereby given to all residents of the City of Storm Lake, Iowa that the City Council will hold a hearing at 5:00 p.m. on June 5, 2017, at the Council Chambers in Storm Lake, Iowa, for the purpose of considering a proposed Ordinance prohibiting the use of first-class consumer fireworks and the ordinance's adoption of the definition of "first-class consumer fireworks" contained in Section 100.19(1)(c) of the Iowa Code, as enacted in Senate File 489, Eighty-seventh General Assembly. The Resolution is as follows:

RESOLUTION PROPOSING AN ORDINANCE ADOPTING THE DEFINITION OF "FIRST-CLASS CONSUMER FIREWORKS" FROM IOWA CODE SECTION 100.19(1)(c), PROHIBITING USE OF SUCH FIREWORKS, AND PROVIDING FOR HEARING ON THE ADOPTION OF SUCH DEFINITION AND ON THE ORDINANCE.

WHEREAS, on June 5, 2017, the City Council will consider, on first reading, an Ordinance that would prohibit use of "first-class consumer fireworks" in the city;

WHEREAS, the proposed ordinance adopts by reference the definition of "first-class consumer fireworks" contained in Section 100.19(1)(c) of the Iowa Code, as enacted in Senate File 489, Eighty-seventh General Assembly, which provides:

*"First-class consumer fireworks"* means the following consumer fireworks, as described in APA 87-1, chapter 3:

- (1) Aerial shell kits and reloadable tubes.
- (2) Chasers.
- (3) Helicopter and aerial spinners.
- (4) Firecrackers.

- (5) Mine and shell devices.
- (6) Missile-type rockets.
- (7) Roman candles.
- (8) Sky rockets and bottle rockets.
- (9) Multiple tube devices under this paragraph “c” that are manufactured in accordance with APA 87-1, section 3.5.

WHEREAS, under Section 100.19(1)(a) of the Code of Iowa, “APA 87-1,” as used in Section 100.19 of the Code of Iowa and specifically in the definition of “first-class consumer fireworks, means the American pyrotechnics association standard 87-1, as published in December 2001.

WHEREAS, Section 380.10 of the Iowa Code requires the Council to hold a public hearing on any portion of the Code of Iowa to be adopted by reference in an ordinance.

NOW, THEREFORE, be it hereby resolved that this proposed ordinance and its adoption of the definition of “first-class consumer fireworks” is scheduled for public hearing at the Council Chambers at City Hall at the regular council meeting scheduled June 5, 2017 at 5:00 p.m. The City Clerk is further directed to have a copy of this Resolution published in the Storm Lake Times on a date not less than four (4) days nor more than twenty (20) days prior to said meeting.

Passed and approved this 15<sup>th</sup> day of May, 2017.

/s/John F. Kruse  
Jon F. Kruse, Mayor

ATTEST:



/s/ Mayra Martinez  
Mayra Martinez, City Clerk

You are hereby advised of your right to be present at the Council meeting at 5:00 p.m. on June 5, 2017, at the City Hall in Storm Lake, Iowa to speak in favor of or in opposition to such ordinance and its adoption of the definition of “first-class consumer fireworks” contained in Section 100.19(1)(c) of the Iowa Code, as enacted in Senate File 489, Eighty-seventh General Assembly.

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Mayra Martinez, City Clerk for the City of Storm Lake, Iowa

## **RESOLUTION NO. 101-R-2016-2017**

### **RESOLUTION PROPOSING AN ORDINANCE ADOPTING THE DEFINITION OF “FIRST-CLASS CONSUMER FIREWORKS” FROM IOWA CODE SECTION 100.19(1)(c), PROHIBITING USE OF SUCH FIREWORKS, AND PROVIDING FOR HEARING ON THE ADOPTION OF SUCH DEFINITION AND ON THE ORDINANCE.**

WHEREAS, on June 5, 2017, the City Council will consider, on first reading, an Ordinance that would prohibit use of “first-class consumer fireworks” in the city;

WHEREAS, the proposed ordinance adopts by reference the definition of “first-class consumer fireworks” contained in Section 100.19(1)(c) of the Iowa Code, as enacted in Senate File 489, Eighty-seventh General Assembly, which provides:

*“First-class consumer fireworks”* means the following consumer fireworks, as described in APA 87-1, chapter 3:

- (1) Aerial shell kits and reloadable tubes.
- (2) Chasers.
- (3) Helicopter and aerial spinners.
- (4) Firecrackers.
- (5) Mine and shell devices.
- (6) Missile-type rockets.
- (7) Roman candles.
- (8) Sky rockets and bottle rockets.
- (9) Multiple tube devices under this paragraph “c” that are manufactured

in accordance with APA 87-1, section 3.5.

WHEREAS, under Section 100.19(1)(a) of the Code of Iowa, “APA 87-1,” as used in Section 100.19 of the Code of Iowa and specifically in the definition of “first-class consumer fireworks, means the American pyrotechnics association standard 87-1, as published in

December 2001.

WHEREAS, Section 380.10 of the Iowa Code requires the Council to hold a public hearing on any portion of the Code of Iowa to be adopted by reference in an ordinance.

NOW, THEREFORE, be it hereby resolved that this proposed ordinance and its adoption of the definition of “first-class consumer fireworks” is scheduled for public hearing at the Council Chambers at City Hall at the regular council meeting scheduled June 5, 2017 at 5:00 p.m. The City Clerk is further directed to have a copy of this Resolution published in the Storm Lake Times on a date not less than four (4) days nor more than twenty (20) days prior to said meeting.

Passed and approved this 15<sup>th</sup> day of May, 2017.

---

Jon F. Kruse, Mayor

ATTEST:

---

Mayra Martinez, City Clerk

## Staff Summary

5/15/2017

Agenda Item # 4.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** James H. Patrick, City Manager

**SUBJECT:** **Motion Approving Agreement Between The City Of Storm Lake And Methodist Manor Retirement Community**

**BACKGROUND:** Methodist Manor is in the process of adding an addition on to their current Retirement Community. This agreement addresses and updates existing agreements with Methodist Manor. The main purpose is to define the long-term rights, responsibilities, and duties of both parties following the construction of the new addition. The agreement covers the following areas:  
Methodist Manor Retirement Community (MMRC) will obtain the appropriate building permits for the project;  
MMRC will reduce as much storm water runoff as possible to reduce the discharged of sediment to the lake;  
MMRC will bury electrical lines at its expense on the northern border of the campus;  
MMRC will submit off street parking plans and three new driveway accesses to W. 4th St. for approval and construction at its expense;  
MMRC will modify, construct, repair and maintain on street parking located within the City's 4th Street Right of Way;  
MMRC will construct and maintain a perimeter access lane for emergency apparatus and will allow public use as a bike trail;  
MMRC will assist the City with the flood mitigation project at the intersection of 4th Street and Barton.

The City will review all plans and provide approvals;  
The City will review and approve three new driveway accesses along 4th Street;  
The City will provide snow removal from the perimeter access lane;  
The City will allow MMRC to use on-street parking in the 4th Street Right of Way;  
The City will design and construct storm water best management

practices to reduce flooding along 4th and Barton Street.

**FISCAL IMPACT:**

The costs to the City is programed in the Capital Improvement Program utilizing grant funds for the flood control project. The City will absorb the cost of the perimeter trail snow removal in the Parks Budget.

**RECOMMENDATION:**

Council approve the agreement between the City of Storm Lake and Methodist Manor Retirement Community.

**ATTACHMENTS:**

Description		Type
<input type="checkbox"/>	Agreement	Backup Material

## AGREEMENT

This Agreement is between the City of Storm Lake (the “*City*”) and Methodist Manor Retirement Community (“*MMRC*”).

### RECITALS

MMRC is improving its main campus located at 1206 West Fourth Street, Storm Lake, Iowa by adding a nursing care building along with related facilities (the “*Project*”), all of which are subject to approval by the City.

Prior to construction, there exists on-street parking on the southern side of West 4<sup>th</sup> Street, which will be modified as a part of the improvements to allow for three driveway accesses from West 4<sup>th</sup> Street for additional parking within the main campus.

The main purpose of this document is to define the long-term rights, responsibilities and duties of the parties following the proposed construction by MMRC of a new nursing home building addition along with related facilities.

### THE PARTIES THEREFORE AGREE AS FOLLOWS:

1. Permits and Approvals. MMRC will obtain appropriate building permits for the Project and will be responsible for securing any and all necessary governmental approvals concerning the Project. This Agreement does not alleviate any requirements of MMRC with respect to such permits or other governmental approvals.
2. Storm Water Easement. The parties agree that this Project shall reduce as much as possible the release of any sedimentation into the lake. As such, this Project shall minimally comply with any and all governmental standards relating to storm water discharge. As a part of MMRC’s requirements for construction of the Project, MMRC shall install certain detention ponds to temporarily store storm water. The parties shall execute a “STORMWATER MANAGEMENT FACILITIES MAINTENANCE COVENANT AND PERMANENT EASEMENT AGREEMENT”, which shall be in a form which has been previously approved by counsel for the parties, and this agreement shall be recorded with the Buena Vista County Recorder.
3. Electrical Lines. MMRC, at its expense, has relocated the electrical lines on the northern border of the MMRC campus from overhead to underground. The City shall not be liable for such expense.
4. Parking and Driveways. There presently exists on-street parking at the north side of the MMRC campus which parking is aside West 4<sup>th</sup> Street.

- a. Off-Street Parking. MMRC shall submit plans and specifications to be approved by City staff which shall include off-street parking to receive traffic from West 4<sup>th</sup> Street. Such plans must be approved by City staff prior to commencement of construction. MMRC at its sole expense will install the off-street parking area in accordance with plans and specifications.
- b. Driveway Accesses. Upon receipt of acceptable plans and specifications, the City shall grant three new driveway accesses to West 4<sup>th</sup> Street. The driveway accesses shall be installed at MMRC's sole expense.
- c. On-Street Parking. MMRC at its sole expense shall modify, construct, repair, and maintain the on-street parking located within the City's right-of-way in accordance with plans and specifications to be submitted to and approved by City staff prior to the commencement of construction. Said parking area is and shall remain public parking following the completion of the construction project. The modified on-street parking shall be in two separate areas, one area to the west of the entrance drive and the other to the east of the exit drive. The total width of the west area parking shall be approximately eighty-one (81) feet measured from the western edge of the entrance drive and the total width of the east area parking shall be eighty-seven (87) feet measured from the eastern edge of the exit drive.
- d. MMRC shall be responsible for all snow removal concerning the on-street parking and driveway areas.

5. Perimeter Access Lane. There presently exists a private lane along the south perimeter of the MMRC campus, commencing at the intersection of Barton Street and Lighthouse Drive, and continuing west along the lakeshore, terminating at a point in the approximate mid-point of the MMRC campus. The Project proposes a continuation of this lane (the "Perimeter Access Lane") to the west and then to the north where it shall intersect with West 4<sup>th</sup> Street.

- a. The Perimeter Access Lane shall be considered the property of MMRC.
- b. MMRC shall submit plans and specifications to be approved by City staff concerning the Perimeter Access Lane. Such plans must be approved by City staff prior to commencement of construction. MMRC at its sole expense will install the Perimeter Access Lane in accordance with such plans and specifications.
- c. Approval of MMRC plans and specifications shall also be conditioned upon approval by the Board of Adjustment as it relates to certain variances along

the west boundary of the MMRC campus, which call for the use of concrete on that portion of the Perimeter Access Lane.

- d. The Perimeter Access Lane shall utilize removable bollards on each end so as to restrict regular vehicular traffic, while allowing access for emergency vehicles.
  - e. The Perimeter Access Lane shall permit access for walking and bicycling by the public, but only on the area of the Perimeter Access Lane. The public is not permitted elsewhere as it relates to the Perimeter Access Lane.
  - f. The City agrees to provide snow removal for the Perimeter Access Lane, however snow removal shall be performed in the same priority as with city-owned trails, which shall be a lower priority than city streets.
  - g. The cost of any and all repairs to, or replacement of, the Perimeter Access Lane shall be borne by MMRC and the City on a 50/50 basis. The City shall determine the nature, manner, and timing of the required repairs or replacement in accordance with the City's ordinances and policies governing pedestrian sidewalks.
  - h. MMRC may erect and install fixtures for lighting the perimeter access lane. All costs of erection and installation of the light fixtures together with ongoing utility charges shall be the sole expense of MMRC. Prior to the installation of any fixtures, MMRC will submit information regarding a specific type of fixture, which will then be reviewed by City staff. With the agreement of the City staff, the fixtures may be installed provided they are materially and substantially in conformance with the concept drawing. Consideration shall be given to ensuring that the lighting does not negatively impact the neighborhood nor travelers' safety on the street. The City shall be responsible for all future maintenance costs related to said lighting fixtures.
6. Cooperation to Alleviate Flooding. MMRC shall cooperate with the City in good faith to alleviate the storm water flooding in the intersection of the W. 4<sup>th</sup> Street and Barton Street rights-of-way. The City will not commence work on this storm water flooding alleviation project before April of 2020. The City will keep MMRC apprised of the storm water flooding alleviation plans and any impact they may have on MMRC's Project should the MMRC's Project not be complete at the time the City begins its work to alleviate storm water flooding in such intersection.
7. General Terms. The following general terms shall apply to this agreement:



- a. If W. 4<sup>th</sup> Street is damaged during construction, MMRC will reconstruct the affected area to the end that such area will be, at a minimum, restored to its presently existing condition as a public street upon completion of construction.
- b. During construction, the City will close all or a portion of W. 4<sup>th</sup> Street as may be reasonably necessary to allow the construction work to be completed. MMRC will commence and complete all construction work as expeditiously as possible.
- c. Upon completion of the project, MMRC shall continue to be responsible for maintaining the on-street parking area included in this Project in accordance with City specifications at the expense of MMRC for as long as the parking area remains in existence. MMRC shall provide the necessary maintenance or repairs (including replacement) whenever the City shall notify MMRC in writing of the need for such repair or maintenance. MMRC warrants that it will accomplish all required repair and maintenance by contracting with either the City or a qualified contractor, as specified by the City, to make the improvements unless otherwise agreed by the parties.
- d. MMRC will protect, indemnify and hold harmless the City from and against any and all loss, cost, damage and expense, including reasonable attorney fees, occasioned by or arising out of any accident or occurrence causing or inflicting injury or damage to any person or property related to of the construction of the Project by MMRC. MMRC will, at its own expense, maintain casualty and liability insurance with a responsible company authorized to do business in Iowa in an amount reasonably requested by the City, protecting the City against such claims, damages, costs or expenses on account of injury to any person or damage to any property relating to the construction or continued existence of the parking project. Certificates of insurance or copies of any such policies shall be delivered to the City and shall be kept in force at all times during the construction and existence of the parking project.
- e. MMRC shall not allow any mechanic's liens or other liens or encumbrances of any nature to be placed or imposed on W. 4<sup>th</sup> Street as a result of these projects.
- f. If, at any time in the future, MMRC desires to discontinue the use of the on-street parking area, it may do so but must remove all of the parking improvements, including any lighting, from the area and shall fill in the previously paved area with black dirt and seed the area to grass unless, at the

option of the City, the City elects in writing to relieve MMRC from all further responsibility and liability.

7. Consideration. This agreement is supported by good and valuable consideration, receipt of which is acknowledged by both parties; shall be binding on the parties and their successors; and may be altered or amended only by a written agreement, executed by both parties.

**IN WITNESS WHEREOF**, the Grantors hereto have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**METHODIST MANOR RETIREMENT COMMUNITY**

By: \_\_\_\_\_  
Nicholas Landgraf, Chief Executive Officer

**ACCEPTED AND APPROVED** by the City of Storm Lake, Iowa, on the \_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF STORM LAKE, IOWA**

By: \_\_\_\_\_  
Jon F. Kruse, Mayor

ATTEST:

\_\_\_\_\_  
Mayra Martinez, City Clerk

## Staff Summary

5/15/2017

Agenda Item # 5.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Scott Olesen, Building Official

**SUBJECT:** **Motion Setting Public Hearing On A Proposed Zoning Change To The Storm Lake Zoning Ordinance Official Zoning Map**

**BACKGROUND:** Tyson Fresh Meats owns the property located at Lot 8, Block 2, Storm Lake Corporation, Russell's Addition, Tri. PT. of I.C.R.R. Lying South of Lot 8 (401 Superior Street). Currently, this property is Zoned R-3, Medium Density Residential.

Tyson Fresh Meats is requesting a change in the zoning of this property from the R-3 Medium Density Residential District to the GI, General Industrial Zoning District.

Tyson is proposing to construct a trailer parking area on this property, and the property must be re-zoned to accomplish this.


If the proposed development is allowed to proceed, Tyson will have to provide a buffer yard, screening, and comply with the City Post Construction Storm Water Ordinance.

The Storm Lake Planning and Zoning Commission has reviewed this application and has recommended approval of the request.

**FISCAL IMPACT:** Cost of public notices and legal fees estimated at \$200.00.

**RECOMMENDATION:** Approve the motion and set the Public Hearing for Monday, June 5, 2017 at 5:00 PM in the City Hall Council Chambers.

**ATTACHMENTS:**

	Description	Type
	Public Hearing Notice	Backup Material

**NOTICE OF PUBLIC HEARING FOR PUBLICATION  
CITY COUNCIL  
CITY OF STORM LAKE**



File number: **2017-4 and 2017-5**

May 15, 2017

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

A petition for a change to the official Zoning Map of the Storm Lake  
Zoning Ordinance as applied to the properties described as

Lots 9,10, and 11, Block 3, Storm Lake Corporation, Oates & Skewis 1st Addition (402 and 404 Russell  
Street)

And

Lot 8, Block 2, Storm Lake Corporation, Russell's Addition, Tri. PT. of I.C.R.R. Lying South of Lot 8  
(401 Superior Street)

has been filed by Tyson Fresh Meats.

The petition requests approval of a change in Zoning from the R-3, Medium Density Residential District  
to the GI, General Industrial District.

A public hearing will be held by the **City Council** on **June 5, 2017 at 5:00 p.m.** in the City Hall  
Council Chambers at which time you may appear if you so desire, either in person or by agent or  
attorney, in opposition to or support of the proposed change to the Zoning Map of the Storm Lake  
Zoning Ordinance

Respectfully submitted,

Scott Olesen  
Zoning Administrator

## Staff Summary

5/15/2017

Agenda Item # 6.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Scott Olesen, Building Official

**SUBJECT:** **Motion Setting Public Hearing On A Proposed Zoning Change To The Storm Lake Zoning Ordinance Official Zoning Map**

**BACKGROUND:** Tyson Fresh Meats owns the property located at Lots 9,10, and 11, Block 3, Storm Lake Corporation, Oates & Skewis 1st Addition (402 and 404 Russell Street). Currently, this property is Zoned R-3, Medium Density Residential.

Tyson Fresh Meats is requesting a change in the zoning of this property from the R-3 Medium Density Residential District to the GI, General Industrial Zoning District.

Tyson is proposing to construct a trailer parking area on this property, and the property must be re-zoned to accomplish this.

If the proposed development is allowed to proceed, Tyson will have to provide a buffer yard, screening, and comply with the City Post Construction Storm Water Ordinance.

The Planning and Zoning Commission has reviewed this application and has recommended approval of the request to the Storm Lake City Council.

**FISCAL IMPACT:** Cost of public notices and legal fees estimated at \$200.00.

**RECOMMENDATION:** Approve the motion and set the Public Hearing for Monday, June 5, 2017 at 5:00 PM in the City Hall Council Chambers

### ATTACHMENTS:

Description	Type
Public Hearing Notice	Backup Material

**NOTICE OF PUBLIC HEARING FOR PUBLICATION  
CITY COUNCIL  
CITY OF STORM LAKE**



File number: **2017-4 and 2017-5**

May 15, 2017

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

A petition for a change to the official Zoning Map of the Storm Lake  
Zoning Ordinance as applied to the properties described as

Lots 9,10, and 11, Block 3, Storm Lake Corporation, Oates & Skewis 1st Addition (402 and 404 Russell  
Street)

And

Lot 8, Block 2, Storm Lake Corporation, Russell's Addition, Tri. PT. of I.C.R.R. Lying South of Lot 8  
(401 Superior Street)

has been filed by Tyson Fresh Meats.

The petition requests approval of a change in Zoning from the R-3, Medium Density Residential District  
to the GI, General Industrial District.

A public hearing will be held by the **City Council** on **June 5, 2017 at 5:00 p.m.** in the City Hall  
Council Chambers at which time you may appear if you so desire, either in person or by agent or  
attorney, in opposition to or support of the proposed change to the Zoning Map of the Storm Lake  
Zoning Ordinance

Respectfully submitted,

Scott Olesen  
Zoning Administrator

## Staff Summary

5/15/2017

Agenda Item # 7.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Mayra Martinez, City Clerk

**SUBJECT:** **Motion Setting a Public Hearing For An Update to the 2014 Housing Rehabilitation Program**

**BACKGROUND:** As required by Section 508 of the Housing and Community Development Act of 1987, as amended, the City of Storm Lake is to hold a Public Hearing to provide the public information concerning the progress, scope, budget and status of the 2014 Housing Rehabilitation Program.

**FISCAL IMPACT:** The fiscal impact of this motion will be the cost of publishing the hearing.

**RECOMMENDATION:** Set the Public Hearing for Monday, June 5, 2017 at 5:00 PM in the City Hall Council Chambers

### ATTACHMENTS:

Description	Type
Public Hearing Notice	Backup Material



## **PUBLIC NOTICE**

Pursuant to the requirements of Section 508 of the Housing and Community Development Act of 1987, as amended, the City of Storm Lake is hereby providing Public Notice that on June 5, 2017 at 5:00p.m., the City Council will hold a public hearing in the Council Chambers at City Hall, 620 Erie Street. The purpose of the hearing will be to provide the public information concerning the progress, scope, budget and status of the 2014 Housing Rehabilitation Program.

This project is being funded in part through a Community Development Block Grant, provided by the Iowa Economic Development Authority, and City of Storm Lake funding.

If you have questions concerning the project, or if you require special accommodations to attend the hearing, such as handicapped accessibility or translation services, you may contact the City Administrator at City Hall. Persons interested in the status of funding or the progress of the project, are welcome to attend this meeting or submit written comments to City Hall before the Hearing.

Program Contact: City Hall at 712-732-8000 or Program Administrators (Simmering-Cory, Inc.) at 641-357-7554.

Mayra A. Martinez, City Clerk

## Staff Summary

5/15/2017

Agenda Item # 8.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Jason Etnyre, Public Works Director

**SUBJECT:** **Resolution No. 102-R-2017-2018 Recommending The Award Of Contract For The 2017 Richland Street Project**

**BACKGROUND:** On June 17, 2013 the City Council entered into contract with Bolton & Menk for the engineering services associated with the 2017 East Richland Street Rehabilitation Project.

The project was scheduled to consist of the removal and replacement of approximately 3800 square yards of PCC pavement on East Richland Street from Flindt Drive to Radio Road in the City of Storm Lake. There will also be sub-drain installed to improve road bed drainage.

At the October 17, 2016 Council set the Public Hearing for November 7, 2016 at 5:00 pm during the City Council meeting for the Plans, Specifications, Bids, Form of Contract, and Estimated Costs associated with the 2017 East Richland Street Project. Public Hearing was held on November 7th. Council then took action on the same night to accept the plans, specs, bids, form of contract, and estimated costs associated with this project. The Iowa DOT let the project for bid in November 2016 and they received three bids for this project. The lowest bid was significantly higher than the estimated cost for the project that City staff recommended rejecting all bids and to re-letting this project as a shortened complete replacement project with work starting at the intersection of Richland and Flindt and proceeding east towards Industry as far as the State and City financial contributions will allow for the first phase of this project.

The modified project design was re-submitted to the Iowa DOT, approved by the DOT, and let for bid at the April 18th Letting.

The DOT received two bids for this project. Iowa Civil Contracting,

Inc. of Victor, Iowa was the low bid received at \$467,021.80.  
Godbersen-Smith of Ida Grove, Iowa submitted a bid of \$491,486.00.

**FISCAL IMPACT:** Estimated cost for this project was \$464,901. Low bid was received from Iowa Civil Contracting, Inc. of Victor in the amount of \$467,021.80  
Surface Transportation Program (STP) funds in the amount of \$202,000 are to be used to partially fund this project. The balance of the cost will be paid through both the Local Option Sales Tax (LOST) and Franchise Fees for fiscal year 2017.

**RECOMMENDATION:** City staff and engineer recommends that Council approve Resolution No. 102-R-2016-2017 to Award Recommendation of Iowa Civil Contracting, Inc. to the Iowa DOT.

**ATTACHMENTS:**

Description	Type
📎 Resolution No. 102-R-2016-2017	Resolution

**RESOLUTION NO. 102-R-2016-2017**

**RESOLUTION RECOMMENDING THE AWARD OF CONTRACT FOR THE 2017  
RICHLAND STREET PROJECT**

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

Section 1. That the following bid for the construction of certain public improvements described in general as the City of Storm Lake 2017 Richland Street Project, described in the plans and specifications heretofore adopted by this Council on April 17, 2017 be and is hereby recommend, the same being the lowest responsible bid received for said work, as follows:

Contractor:	Iowa Civil Contracting Inc., Victor, Iowa
Amount of bid:	\$467,021.80
Portion of bid:	All

Section 2. That the Mayor and Clerk are hereby recommend to execute contract with the contractor for the construction of said public improvements.

PASSED AND APPROVED this 15<sup>nd</sup> day of May, 2017.

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Jon F. Kruse, Mayor

ATTEST:

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Mayra A. Martinez, City Clerk

## Staff Summary

5/15/2017

Agenda Item # 9.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Jason Etnyre, Public Works Director

**SUBJECT:** **Resolution No. 103-R-2016-2017 Approving Change Order #1 For The 3rd Addition Phase 2 Improvements, 13th Street Extension**



**BACKGROUND:** The City owns 22 lots in 3rd Addition and infrastructure has been installed for 6 lots. The City has an offer to purchase the 6 lots in Phase I. In order to prepare for phase 2 of lot sales, infrastructure in the form of sanitary sewer, watermain, storm sewers, street and landscaping must be installed. Phase 2 of the project will include 6 lots.

At the April 17th COuncil meeting, Council awarded the contract to Smith Concrete of Storm Lake in the amount of \$294,293.50. As the installation of City utilities occurs, the soils present in the area are continually failing to meet compaction standards due to the high water table and irregular soil profiles. The solution that the contractor, engineer, soil testing agency, and staff have agreed upon would be the installation of drainage tile at a depth of 8 feet m/l to better drain the area and to provide long-term soils stability. With this process, the City will not install sub-drain at the back of curb as is the normal practice in areas where soils and drainage are of better quality. There will also be additional subgrade removal and additional modified base rock installed.

**FISCAL IMPACT:** Cost of the project will be \$294,293.50 and will be paid by Tax Increment Financing, Road Use Tax, and Franchise Fees. This Change Order #1 is in the amount of \$14,065.50 and represents a net increase over the original contract amount of 4.8%

**RECOMMENDATION:** Staff recommends that Council adopt Resolution 103-R-2016-2017 approving Change Order #1 in the amount of \$14,065.50 for the work described.

**ATTACHMENTS:**

Description	Type
 Change Order #1	Change Order
 Resolution No. 103-R-2016-2017	Resolution

Date of Issuance: May 8, 2017  
Owner: City of Storm Lake, Iowa  
Contractor: Smith Concrete Services, Inc.  
Engineer: Bolton & Menk, Inc.  
Project: 3<sup>rd</sup> Addition Phase 2 Improvements

Effective Date: May 15, 2017  
Owner's Contract No.:  
Contractor's Project No.:  
Engineer's Project No.: P11.113403  
Contract Name:

The Contract is modified as follows upon execution of this Change Order:

- Description: 1) Sanitary sewer service material shall be Schedule 40 PVC instead of ductile iron.  
2) In lieu of 6" subdrain on both sides of the proposed roadway, a 6" subdrain shall be placed on the north side of the roadway only.  
3) Increasing the amount of excavation and subbase plan quantities on account of poor soils.

Attachments: Schedule of Unit Prices

<b>CHANGE IN CONTRACT PRICE</b>	<b>CHANGE IN CONTRACT TIMES</b>
Original Contract Price: \$ 294,293.50	Original Contract Times: Substantial Completion: August 11, 2017 Ready for Final Payment: _____ days or dates
Increase from previously approved Change Orders No. 1 to No. 3: \$ 0.00	Increase from previously approved Change Orders No. 1 to No. 3: Substantial Completion: None Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ 294,293.50	Contract Times prior to this Change Order: Substantial Completion: August 11, 2017 Ready for Final Payment: _____ days or dates
Increase/Decrease of this Change Order: \$ 14,065.50	Increase/Decrease of this Change Order: Substantial Completion: None Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: \$ 308,359.00	Contract Times with all approved Change Orders: Substantial Completion: August 11, 2017 Ready for Final Payment: _____ days or dates

<b>RECOMMENDED:</b>	<b>ACCEPTED:</b>	<b>ACCEPTED:</b>
By: _____ Engineer (if required)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Title: Senior Project Manager	Title: City Manager	Title: Owner
Date: May 8, 2017	Date: May 15, 2017	Date: _____

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_

SCHEDULE OF UNIT PRICES - CHANGE ORDER No. 1

3RD ADDITION, PHASE 2, 13TH STREET EXTENSION  
CITY OF STORM LAKE, IOWA  
BMI PROJECT NO. P11.113403

ITEM NO.	SUDAS SPEC No.	ITEM	APPROX. QUANT.	UNIT	UNIT PRICE	AMOUNT
3	2010-108-E-0	EXCAVATION, CLASS 13	404.0	CY	\$ 12.00	\$ 4,848.00
6	2010-108-I-0	SUBBASE, MODIFIED, 6"	2,430.0	SY	\$ 9.25	\$ 22,477.50
8	4010-108-E-0	SANITARY SEWER SERVICE STUB, DUCTILE IRON, 4"	-420.0	LF	\$ 105.00	\$ -44,100.00
10	4040-108-A-0	SUBDRAIN, HDPE PERFORATED, 6"	-1,260.0	LF	\$ 12.50	\$ -15,750.00
CO1-1	4010-108-E-0	SANITARY SEWER SERVICE STUB, SCHEDULE 40 PVC, 4"	420.0	LF	\$ 90.50	\$ 38,010.00
CO1-2	4040-108-A-0	SUBDRAIN, HDPE PERFORATED, 6"	670.0	LF	\$ 11.50	\$ 7,705.00
CO1-3	9040-108-J-0	EROSION STONE	25.0	TN	35.00	875.00
TOTAL AMOUNT CHANGE ORDER No. 1:						\$ 14,065.50



**RESOLUTION NO. 103-R-2016-2017**

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

To approve Change Order No. 1 to the contract with Smith Concret of Storm Lake for the 3<sup>rd</sup> Addistion Phase 2 Improvements, 13<sup>th</sup> Street Extension, an increase of \$14,065.50 to the contract for the following:

- 1) Sanitary sewer service material shall be Schedule 40 PVC instead of ductile iron.
- 2) In lieu of 6" subdrain on both sides of the proposed roadway, a 6" subdrain shall be placed onthe north side of the roadway only.
- 3) Increasing the amount of excavation and subbase plan quantities on account of poor soils

Total cost of Change Order #1 is an increase of 14,065.50 to the contract. Total contract cost after change order #1 is \$308,359.00.

PASSED AND APPROVED this 15<sup>th</sup> day of May, 2017.

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Jon F. Kruse, Mayor

ATTEST:

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Mayra A. Martinez, City Clerk

## Staff Summary

5/15/2017

Agenda Item # 10.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Jason Etnyre, Public Works Director

**SUBJECT:** **Resolution No. 104-R-2016-2017 Approving North Central Storm Water Change Order 5**

**BACKGROUND:** On June 1, 2015, the City of Storm Lake entered into a contract with H&W Contracting for the construction of a storm water project in the northeast part of the City. Change order #5 is a quantity rectification in the deduct amount of \$39,650.

**FISCAL IMPACT:**

Original Contract Price:	\$2,790,031.05
Change Order #1:	\$(112,297.25)
Change Order #2	\$15,360
Change Order #3	\$17,000 (not to exceed)
Change Order #4	\$(107,931)
Change Order #5	\$(39,650)

**New Contract Amount: \$2,562,512.67**  
**This project finished at 8.15% under original contract amount.**

**RECOMMENDATION:** It is the recommendation of City Staff for Council to adopt Resolution No. 104-R-2016-2017 approving Change Order #5 in the deduct amount of \$39,650.

**ATTACHMENTS:**

Description	Type
Change Order #5	Change Order
Resolution No. 104-R-2016-2017	Resolution

**CONTRACTOR'S PAY REQUEST****NORTH CENTRAL STORM WATER****CITY OF STORM LAKE, IOWA****BMI PROJECT NO.: P11.106745****DISTRIBUTION:**

CONTRACTOR (1)

OWNER (1)

ENGINEER (1)

TOTAL AMOUNT BID PLUS APPROVED CHANGE ORDERS	\$2,562,512.67
TOTAL, COMPLETED WORK TO DATE	\$2,562,512.67
TOTAL, STORED MATERIALS TO DATE	\$0.00
DEDUCTION FOR STORED MATERIALS USED IN WORK COMPLETED	\$0.00
TOTAL, COMPLETED WORK & STORED MATERIALS	\$2,562,512.67
RETAINED PERCENTAGE ( 0.0% )	\$0.00
TOTAL AMOUNT OF OTHER PAYMENTS OR (DEDUCTIONS)	\$0.00
NET AMOUNT DUE TO CONTRACTOR TO DATE	\$2,562,512.67
TOTAL AMOUNT PAID ON PREVIOUS ESTIMATES	\$2,562,162.67
PAY CONTRACTOR AS ESTIMATE NO. <b>14 - FINAL</b>	\$350.00

**Certificate for Final Payment**

I hereby certify that, to the best of my knowledge and belief, all items quantities and prices of work and material shown on this Estimate are correct and that all work has been performed in full accordance with the terms and conditions of the Contract for this project between the Owner and the undersigned Contractor, and as amended by any authorized changes, and that the foregoing is a true and correct statement of the amount for the Final Estimate, that applicable provisions of the Iowa Administrative Code have been complied with and that all claims against me by reason of the Contract have been paid or satisfactorily secured.

Contractor:

H & W CONTRACTING, LLC  
3416 W HOVLAND DRIVE  
SIOUX FALLS, SD 57107

By

Name

Title

Date

5/10/17President**CHECKED AND APPROVED AS TO QUANTITIES AND AMOUNT:****ENGINEER: BOLTON & MENK, INC., 218 11TH STREET S.W. PLAZA, SPENCER, IA 51301**

By

CONSULTING ENGINEER

Date

05/10/2017**APPROVED FOR PAYMENT:****OWNER: CITY OF STORM LAKE, 620 ERIE STREET, STORM LAKE, IA 50588**

By

Name

Title

Date

And

Name

Title

Date

# Partial Pay Estimate No.:

NORTH CENTRAL STORM WATER

CITY OF STORM LAKE, IOWA

BMI PROJECT NO.: P11.106745

14 - FINAL

WORK COMPLETED THROUGH MAY 4, 2017

ITEM NO.	ITEM	UNIT PRICE	AS BID		PREVIOUS ESTIMATE		COMPLETED TO DATE	
			ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT
1	TRAFFIC CONTROL	\$6,000.00	1.00 LS	\$6,000.00	1.00 LS	\$6,000.00	1.00 LS	\$6,000.00
2	MOBILIZATION	\$482,500.00	1.00 LS	\$482,500.00	1.00 LS	\$482,500.00	1.00 LS	\$482,500.00
3	CLEARING AND GRUBBING	\$30,000.00	3.80 ACRE	\$114,000.00	3.80 ACRE	\$114,000.00	3.80 ACRE	\$114,000.00
4	EXCAVATION, CLASS 13	\$7.00	63,495.00 CY	\$444,465.00	63,495.00 CY	\$444,465.00	63,495.00 CY	\$444,465.00
5	BASE, CLASS A ROADSTONE	\$28.50	90.00 TON	\$2,565.00	0.00 TON	\$0.00	90.00 TON	\$2,565.00
6	SUBBASE, 0207 3" BALLAST STONE	\$28.50	300.00 TON	\$8,550.00	0.00 TON	\$0.00	300.00 TON	\$8,550.00
7	EXPLORATORY EXCAVATION, UTILITY POTHOLE	\$200.00	3.00 EA	\$600.00	3.00 EA	\$600.00	3.00 EA	\$600.00
8	TRENCH FOUNDATION	\$30.00	300.00 TON	\$9,000.00	300.00 TON	\$9,000.00	300.00 TON	\$9,000.00
9	SANITARY SEWER GRAVITY MAIN, REPAIR 8" AND LARGER	\$87.00	0.00 LF	\$0.00	0.00 LF	\$0.00	0.00 LF	\$0.00
10	SANITARY SEWER SERVICE RELOCATION, 4" TO 6"	\$68.00	0.00 LF	\$0.00	0.00 LF	\$0.00	0.00 LF	\$0.00
11	STORM SEWER, TRENCHED, PVC SDR 26, 8"	\$48.00	526.00 LF	\$24,196.00	526.00 LF	\$24,196.00	526.00 LF	\$24,196.00
12	STORM SEWER, TRENCHED, RCP CLASS V, 12"	\$54.29	118.00 LF	\$6,406.22	152.00 LF	\$8,252.08	118.00 LF	\$6,406.22
13	STORM SEWER, TRENCHED, RCP CLASS III, 15"	\$56.21	138.00 LF	\$7,756.38	138.00 LF	\$7,756.38	138.00 LF	\$7,756.38
14	STORM SEWER, TRENCHED, RCP CLASS III, 24"	\$69.63	1,363.00 LF	\$94,905.69	1,363.00 LF	\$94,905.69	1,363.00 LF	\$94,905.69
15	STORM SEWER, TRENCHED, RCP CLASS III, 27"	\$78.17	30.00 LF	\$2,345.10	30.00 LF	\$2,345.10	30.00 LF	\$2,345.10
16	STORM SEWER, TRENCHED, RCP CLASS IV, 30"	\$88.47	4,437.00 LF	\$392,541.39	4,478.00 LF	\$396,168.66	4,437.00 LF	\$392,541.39
17	STORM SEWER, TRENCHED, RCP CLASS III, 36"	\$111.82	422.00 LF	\$47,103.64	422.00 LF	\$47,103.64	422.00 LF	\$47,103.64
18	STORM SEWER, TRENCHED, RCP CLASS IV, 48"	\$161.99	1,196.00 LF	\$193,381.24	1,196.00 LF	\$193,381.24	1,196.00 LF	\$193,381.24
19	STORM SEWER, JACK & AUGER, 27", 3/8" THICK	\$350.00	370.00 LF	\$129,500.00	370.00 LF	\$129,500.00	370.00 LF	\$129,500.00
20	STORM SEWER, JACK & AUGER, 30", 3/8" THICK	\$350.00	120.00 LF	\$42,000.00	120.00 LF	\$42,000.00	120.00 LF	\$42,000.00
21	TEMPORARY STORM SEWER	\$57,500.00	1.00 LS	\$57,500.00	0.85 LS	\$48,600.00	1.00 LS	\$57,500.00
22	PIPE APRON, RCP, 12"	\$749.00	3.00 EA	\$2,247.00	3.00 EA	\$2,247.00	3.00 EA	\$2,247.00
23	PIPE APRON, RCP, 15"	\$815.00	1.00 EA	\$815.00	1.00 EA	\$815.00	1.00 EA	\$815.00
24	PIPE APRON, RCP, 24"	\$1,026.00	1.00 EA	\$1,026.00	1.00 EA	\$1,026.00	1.00 EA	\$1,026.00
25	PIPE APRON, RCP, 27"	\$1,279.00	1.00 EA	\$1,279.00	1.00 EA	\$1,279.00	1.00 EA	\$1,279.00
26	PIPE APRON, RCP, 30"	\$1,593.00	2.00 EA	\$3,186.00	2.00 EA	\$3,186.00	2.00 EA	\$3,186.00
27	PIPE APRON, RCP, 36"	\$2,072.00	1.00 EA	\$2,072.00	1.00 EA	\$2,072.00	1.00 EA	\$2,072.00
28	PIPE APRON, RCP, 48"	\$2,821.00	1.00 EA	\$2,821.00	1.00 EA	\$2,821.00	1.00 EA	\$2,821.00
29	SUBDRAIN, A-2000 PERFORATED, 6"	\$17.00	715.00 LF	\$12,155.00	715.00 LF	\$12,155.00	715.00 LF	\$12,155.00
30	SUBDRAIN, A-2000 PERFORATED, 8"	\$29.00	1,480.00 LF	\$29,600.00	1,480.00 LF	\$29,600.00	1,480.00 LF	\$29,600.00
31	FIELD TILE REPAIR	\$15.00	110.00 LF	\$1,650.00	110.00 LF	\$1,650.00	110.00 LF	\$1,650.00
32	FIELD TILE CONNECTION	\$400.00	12.00 EA	\$4,800.00	12.00 EA	\$4,800.00	12.00 EA	\$4,800.00
33	WATER MAIN, TRENCHED, C-900, VARYING SIZE	\$79.00	0.00 LF	\$0.00	0.00 LF	\$0.00	0.00 LF	\$0.00
34	WATER SERVICE REPAIR	\$700.00	0.00 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
35	FIRE HYDRANT ASSEMBLY	\$4,315.00	0.00 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
36	MANHOLE, STORM, TYPE SW-401, 48"	\$2,650.00	4.00 EA	\$10,600.00	3.00 EA	\$7,950.00	4.00 EA	\$10,600.00
37	MANHOLE, STORM, TYPE SW-401, 60"	\$4,450.00	1.00 EA	\$4,450.00	1.00 EA	\$4,450.00	1.00 EA	\$4,450.00
38	MANHOLE, STORM, TYPE SW-404, 84"	\$14,600.00	1.00 EA	\$14,600.00	1.00 EA	\$14,600.00	1.00 EA	\$14,600.00
39	MANHOLE, STORM, TYPE SW-405, STANDARD TEE, 48"	\$4,232.00	3.00 EA	\$12,696.00	3.00 EA	\$12,696.00	3.00 EA	\$12,696.00
40	MANHOLE, STORM, TYPE SW-405, COMPOSITE TEE, 24"x48"	\$1,457.00	5.00 EA	\$7,285.00	5.00 EA	\$7,285.00	5.00 EA	\$7,285.00
41	MANHOLE, STORM, TYPE SW-405, COMPOSITE TEE, 30"x48"	\$1,936.00	7.00 EA	\$13,552.00	7.00 EA	\$13,552.00	7.00 EA	\$13,552.00
42	MANHOLE, STORM, TYPE SW-405, COMPOSITE TEE, 36"x48"	\$2,129.00	3.00 EA	\$6,387.00	3.00 EA	\$6,387.00	3.00 EA	\$6,387.00
43	INTAKE, TYPE SW-501	\$1,750.00	3.00 EA	\$5,250.00	3.00 EA	\$5,250.00	3.00 EA	\$5,250.00
44	INTAKE, TYPE SW-512, SPECIAL	\$2,200.00	0.00 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
45	INTAKE, TYPE SW-512, 24"	\$1,000.00	1.00 EA	\$1,000.00	2.00 EA	\$2,000.00	1.00 EA	\$1,000.00
46	INTAKE, TYPE SW-513, 72"x36"	\$3,700.00	1.00 EA	\$3,700.00	1.00 EA	\$3,700.00	1.00 EA	\$3,700.00
47	INTAKE, NYLOPLAST DRAIN BASIN, 12"	\$1,100.00	3.00 EA	\$3,300.00	3.00 EA	\$3,300.00	3.00 EA	\$3,300.00
48	REMOVE MANHOLE	\$550.00	5.00 EA	\$2,750.00	2.00 EA	\$1,100.00	5.00 EA	\$2,750.00
49	RAIN GUARDIAN STRUCTURE	\$3,000.00	3.00 EA	\$9,000.00	3.00 EA	\$9,000.00	3.00 EA	\$9,000.00
50	REMOVAL OF SIDEWALK	\$10.00	35.00 SY	\$350.00	0.00 SY	\$0.00	35.00 SY	\$350.00
51	REMOVAL OF DRIVEWAY	\$10.00	73.00 SY	\$730.00	44.00 SY	\$440.00	73.00 SY	\$730.00
52	SIDEWALK, PCC, 4"	\$86.00	40.00 SY	\$2,640.00	0.00 SY	\$0.00	40.00 SY	\$2,640.00
53	DETECTABLE WARNING	\$46.50	0.00 SF	\$0.00	0.00 SF	\$0.00	0.00 SF	\$0.00



# Partial Pay Estimate No.:

NORTH CENTRAL STORM WATER  
CITY OF STORM LAKE, IOWA  
BMM PROJECT NO.: P11.106745

14 - FINAL

WORK COMPLETED THROUGH MAY 4, 2017

ITEM NO.	ITEM	UNIT PRICE	AS BID		PREVIOUS ESTIMATE		COMPLETED TO DATE	
			ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT
54	DRIVEWAY, PAVED, PCC, 6"	\$57.50	73.00 SY	\$4,197.50	44.00 SY	\$2,530.00	73.00 SY	\$4,197.50
55	FULL DEPTH PATCHES	\$104.50	348.00 SY	\$36,157.00	253.00 SY	\$26,438.50	348.00 SY	\$36,157.00
56	PAVEMENT REMOVAL	\$18.00	346.00 SY	\$6,228.00	253.00 SY	\$4,554.00	346.00 SY	\$6,228.00
57	PCC FLUME AT RAIN GARDENS	\$600.00	3.00 EA	\$1,800.00	3.00 EA	\$1,800.00	3.00 EA	\$1,800.00
58	CONVENTIONAL SEEDING, FERTILIZING - MIX 1	\$2,695.00	3.00 AC	\$8,085.00	1.50 AC	\$4,042.50	3.00 AC	\$8,085.00
59	CONVENTIONAL SEEDING, FERTILIZING - MIX 2	\$1,375.00	10.00 AC	\$13,750.00	5.00 AC	\$6,875.00	10.00 AC	\$13,750.00
60	CONVENTIONAL SEEDING, FERTILIZING - MIX 3	\$1,375.00	4.00 AC	\$5,500.00	2.00 AC	\$2,750.00	4.00 AC	\$5,500.00
61	CONVENTIONAL SEEDING, FERTILIZING - MIX 4	\$1,300.00	3.00 AC	\$3,900.00	1.50 AC	\$1,950.00	3.00 AC	\$3,900.00
62	CONVENTIONAL SEEDING, FERTILIZING, AND MULCHING - MIX 5	\$1,600.00	8.00 AC	\$9,600.00	3.00 AC	\$4,800.00	8.00 AC	\$9,600.00
63	2-YR VEGETATION ESTABLISHMENT AND MAINTENANCE WARRANTY	\$20,350.00	1.00 LS	\$20,350.00	0.00 LS	\$0.00	1.00 LS	\$20,350.00
64	SWPPP PREPARATION	\$2,750.00	1.00 LS	\$2,750.00	1.00 LS	\$2,750.00	1.00 LS	\$2,750.00
65	SWPPP MANAGEMENT	\$14,050.00	1.00 LS	\$14,050.00	0.90 LS	\$12,645.00	1.00 LS	\$14,050.00
66	SWPPP QUALIFYING RAINFALL EVENT INSPECTION	\$110.00	0.00 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
67	FILTER SOCK	\$5.25	1,140.00 LF	\$5,985.00	1,140.00 LF	\$5,985.00	1,140.00 LF	\$5,985.00
68	TEMPORARY RECP. TYPE 3 B (12-24 MONTH)	\$1.90	15,000.00 SY	\$28,500.00	0.00 SY	\$0.00	15,000.00 SY	\$28,500.00
69	ROCK CHECK DAM	\$35.00	85.00 TON	\$2,975.00	85.00 TON	\$2,975.00	85.00 TON	\$2,975.00
70	RIP RAP, CLASS E	\$37.00	607.43 TON	\$22,474.91	607.43 TON	\$22,474.91	607.43 TON	\$22,474.91
71	SILT FENCE	\$4.15	3,130.00 LF	\$12,989.50	3,130.00 LF	\$12,989.50	3,130.00 LF	\$12,989.50
72	STABILIZED CONSTRUCTION ENTRANCE	\$750.00	0.00 EA	\$0.00	0.00 EA	\$0.00	0.00 EA	\$0.00
73	HYDROMULCH - BONDED FIBER MATRIX	\$3,250.00	16.00 AC	\$52,000.00	16.00 AC	\$52,000.00	16.00 AC	\$52,000.00
74	TPM (TURF REINFORCEMENT MATS), TYPE 2	\$38.50	298.00 SQ	\$11,473.00	188.00 SQ	\$7,238.00	298.00 SQ	\$11,473.00
75	INLET PROTECTION DEVICE	\$170.50	10.00 EA	\$1,705.00	0.00 EA	\$0.00	10.00 EA	\$1,705.00
76	BIOFILTRATION AGGREGATE	\$60.00	550.00 CY	\$33,000.00	550.00 CY	\$33,000.00	550.00 CY	\$33,000.00
77	ENGINEERED SOIL MIX	\$50.00	700.00 CY	\$35,000.00	700.00 CY	\$35,000.00	700.00 CY	\$35,000.00
78	GABION BASKET FILTRATION WALL	\$12,000.00	1.00 LS	\$12,000.00	1.00 LS	\$12,000.00	1.00 LS	\$12,000.00
79	REMOVAL OF FENCE	\$5.00	439.00 LF	\$2,195.00	439.00 LF	\$2,195.00	439.00 LF	\$2,195.00
80	FRENCH DRAIN	\$60.00	150.00 CY	\$9,000.00	150.00 CY	\$9,000.00	150.00 CY	\$9,000.00
81	SUBGRAIN, 8"	\$12.00	1,280.00 LF	\$15,360.00	1,280.00 LF	\$15,360.00	1,280.00 LF	\$15,360.00
82	EXCAVATION OVERHAUL	\$85.00	200.00 LOAD	\$17,000.00	200.00 LOAD	\$17,000.00	200.00 LOAD	\$17,000.00
83	STOCKPILE EXTRA STRUCTURES	\$9,580.50	1.00 LS	\$9,580.50	0.00 LS	\$0.00	1.00 LS	\$9,580.50
84	SEEDING DEDUCT	\$40,000.00	1.00 LS	\$40,000.00	0.00 LS	\$0.00	1.00 LS	\$40,000.00
85	TILE REPAIR	\$350.00	1.00 LS	\$350.00	0.00 LS	\$0.00	1.00 LS	\$350.00
TOTAL AMOUNT:				\$2,562,512.67		\$2,479,187.60		\$2,562,512.67

# CHANGE ORDER

No. 005

PROJECT: North Central Storm Water

DATE OF ISSUANCE: May 8, 2017

EFFECTIVE DATE: May 8, 2017

OWNER: City of Storm Lake

ENGINEER'S Project No.: P11.106745

CONTRACTOR: H&W Contracting, LLC

ENGINEER: Bolton & Menk, Inc.

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

## Description:

## Cost Difference

Seeding Deduct -- Unit Price \$40,000 Lump Sum. contractor deduct for supplemental agreement to complete vegetation warranty work.

-\$40,000.00

Tile Repair -- Unit Price \$350 Lump Sum, quantity of 1. Contractor to install filed drainage tile where natural drainage was disrupted by the new Storm Sewer.

\$350.00

## Reason for Change Order:

After construction, a wet spot was revealed where the new storm sewer had disturbed natural drainage.

## Attachments: None

## CHANGE IN CONTRACT PRICE:

Original Contract Price

\$2,790,031.05

Net Changes from Previous Change Orders No. 1 to No. 4

-\$187,868.38

Contract Price Prior to this Change Order

\$2,602,162.67

Net Decrease of this Change Order

-\$39,650.00

Contract Price with all approved Change Orders

\$2,562,512.67

## CHANGE IN CONTRACT TIMES:

Original Contract Times

Substantial Completion: June 30, 2016 days or dates

Ready for Final Payment: May 15, 2017 days or dates

Net Changes from Previous Change Orders No. 1 to No. 3

0 days

Contract Times Prior to this Change Order

Substantial Completion: 0 days or dates

Ready for final payment: 0 days or dates

Net **No Change** of this Change Order

0 days

Contract Times with all approved Change Orders

Substantial Completion: June 30, 2016 days or dates

Ready for final payment: May 15, 2017 days or dates

RECOMMENDED: Bolton & Menk, Inc.

Approved: City of Storm Lake

Accepted: H&W Contracting, LLC

By: 

Engineer (Authorized Signature)

By: \_\_\_\_\_

Owner (Authorized Signature)

By: 

Contractor (Authorized Signature)

Date: 05/10/2017

Date: \_\_\_\_\_

Date: 5/10/17

P11.106745 - Storm Lake, IA  
North Central Storm Water

Change Order

Page -1

**SUPPLEMENTAL CONTRACT  
MAY 2017**

**North Central Storm Water  
City of Storm Lake  
Storm Lake, IA**

THIS CONTRACT, made and entered into at the City of Storm Lake this 15<sup>th</sup> day of May, 2017, by and between the City of Storm Lake hereinafter called the "Jurisdiction", and H & W Contracting, LLC., hereinafter called the "Contractor".

**WITNESSETH:**

The Contractor hereby agrees to complete the supplemental vegetation establishment and maintenance warranty work comprising the North Central Storm Water as specified in the contract documents, which are officially on file with the Jurisdiction, in the office of the City Clerk, City of Storm Lake, 620 Erie Street, Storm Lake, IA. This contract includes all such contract documents. All work under this contract shall be constructed in accordance with the SUDAS Standard Specifications, 2015 Edition, and as further modified by the supplemental specifications and special provisions included in said contract documents, and the Contract Attachment which is attached hereto.

The Contractor further agrees to complete the work in strict accordance with said contract documents, and to guarantee the work as required by law, for the time required in said contract documents, after its acceptance by the Jurisdiction.

This contract supersedes the original contract dated June 1, 2015 for the project and is for the purpose of establishment and maintenance warranty for the seeding.

**PROJECT DESCRIPTION:** The project generally consisted of storm water quality improvements in the North Central part of the community. The scope of work includes approximately 65,000 cubic yards of excavation; 8,650 feet of 12"- 48" RCP storm sewer, 2,400 feet of 6"- 8" subdrain, 49 storm sewer structures, 3,200 square feet of rain gardens and bio-swales; approximately 33 acres of seeding, approximately 900 square yards of PCC pavement patching and other miscellaneous items of work.

The Contractor agrees to perform said work for and in consideration of the Jurisdiction's payment of the bid amount of Forty Thousand Dollars and Zero Cents (\$40,000.00), which amount shall constitute the required amount of the maintenance and bond. The Contractor hereby agrees that the substantial completion and acceptance of all seeding and landscaping occurred on August 8, 2016; and agrees to perform the work required for establishment and maintenance of the 2 year warranty of the seeding/ vegetation per the attached documents.

**CONTRACT ATTACHMENT: ITEM 1: GENERAL**

1. Sheet S.21 of Plans for said North Central Storm Water Improvements, April 2015
2. Maintenance Bond # 130651, between Northwest Landscaping, Inc. and the City of Storm Lake.

IN WITNESS WHEREOF, the Parties hereto have executed this instrument, in triplicate on the date first shown written.

JURISDICTION: City of Storm Lake

CONTRACTOR: H & W Contracting, LLC

By

\_\_\_\_\_  
Jon Kruse, Mayor

\_\_\_\_\_  


By

Thomas Hurd - President

Contractor's Contact Name

Contractor's Title

ATTEST:

\_\_\_\_\_  
Mayra Martinez, City Clerk

H & W Contracting LLC

3416 W. Howland Drive

Street Address

Siox Falls, SD 57107

City, State, Zip Code

605-339-8834

Telephone



CONTRACTOR PUBLIC REGISTRATION INFORMATION To Be Provided By:

1. All Contractors: The Contractor shall enter its Public Registration No. C0953-27 issued by the Iowa Commissioner of Labor pursuant to Section 91C.5 of the Iowa Code.
2. Out-of-State Contractors:
  - A. Pursuant to Section 91C.7 of the Iowa Code, an out-of-state contractor, before commencing a contract in excess of five thousand dollars in value in Iowa, shall file a bond with the division of labor services of the department of workforce development. The contractor should contact 515-242-5871 for further information. Prior to contract execution, the City Engineer may forward a copy of this contract to the Iowa Department of Workforce Development as notification of pending construction work. It is the contractor's responsibility to comply with said Section 91C.7 before commencing this work.
  - B. Prior to entering into contract, the designated low bidder, if it be a corporation organized under the laws of a state other than Iowa, shall file with the Jurisdictional Engineer a certificate from the Secretary of the State of Iowa showing that it has complied with all the provisions of Chapter 490 of the Code of Iowa, or as amended, governing foreign corporations. For further information contact the Iowa Secretary of State Office at 515-281-5204.

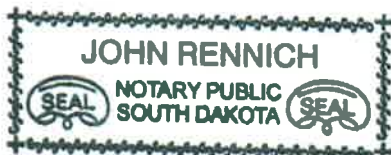
Bond No. IAC 583119  
Name of Surety Merchants Bonding Co.

NOTE: All signatures on this contract must be original signatures in ink; copies or facsimile of any signature will not be accepted.

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

State of SD  
Minnehaha ) SS  
County)

On this 10<sup>th</sup> day of May, 2017, before me a Notary Public in and for said county, personally appeared Thomas Hurd to me personally known, who being by me duly sworn did say that person is President of said Hew Contracting LLC (the seal affixed to said instrument is the seal of said OR no seal has been procured by the said) \_\_\_\_\_, and that said instrument was signed and sealed on behalf of the said \_\_\_\_\_, by authority of its managers and the said \_\_\_\_\_ acknowledged the execution of said instrument to be the voluntary act and deed of said \_\_\_\_\_, by it voluntarily executed.



[Signature]  
Notary Public in and for the State of \_\_\_\_\_  
My Commission Expires 8-5, 2020

**RESOLUTION NO. 104-R-2016-2017**

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

To approve Change Order # 5 to the contract with H & W Contracting, LLC for the North Central Storm Water Project a deduction of \$39,650.00 for a deduct seeding and tile repair.

Total contract cost after change order #5 is \$2,562,512.67.

PASSED AND APPROVED this 15<sup>th</sup> day of May, 2017

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Jon F. Kruse, Mayor

ATTEST:

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Mayra A. Martinez, City Clerk

## Staff Summary

5/15/2017

Agenda Item # 11.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Jason Etnyre, Public Works Director

**SUBJECT:** **Resolution No. 105-R-2016-2017 North Central Stormwater Final Acceptance**

**BACKGROUND:** On June 1, 2015, the City of Storm Lake entered into a contract with H&W Contracting for the construction of a storm water project in the northeast part of the City. In order to meet closure deadlines the grant funding utilized for this project, the City of Storm Lake needs to issue final acceptance on this project. Due to some seeding items remaining to be finalized, a Supplemental Contract between the City and the Contractor is recommended in order to meet deadlines with grant funding.

**FISCAL IMPACT:**

Original Contract Price:	\$2,790,031.05
Change Order #1:	\$(112,297.25)
Change Order #2	\$15,360
Change Order #3	\$17,000 (not to exceed)
Change Order #4	\$(107,931)
Change Order #5	\$(39,650)

**New Contract Amount: \$2,562,512.67**  
**This project finished at 8.15% under original contract amount.**

**RECOMMENDATION:** City staff recommends that Council would adopt Resolution No. 105-R-2016-2017 Final Acceptance on the North Central Stormwater project

**ATTACHMENTS:**

Description	Type
□ Resolution No. 105-R-2016-2017	Resolution

**RESOLUTION NO. 105-R-2016-2017**

**RESOLUTION ACCEPTING PUBLIC IMPROVEMENT FINAL PAY  
ESTIMATE TO THE NORTH CENTRAL STORMWATER PROJECT**

WHEREAS, the City Council of the City of Storm Lake, Iowa entered into a contract, and the Mayor and Clerk of Storm Lake, Iowa executed the contract with H & W Contracting, LLC with regards to the North Central Stormwater Project

WHEREAS, said contractor has fully completed the said project in accordance with the terms and conditions of said contract and plans and specifications with the exception for some seeding items remaining that was deducted by Change Order No. 5.

WHEREAS, the City of Storm Lake agreed to include the work on the deducted seeding to the supplemental contract.

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

Section 1. That said public improvement is hereby approved and accepted as having been fully completed in accordance with the plans, specifications and form of contract, and the total final contract price is \$2,562,512.67.

Section 2. That said pay estimate No. 24 (final) for \$350.00 is approved.

PASSED AND APPROVED this 15th day of May, 2017.

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Jon F. Kruse, Mayor

ATTEST:

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Mayra A. Martinez, City Clerk

## Staff Summary

5/15/2017

Agenda Item # 12.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Jason Etnyre, Public Works Director

**SUBJECT:** **Resolution No. 106-R-2016-2017 Approving a Supplemental Contract for the North Central Stormwater Project**

**BACKGROUND:** On June 1, 2015, the City of Storm Lake entered into a contract with H&W Contracting for the construction of a storm water project in the northeast part of the City. In order to meet closure deadlines the grant funding utilized for this project, the City of Storm Lake was required to issue final acceptance on this project. Due to some seeding items remaining to be finalized, a Supplemental Contract between the City and the Contractor is needed in order to finish out this project.

**FISCAL IMPACT:** This Supplemental Contract would be in the amount of \$40,000 and would also require establishment and maintenance of a 2 year warranty of the seeding/vegetation.

**RECOMMENDATION:** City staff recommends that Council adopts Resolution No. 106-R-2016-2017 to approve Supplemental Contract on the North Central Stormwater project

### ATTACHMENTS:

Description	Type
☐ Supplemental Contract	Contract
☐ Resolution No. 106-R-2016-2017	Resolution

**SUPPLEMENTAL CONTRACT  
MAY 2017**

**North Central Storm Water  
City of Storm Lake  
Storm Lake, IA**

THIS CONTRACT, made and entered into at the City of Storm Lake this 15<sup>th</sup> day of May, 2017, by and between the City of Storm Lake hereinafter called the "Jurisdiction", and H & W Contracting, LLC., hereinafter called the "Contractor".

**WITNESSETH:**

The Contractor hereby agrees to complete the supplemental vegetation establishment and maintenance warranty work comprising the North Central Storm Water as specified in the contract documents, which are officially on file with the Jurisdiction, in the office of the City Clerk, City of Storm Lake, 620 Erie Street, Storm Lake, IA. This contract includes all such contract documents. All work under this contract shall be constructed in accordance with the SUDAS Standard Specifications, 2015 Edition, and as further modified by the supplemental specifications and special provisions included in said contract documents, and the Contract Attachment which is attached hereto.

The Contractor further agrees to complete the work in strict accordance with said contract documents, and to guarantee the work as required by law, for the time required in said contract documents, after its acceptance by the Jurisdiction.

This contract supersedes the original contract dated June 1, 2015 for the project and is for the purpose of establishment and maintenance warranty for the seeding.

**PROJECT DESCRIPTION:** The project generally consisted of storm water quality improvements in the North Central part of the community. The scope of work includes approximately 65,000 cubic yards of excavation; 8,650 feet of 12"-48" RCP storm sewer, 2,400 feet of 6"-8" subdrain, 49 storm sewer structures, 3,200 square feet of rain gardens and bio-swales; approximately 33 acres of seeding, approximately 900 square yards of PCC pavement patching and other miscellaneous items of work.

The Contractor agrees to perform said work for and in consideration of the Jurisdiction's payment of the bid amount of Forty Thousand Dollars and Zero Cents (\$40,000.00), which amount shall constitute the required amount of the maintenance and bond. The Contractor hereby agrees that the substantial completion and acceptance of all seeding and landscaping occurred on August 8, 2016; and agrees to perform the work required for establishment and maintenance of the 2 year warranty of the seeding/ vegetation per the attached documents.

**CONTRACT ATTACHMENT: ITEM 1: GENERAL**

1. Sheet S.21 of Plans for said North Central Storm Water Improvements, April 2015
2. Maintenance Bond # 130651, between Northwest Landscaping, Inc. and the City of Storm Lake.

IN WITNESS WHEREOF, the Parties hereto have executed this instrument, in triplicate on the date first shown written.

JURISDICTION: City of Storm Lake

CONTRACTOR: H & W Contracting, LLC

By \_\_\_\_\_  
Jon Kruse, Mayor

  
\_\_\_\_\_

ATTEST:

By Thomas Hurd - President  
Contractor's Contact Name  
Contractor's Title

\_\_\_\_\_  
Mayra Martinez, City Clerk

H & W Contracting LLC  
\_\_\_\_\_

3416 W. Howland Drive  
Street Address

Siox Falls, SD 57107  
City, State, Zip Code

605-339-8034  
Telephone

CONTRACTOR PUBLIC REGISTRATION INFORMATION To Be Provided By:

1. All Contractors: The Contractor shall enter its Public Registration No. C0953-27 issued by the Iowa Commissioner of Labor pursuant to Section 91C.5 of the Iowa Code.
2. Out-of-State Contractors:
  - A. Pursuant to Section 91C.7 of the Iowa Code, an out-of-state contractor, before commencing a contract in excess of five thousand dollars in value in Iowa, shall file a bond with the division of labor services of the department of workforce development. The contractor should contact 515-242-5871 for further information. Prior to contract execution, the City Engineer may forward a copy of this contract to the Iowa Department of Workforce Development as notification of pending construction work. It is the contractor's responsibility to comply with said Section 91C.7 before commencing this work.
  - B. Prior to entering into contract, the designated low bidder, if it be a corporation organized under the laws of a state other than Iowa, shall file with the Jurisdictional Engineer a certificate from the Secretary of the State of Iowa showing that it has complied with all the provisions of Chapter 490 of the Code of Iowa, or as amended, governing foreign corporations. For further information contact the Iowa Secretary of State Office at 515-281-5204.

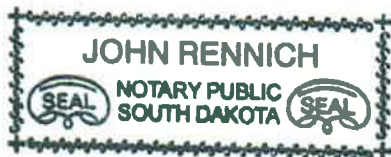
Bond No. IAC 583114  
Name of Surety Merchants Bonding Co.

NOTE: All signatures on this contract must be original signatures in ink; copies or facsimile of any signature will not be accepted.

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

State of SD  
Minnehaha ) SS  
(County)

On this 10<sup>th</sup> day of May, 2017, before me a Notary Public in and for said county, personally appeared Thomas Hurd to me personally known, who being by me duly sworn did say that person is President of said Hew Contracting LLC (the seal affixed to said instrument is the seal of said OR no seal has been procured by the said) \_\_\_\_\_, and that said instrument was signed and sealed on behalf of the said \_\_\_\_\_, by authority of its managers and the said \_\_\_\_\_ acknowledged the execution of said instrument to be the voluntary act and deed of said \_\_\_\_\_, by it voluntarily executed.



[Signature]  
Notary Public in and for the State of \_\_\_\_\_  
My Commission Expires 8-5, 2020



**RESOLUTION NO. 106-R-2016-2017**

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

To approve a Supplemental Contract with H & W Contracting, LLC for the North Central Stormwater Project. Supplemental contract includes the following items:

1. complete the supplemental vegetation
2. establishment and maintenance of a 2 year warranty of the seeding/vegetation.

Total cost of the supplemental contract is \$40,000.00

PASSED AND APPROVED this 15th day of May, 2017.

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Jon F. Kruse, Mayor

ATTEST:

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Mayra A. Martinez, City Clerk

## Staff Summary

5/15/2017

Agenda Item # 13.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Jason Etnyre, Public Works Director

**SUBJECT:** **Motion 2017 Fall Alliant Energy Branching Out Application**

**BACKGROUND:** Branching Out is a nationally recognized grant program in which Alliant Energy, Trees Forever, and local communities work together to carry out community tree-planting projects. The program is designed to encourage energy efficiency, volunteer involvement, environmental awareness and community stewardship in Iowa.

Branching Out is offered exclusively to Iowa communities where Alliant Energy provides electric and/or natural gas service. Alliant Energy provides grants of \$500 to \$10,000 for community-based tree-planting projects including streets, schools, public buildings, trails, parks, entranceways, cemeteries, and more.

For this application cycle the City of Storm Lake will be applying for trees to be planted in three different project locations throughout the community. The three locations selected this year are the Abner Bell Wetland project (14 trees), the North Central Phase 2 project (30 trees), and locations within the Bargloff's Addition in the north part of town (11 trees). City staff is asking this grant to fund the planting of 55 trees at the average cost of \$175 per tree.

**FISCAL IMPACT:** City staff is submitting a grant application in the amount of \$9625 for the purchase of 55 trees at an average cost of \$175/tree. If funded, the City will provide stakes, mulch, and tree-tie material from materials that is already owned by the City. Labor will be done with City staff and community volunteers on designated planting event day(s).

If the grant is not received, plantings within the Abner Bell project and the North Central Phase 2 project will be funded within each respective project budget. The City would delay planting the trees within the Bargloff Addition until grant funding became available for this type of planting.

**RECOMMENDATION:** Staff recommends that Council approve this grant submission in the amount of \$9,625.

**ATTACHMENTS:**

Description	Type
 Application	Application



# Branching out



A community grant program to plant trees and improve energy efficiency in Iowa

## Trees save energy. Apply for a *Branching Out* grant today!

*Branching Out* is a nationally recognized grant program in which Alliant Energy, Trees Forever and your community work together to carry out community tree-planting projects. The program is designed to encourage energy efficiency, volunteer involvement, environmental awareness and community stewardship in Iowa.

*Branching Out* is offered exclusively to Iowa communities where Alliant Energy provides electric and/or natural gas service. Alliant Energy provides grants of \$500 to \$10,000 for community-based tree-planting projects, including streets, schools, public buildings, trails, parks, entranceways, cemeteries and more. Obtaining other grants or in-kind funding for your project is strongly encouraged and will strengthen your application. However, matching funding is not required to apply for this program. Trees Forever administers the program by providing staff to help community leaders and volunteers complete successful long-lasting projects.

Grant Cycle	Application Deadline	Grants Announced	Funding Awarded
Spring	November 1	January 15	March 1-31
Fall	June 1	August 15	September 1-30

**To apply for a *Branching Out* grant**, you are strongly encouraged to use the online application found at [treesforever.org/branching\\_out](http://treesforever.org/branching_out). Paper applications are available from Deb Roman at [droman@treesforever.org](mailto:droman@treesforever.org) or 1-800-369-1269, extension 110. A site plan and budget page must accompany your narrative. The application process is competitive; applications must be complete. Send applications to Deb Roman at [droman@treesforever.org](mailto:droman@treesforever.org) or 770 7th Ave., Marion, IA, 52302.

**Grants are awarded two times per year**, to coincide with the spring and fall planting seasons. Applications are accepted on an ongoing basis throughout the year, but they are considered only in the next grant-making cycle (spring or fall). Your community may apply and receive funding for multiple projects in a single grant cycle.

## Application requirements



- Projects should involve volunteers in planning, planting and caring for trees. If your community does not have an active tree committee, please form an advisory committee that will help you plan your project.
- To accommodate volunteers of all ages and abilities, trees should be no larger than 1.5" caliper or 10 gallon container (shade trees) or 4' or 10 gallon container (evergreens). This makes it easier for volunteers to handle the trees. Research shows in many cases smaller trees experience less transplant shock and begin growing quicker than larger stock.
- Select species from the recommended list (found at [www.treesforever.org/branching\\_out](http://www.treesforever.org/branching_out)). If you would like to plant something not on the list, please talk with a Trees Forever field coordinator and document that conversation as part of your application.

**For more information on *Branching Out*, visit**  
[alliantenergy.com/branchingout](http://alliantenergy.com/branchingout) or  
[treesforever.org/branching\\_out](http://treesforever.org/branching_out)



## BRANCHING OUT GRANT APPLICATION



### Instructions:

Materials must be postmarked by June 1 to be considered for the fall grant-making cycle and by November 1 to be considered for the spring grant-making cycle. Grant recipients will be announced two to three months after the application deadline.

RECIPIENT INFORMATION					
Date <b>5-8-17</b>	Grant Amount Requested <b>\$9,625</b>	Community / County Name <b>City of Storm Lake</b>		Population <b>10,600</b>	
Organization/Committee Name (if applicable) <b>City of Storm Lake</b>					
Contact Name <b>Jason Etnyre</b>		Occupation <b>Public Works Director</b>			
Address <input type="checkbox"/> Home <input checked="" type="checkbox"/> Business <b>433 Vilas Raod</b>		City <b>Storm Lake</b>		State <b>IA</b>	Zip <b>50588</b>
Home Phone No. ( )	Work Phone No. <b>(712) 732-8029</b>	Mobile Phone No. <b>(712) 291-2097</b>		Email <b>etnyre@stormlake.org</b>	
Community Electric Provider <b>Alliant Energy</b>		Community Natural Gas Provider <b>MidAmerican</b>			
Does Alliant Energy serve electricity or natural gas to the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No					
List a minimum of four committee members or community members who will assist with planning, planting and caring for your trees.					
Name <b>Jason Etnyre</b>		Address <input type="checkbox"/> Home <input checked="" type="checkbox"/> Business <b>433 Vilas Road</b>			
City <b>Storm Lake</b>	State <b>IA</b>	ZIP <b>50588</b>	Phone No. <b>(712) 732-8029</b>	Email <b>etnyre@stormlake.org</b>	
Name <b>John Grundman</b>		Address <input type="checkbox"/> Home <input checked="" type="checkbox"/> Business <b>433 Vilas Road</b>			
City <b>Storm Lake</b>	State <b>IA</b>	ZIP <b>50588</b>	Phone No. <b>(712) 732-8029</b>	Email	
Name <b>Kory Demey</b>		Address <input type="checkbox"/> Home <input checked="" type="checkbox"/> Business <b>433 Vilas Road</b>			
City <b>Storm Lake</b>	State <b>IA</b>	ZIP <b>50588</b>	Phone No. <b>(712) 732-8029</b>	Email	
Name <b>Lucas Collins</b>		Address <input type="checkbox"/> Home <input checked="" type="checkbox"/> Business <b>433 Vilas Road</b>			
City <b>Storm Lake</b>	State <b>IA</b>	ZIP <b>50588</b>	Phone No. <b>(712) 732-8029</b>	Email	
LOCAL MEDIA CONTACT					
Name, Business (Name of publication, radio station call letters, etc.) <b>Pilot Tribune, The Times, KAYL</b>					
Phone No. ( )		Email			
I give permission to Alliant Energy and Trees Forever to reproduce and use any photographs taken at my community tree-planting event and/or that are submitted as part of our program summary report. I agree to care for our trees for no fewer than three years.					
Signature			Date		
Organization grant checks made payable to: <b>City of Storm Lake</b>		Federal Tax ID No.		Anticipated tree planting event date:	

FM-0898 ECRM8959878 REV. 5 09/16

Questions? Please call the Marion Trees Forever office at 1-800-369-1269, ext. 110 or 319-373-0650; fax 319-373-0528; or send email to [droman@treesforever.org](mailto:droman@treesforever.org).

## Instructions:

Please address each of the following in your proposal letter. If you need to include additional information for sections 1-9, please attach a Word document. This will avoid unnecessary delays in processing the application. Each grant request is reviewed and scored with regard to:

**1. Project Description** - Please describe your tree planting, including how many volunteers will be engaged in planting and how it will benefit the community. Please remember people who may not be familiar with your community will review your application. *(use additional sheets as needed)*  
There are 3 project locations for the trees. 1. Along Seneca Street and Spooner Street to replace trees that had to be removed for a storm water project. This is a residential area. 2. Abner Bell Wetland Project, this will be an educational area for local students and anyone who wishes to visit the area. 3. Bargloff Addition, this would replace trees which have died. It will provide much needed shade to the area in the industrial side of town.

**2. Energy-Efficiency Benefits** - Trees planted in urban areas help moderate summer and winter climates. In the summer, trees cool their immediate surroundings through evaporative cooling and by shading built surfaces such as streets, sidewalks, parking lots, trails and buildings. In the winter, trees help break up and redirect cold winter winds from striking buildings. Please discuss how your tree planting relates to energy-efficiency. *(use additional sheets as needed)*  
The trees plant in project 1 and 3 would help with shading the streets, houses and businesses. Shade in the areas would decrease the cost of cooling and help to redirect strong winds during the winter.

**3. Care and Maintenance** - Newly planted trees require a significant amount of care to get established. Describe your tree care plan for the first two years which should include watering, mulching, pruning, and possibly staking. Who is responsible for maintenance? *(use additional sheets as needed)*  
The City of Storm Lake staff and the adjoining property owners will work in conjunction with each other to maintain the health of the tree by providing watering and mulch.

**4. Education and Advocacy** - How will you provide education about the planting and care and benefits of trees to members of your community (including energy-efficiency benefits)? Trees Forever field coordinators will work with you to organize a presentation to a group in your community such as a council, service club or school group. *(use additional sheets as needed)*

The City of Storm Lake will provide training to the adjoining property owners to ensure they understand the necessary care and maintenance it takes for a new tree to be planted.

**5. Volunteer Involvement and Community Awareness** - Explain how volunteers will be involved in this project. Tell us how the volunteers you've identified in the committee list provide a broad representation of your community. How will you promote your tree planting within your area? Will local media be invited to attend? Will you engage local elected officials? How will you recognize program partners (Alliant Energy and Trees Forever)? Trees Forever field coordinators will assist and/or attend your planting; please provide planting date well in advance. *(use additional sheets as needed)*

**6. Diversity** - Many Iowa communities have an overabundance of maples, crab apples and ash trees, leaving them susceptible to devastation by future insect and/or pest threats. Due to the threat of Emerald Ash Borer, no ash trees will be funded. What species and how many of each species will you plant? Please describe how you are addressing diversity either within your project, or how your project diversifies your community's overall tree makeup. Does your community have an inventory of trees and if so, how does it factor into your species selection? Fruit trees are allowed, but should not make up more than 50% of the total number of trees requested. *(use additional sheets as needed)*

Project 1: 30 trees will be 6 Thornless Hawthorne, 6 American Hophornbeam, 6 Littleleaf Linden, 6 Tuliptree and 6 Hackberry

Project 2: 14 trees will be 10 White Spruce and 4 White Pine

Project 3: 11 trees will be 3 Red Oak, 2 Ironwood, 3 American Linden, 3 Ohio Buckeye

**7. Aerial Map and Site Plan** - Please upload or include an aerial map of your community and highlight area(s) of town where you plan to plant. In addition, please provide a site plan sketch. This may be a simple hand drawing, and should include major roads, spacing, location of trees and overhead power lines, and a north directional arrow. Maximum size of site plan sketch is 8.5" x 11". *(use additional sheets as needed)*

**8. Budget Worksheet** - Please complete the worksheet on page four. Obtaining other grants or in-kind funding for your project is strongly encouraged and will strengthen your application. However, matching funding is not required to apply for this program. You are strongly encouraged to get two estimates from nurseries in your area as you plan your project. Keep in mind many nurseries are willing to discuss discounts for volunteer-led community projects. This can be considered an in-kind donation and can be recorded as part of the matching funds shown on the budget page. Branching Out funds can only be used for trees. Shrubs, mulch and planting costs are not allowable. *(use additional sheets as needed)*

**9. Other Support Materials** - Letters of support from community members, verification of other funding, photos, etc. *(use additional sheets as needed)*

We encourage you to email your completed application and supporting documents to [droman@treesforever.org](mailto:droman@treesforever.org) or you can mail your documents to:

Trees Forever, c/o Branching Out, 770 7th Ave., Marion, IA 52302

# BUDGET WORKSHEET FOR COMMUNITY TREE PLANTING APPLICATION

Community: City of Storm lake

## Trees

Qty.	Species	Size*	Cost/Tree	Total Cost
6	Thornless Hawthorne		\$175	\$1050
6	American Hophonrbeam		\$175	\$1050
6	Littleleaf Linden		\$175	\$1050
6	Tuliptree		\$175	\$1050
6	Hackberry		\$175	\$1050
10	White Spruce		\$175	\$1750
	Total Number of Trees		Total Cost of Trees	see other sheet

## Budget

\*Trees should be no larger than 1.5 inch caliper or 10 gallon container (shade trees) or 4 feet or 10 gallon container (evergreens).

Requested Funds for Trees \$9625

## Matching Funds\*\*

Item	Value/Cost
City of Storm Lake Staff	\$10,000
Total Matching Funds	

\*\*Obtaining other grants or in-kind funding for your project is strongly encouraged and will strengthen your application. However, matching funds are not required to apply for this program.

## Staff Summary

5/15/2017

Agenda Item # 14.



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

**REPORT TO:** Honorable Mayor and City Council

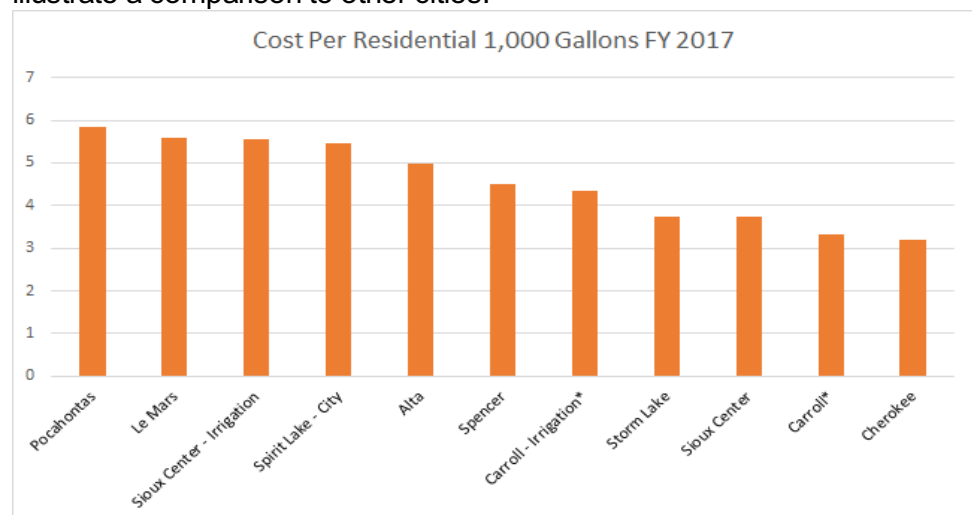
**FROM:** Brian Oakleaf, Finance Director

**SUBJECT:** Ordinance No. 08-O-2016-2017 Setting Water Rates For The City Of Storm Lake

**BACKGROUND:** City staff was presented with 6 different scenarios by Veenstra & Kimm, with a final recommendation of a 3% annual increase in water rates. The following shows historic and proposed rates per 1,000 gallons of residential water:

FY 2015	\$3.40	5%
FY 2016	\$3.57	5%
FY 2017	\$3.75	5%
FY 2018	\$3.86	3%
FY 2019	\$3.98	3%
FY 2020	\$4.10	3%
FY 2021	\$4.22	3%
FY 2022	\$4.35	3%

Many factors, including raw source, infrastructure, age, storage, etc. determine rates from city to city, and comparisons become difficult with varying and complex rate structures. However, the following chart may illustrate a comparison to other cities:



The recommendation complies with Iowa Code 384.84 requirements in



regards to revenue bond or pledge order issued utility systems, specifically the requirement of adjustment of revenue to cover all operations and maintenance, all debt service and a provide for a reasonable and sufficient reserve.

**FISCAL IMPACT:**

Total revenue estimated to increase by \$622,815 by FY 2022  
 Total expenses estimated to increase by \$803,913 by FY 2022  
 Fund Balance Projection:

	Fund Balance	Gain/Loss
2017	\$ 1,335,161.00	<i>Estimated</i>
2018	\$ 1,312,883.00	\$ (22,278.00)
2019	\$ 1,303,976.00	\$ (8,907.00)
2020	\$ 1,438,470.00	\$ 134,494.00
2021	\$ 1,380,276.00	\$ (58,194.00)
2022	\$ 1,577,566.00	\$ 197,290.00

**RECOMMENDATION:** Council pass on Third Reading: Ordinance No. 08-O-2016-2017 Setting Water Rates For The City Of Storm Lake.

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> V&K Findings - No Increase	Backup Material
<input type="checkbox"/> V&K Findings - 3% Increase	Backup Material
<input type="checkbox"/> Fund Balance Projections	Backup Material
<input type="checkbox"/> Water Rate Comparisons	Contract
<input type="checkbox"/> Ordinance No. 08-2016-2017	Ordinance

STORM LAKE WATER RATE STUDY  
REVENUES AND EXPENSES

No Increase

26-Mar-17

REVENUE		Budget					
Description	Account	FY Ending 6/30/2017	FY Ending 6/30/2018	FY Ending 6/30/2019	FY Ending 6/30/2020	FY Ending 6/30/2021	FY Ending 6/30/2022
Water Sales	600-8010-01-4500-0000	\$3,600,000.00	\$3,609,000.00	\$3,618,022.50	\$3,627,067.56	\$3,636,135.23	\$3,645,225.56
Miscellaneous Revenues	600-8010-01-4550-0000	\$53,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
Interest	600-8010-04-4300-0000	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
Sales Tax	600-8010-04-4560-0000	\$110,000.00	\$110,000.00	\$110,000.00	\$110,000.00	\$110,000.00	\$110,000.00
Water Plant Misc Revenue	600-8011-01-4550-0000	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
Total Revenue		\$3,765,000.00	\$3,771,000.00	\$3,780,022.50	\$3,789,067.56	\$3,798,135.23	\$3,807,225.56
EXPENSES							
Water Administration							
Personnel		\$288,988.00	\$294,767.76	\$300,663.12	\$306,676.38	\$312,809.91	\$319,066.10
Expenses		\$95,764.00	\$98,636.92	\$101,596.03	\$104,643.91	\$107,783.23	\$111,016.72
Contractual Services		\$52,000.00	\$53,560.00	\$55,166.80	\$56,821.80	\$58,526.46	\$60,282.25
Capital Equipment		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sales Tax		\$105,000.00	\$110,000.00	\$110,000.00	\$110,000.00	\$110,000.00	\$110,000.00
Subtotal - Administration		\$541,752.00	\$556,964.68	\$567,425.94	\$578,142.09	\$589,119.59	\$600,365.08
Water Plant							
Operations		\$1,213,907.00	\$1,256,393.75	\$1,300,367.53	\$1,345,880.39	\$1,392,986.20	\$1,441,740.72
Operating Contract							
Contractual Services		\$37,380.00	\$38,501.40	\$39,656.44	\$40,846.14	\$42,071.52	\$43,333.66
Capital Equipment		\$18,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal - Water Plant		\$1,269,287.00	\$1,294,895.15	\$1,340,023.97	\$1,386,726.52	\$1,435,057.72	\$1,485,074.39
Water Distribution							
Personnel		\$107,497.00	\$109,646.94	\$111,839.88	\$114,076.68	\$116,358.21	\$118,685.37
Expenses		\$46,717.00	\$48,118.51	\$49,562.07	\$51,048.93	\$52,580.40	\$54,157.81
Contractual		\$172,000.00	\$75,000.00	\$77,250.00	\$79,567.50	\$81,954.53	\$84,413.16
Capital Improvements		\$235,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal-Distribution		\$561,214.00	\$232,765.45	\$238,651.94	\$244,693.10	\$250,893.13	\$257,256.34
Water Meters							
Personnel		\$72,100.00	\$73,542.00	\$75,012.84	\$76,513.10	\$78,043.36	\$79,604.23
Expenses		\$12,500.00	\$12,875.00	\$13,261.25	\$13,659.09	\$14,068.86	\$14,490.93
Capital Improvements		\$91,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal - Water Meters		\$175,600.00	\$86,417.00	\$88,274.09	\$90,172.18	\$92,112.22	\$94,095.15
Capital Improvements			\$896,000.00	\$936,000.00	\$847,100.00	\$1,096,500.00	\$900,000.00
Total - System Operations		\$2,547,853.00	\$3,067,042.28	\$3,170,375.94	\$3,146,833.90	\$3,463,682.66	\$3,336,790.96
Transfer Out							
Debt Service		\$561,258.76	\$557,006.26	\$561,391.26	\$566,566.26	\$571,513.76	\$576,233.76
Total Transfers Out		\$838,758.76	\$834,506.26	\$838,891.26	\$844,066.26	\$849,013.76	\$853,733.76
Total Expenses		\$3,386,611.76	\$3,901,548.54	\$4,009,267.20	\$3,990,900.16	\$4,312,696.42	\$4,190,524.72
SUMMARY OF YEAR							
Total Revenue		\$3,765,000.00	\$3,771,000.00	\$3,780,022.50	\$3,789,067.56	\$3,798,135.23	\$3,807,225.56
Total Expenses		\$3,386,611.76	\$3,901,548.54	\$4,009,267.20	\$3,990,900.16	\$4,312,696.42	\$4,190,524.72
Annual Gain/Loss		\$378,388.24	-\$130,548.53	-\$229,244.70	-\$201,832.61	-\$514,561.19	-\$383,299.15
Year Begin Balance		\$956,772.95	\$1,335,161.19	\$1,204,612.66	\$975,367.95	\$773,535.34	\$258,974.15
Year End Balance		\$1,335,161.19	\$1,204,612.66	\$975,367.95	\$773,535.34	\$258,974.15	-\$124,325.00
Actual Year End Balance							
Gain/Loss - % of Revenue		10.05%	-3.46%	-6.06%	-5.33%	-13.55%	-10.07%

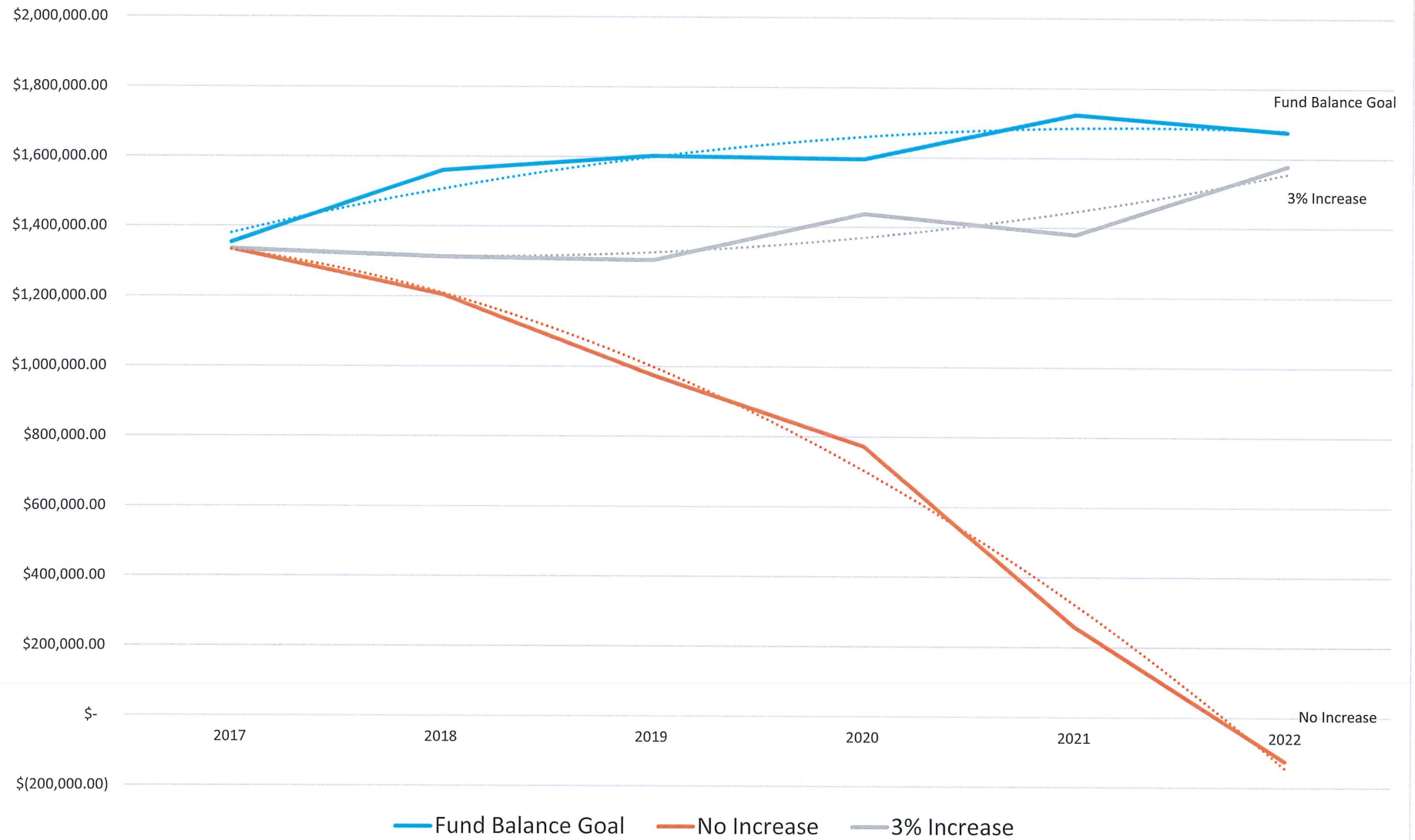
STORM LAKE WATER RATE STUDY  
REVENUES AND EXPENSES

Proposed 3% Increase

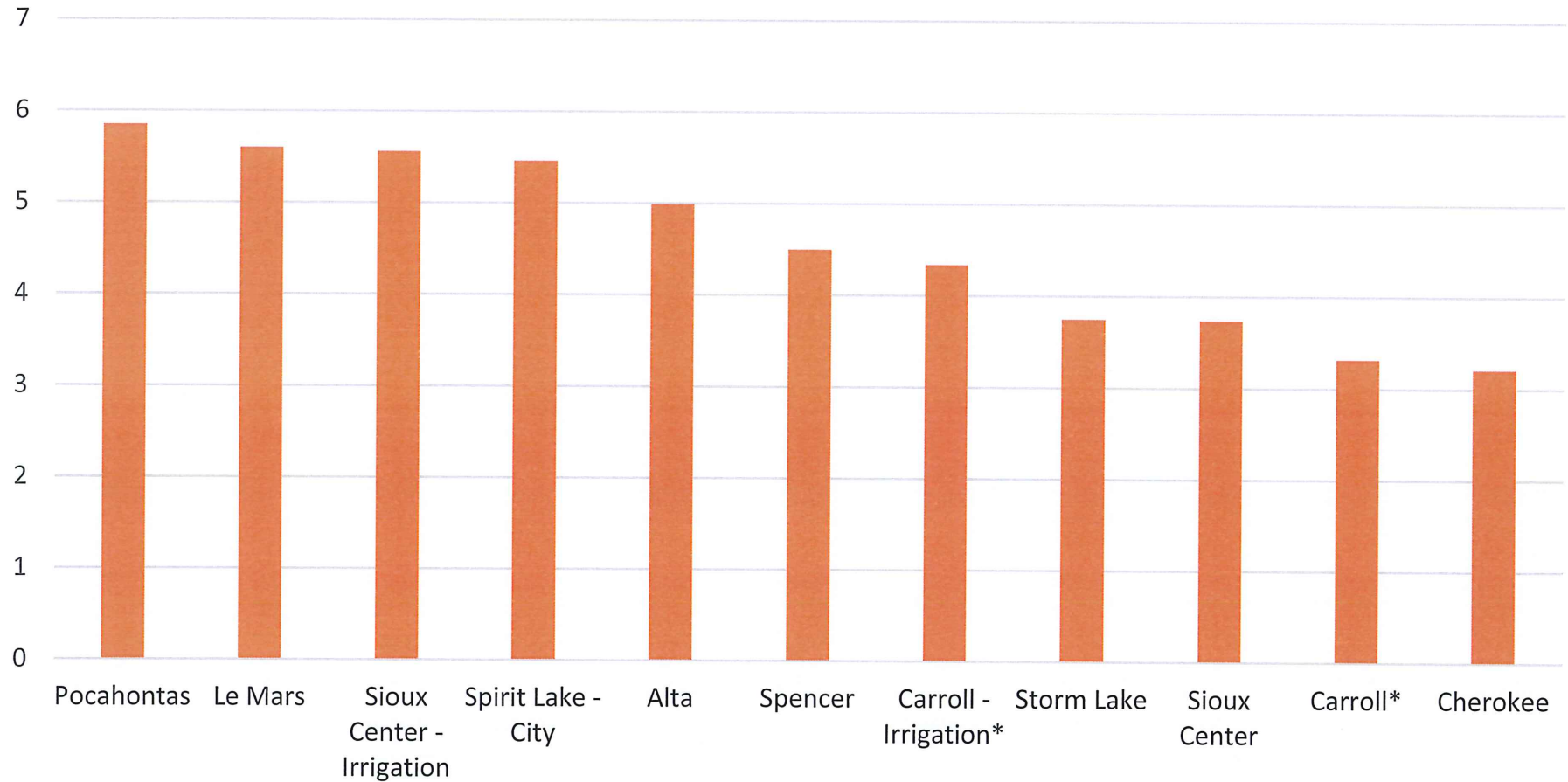
26-Mar-17

REVENUE		Budget					
Description	Account	FY Ending 6/30/2017	FY Ending 6/30/2018	FY Ending 6/30/2019	FY Ending 6/30/2020	FY Ending 6/30/2021	FY Ending 6/30/2022
Water Sales	600-8010-01-4500-0000	\$3,600,000.00	\$3,717,270.00	\$3,838,360.07	\$3,963,394.65	\$4,092,502.23	\$4,225,815.49
Miscellaneous Revenues	600-8010-01-4550-0000	\$53,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
Interest	600-8010-04-4300-0000	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
Sales Tax	600-8010-04-4560-0000	\$110,000.00	\$110,000.00	\$110,000.00	\$110,000.00	\$110,000.00	\$110,000.00
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Total Revenue		\$3,765,000.00	\$3,879,270.00	\$4,000,360.07	\$4,125,394.65	\$4,254,502.23	\$4,387,815.49
EXPENSES							
Water Administration							
Personnel		\$288,988.00	\$294,767.76	\$300,663.12	\$306,676.38	\$312,809.91	\$319,066.10
Expenses		\$95,764.00	\$98,636.92	\$101,596.03	\$104,643.91	\$107,783.23	\$111,016.72
Contractual Services		\$52,000.00	\$53,560.00	\$55,166.80	\$56,821.80	\$58,526.46	\$60,282.25
Capital Equipment		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sales Tax		\$105,000.00	\$110,000.00	\$110,000.00	\$110,000.00	\$110,000.00	\$110,000.00
Subtotal - Administration		\$541,752.00	\$556,964.68	\$567,425.94	\$578,142.09	\$589,119.59	\$600,365.08
Water Plant							
Operations		\$1,213,907.00	\$1,256,393.75	\$1,300,367.53	\$1,345,880.39	\$1,392,986.20	\$1,441,740.72
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Water Meters							
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Expenses		\$12,500.00	\$12,875.00	\$13,261.25	\$13,659.09	\$14,068.86	\$14,490.93
Capital Improvements		\$91,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal - Water Meters		\$175,600.00	\$86,417.00	\$88,274.09	\$90,172.18	\$92,112.22	\$94,095.15
Capital Improvements			\$896,000.00	\$936,000.00	\$847,100.00	\$1,096,500.00	\$900,000.00
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Total Transfers Out		\$838,758.76	\$834,506.26	\$838,891.26	\$844,066.26	\$849,013.76	\$853,733.76
Total Expenses		\$3,386,611.76	\$3,901,548.54	\$4,009,267.20	\$3,990,900.16	\$4,312,696.42	\$4,190,524.72
SUMMARY OF YEAR							
Total Revenue		\$3,765,000.00	\$3,879,270.00	\$4,000,360.07	\$4,125,394.65	\$4,254,502.23	\$4,387,815.49
Total Expenses		\$3,386,611.76	\$3,901,548.54	\$4,009,267.20	\$3,990,900.16	\$4,312,696.42	\$4,190,524.72
Annual Gain/Loss		\$378,388.24	-\$22,278.53	-\$8,907.13	\$134,494.49	-\$58,194.19	\$197,290.77
Year Begin Balance		\$956,772.95	\$1,335,161.19	\$1,312,882.66	\$1,303,975.52	\$1,438,470.01	\$1,380,275.82
Year End Balance		\$1,335,161.19	\$1,312,882.66	\$1,303,975.52	\$1,438,470.01	\$1,380,275.82	\$1,577,566.59
Actual Year End Balance							
Gain/Loss - % of Revenue		10.05%	-0.57%	-0.22%	3.26%	-1.37%	4.50%

Water Fund Balance Projection

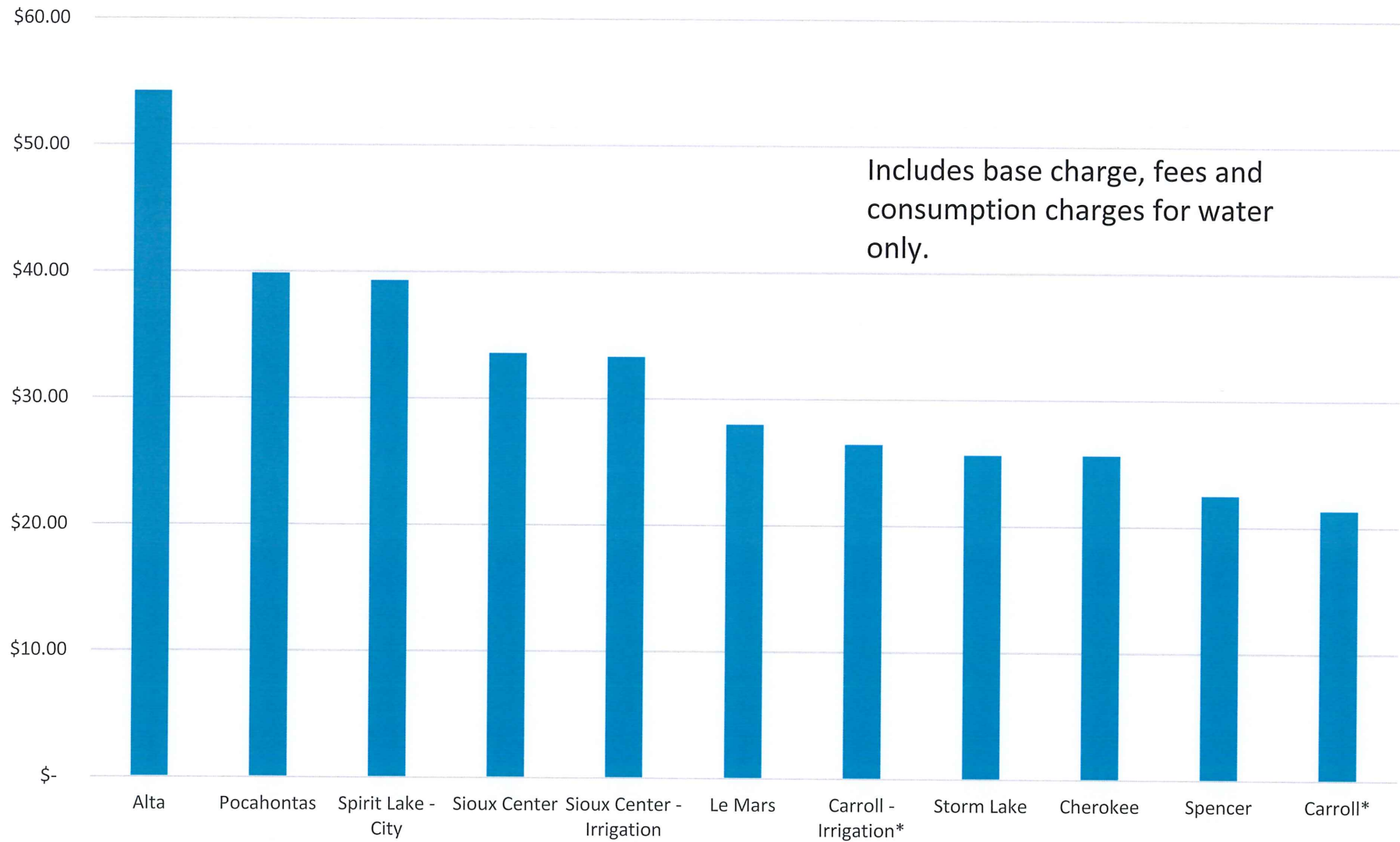


Cost Per Residential 1,000 Gallons FY 2017





Residential 5,000 Gallon Example FY 2017



## **ORDINANCE NO. 08-R-2016-2017**

ORDINANCE AMENDING CHAPTER 3-5 OF TITLE III OF THE CITY CODE OF THE CITY OF STORM LAKE, IOWA, TITLED “WATER RATES,” TO PROVIDE FOR NEW RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL WATER RATES AND NEW MINIMUM RATES; AND TO SUBSTITUTE THE PHRASE, “CITY MANAGER” FOR “CITY ADMINISTRATOR”

WHEREAS, the City’s water rates, set out in Section 3-5-1 in Chapter 3-5 of the City Code, for annual periods from 2011 through the present, were set in 2011 and need to be adjusted to reflect current costs and expenses; and

WHEREAS, the name of the City Administrator’s position has been changed to City Manager.

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

**SECTION 1: AMENDMENTS TO SECTION 3-5-1:** Chapter 3-5 of Title III of the City Code of the City of Storm Lake, Iowa, is hereby amended by striking Sections 3-5-1 of such Chapter and substituting in lieu thereof the following new Sections 3-5-1:

### **Section 3-5-1 Water Rates**

a. Effective for billings made on or after July 1, 2016 water shall be furnished to consumers at the following monthly rates, per meter:

#### **(A) Residential Rate:**

A base rate of \$12.53 for the first 1,500 gallons

\$3.75 per 1,000 gallons for all water used in excess of 1,500 gallons

#### **(B) Commercial and Industrial rates:**

A base rate of \$12.53 for the first 1,500 gallons

\$3.75 per 1,000 gallons for the next 8,500 gallons.

\$2.71 per 1,000 gallons for the next 150,000 gallons.

\$2.59 per 1,000 gallons for the next 840,000 gallons.

\$3.07 per 1,000 gallons for all water used in excess of 1,000,000 gallons.

Effective for billings made on or after July 1, 2017 water shall be furnished to consumers at the following monthly rates, per meter:

#### **(A) Residential Rate:**

A base rate of \$12.91 for the first 1,500 gallons

\$3.86 per 1,000 gallons for all water used in excess of 1,500 gallons

(B) Commercial and Industrial rates:

- A base rate of \$12.91 for the first 1,500 gallons
- \$3.86 per 1,000 gallons for the next 8,500 gallons.
- \$2.79 per 1,000 gallons for the next 150,000 gallons.
- \$2.67 per 1,000 gallons for the next 840,000 gallons.
- \$3.16 per 1,000 gallons for all water used in excess of 1,000,000 gallons.

Effective for billings made on or after July 1, 2018 water shall be furnished to consumers at the following monthly rates, per meter:

(A) Residential Rate:

- A base rate of \$13.30 for the first 1,500 gallons
- \$3.98 per 1000 gallons for all water used in excess of 1,500 gallons

(B) Commercial and Industrial rates:

- A base rate of \$13.30 for the first 1,500 gallons
- \$3.98 per 1,000 gallons for the next 8,500 gallons.
- \$2.87 per 1,000 gallons for the next 150,000 gallons.
- \$2.75 in per 1,000 gallons for the next 840,000 gallons.
- \$3.25 per 1,000 gallons for all water used in excess of 1,000,000 gallons.

Effective for billings made on or after July 1, 2019 water shall be furnished to consumers at the following monthly rates, per meter:

(A) Residential Rate:

- A base rate of \$13.70 for the first 1,500 gallons
- \$4.10 per 1,000 gallons for all water used in excess of 1,500 gallons

(B) Commercial and Industrial rates:

- A base rate of \$13.70 for the first 1,500 gallons
- \$4.10 per 1,000 gallons for the next 8,500 gallons.
- \$2.96 per 1,000 gallons for the next 150,000 gallons.
- \$2.83 per 1,000 gallons for the next 840,000 gallons.
- \$3.35 per 1,000 gallons for all water used in excess of 1,000,000 gallons.

Effective for billings made on or after July 1, 2020 water shall be furnished to consumers at the following monthly rates, per meter:

(A) Residential Rate:

- A base rate of \$14.11 for the first 1,500 gallons
- \$4.22 per 1,000 gallons for all water used in excess of 1,500 gallons

(B) Commercial and Industrial rates:

- A base rate of \$14.11 for the first 1,500 gallons
- \$4.22 per 1,000 gallons for the next 8,500 gallons.



\$3.05 per 1,000 gallons for the next 150,000 gallons.  
\$2.91 per 1,000 gallons for the next 840,000 gallons.  
\$3.45 per 1,000 gallons for all water used in excess of 1,000,000 gallons.

Effective for billings made on or after July 1, 2021 water shall be furnished to consumers at the following monthly rates, per meter:

(A) Residential Rate:

A base rate of \$14.53 for the first 1,500 gallons  
\$4.35 per 1,000 gallons for all water used in excess of 1,500 gallons

(B) Commercial and Industrial rates:

A base rate of \$14.53 for the first 1,500 gallons  
\$4.35 per 1,000 gallons for the next 8,500 gallons.  
\$3.14 per 1,000 gallons for the next 150,000 gallons.  
\$3.00 per 1,000 gallons for the next 840,000 gallons.  
\$3.55 per 1,000 gallons for all water used in excess of 1,000,000 gallons.

b. The City Council may, by written contract, provide for commercial and industrial rates that are at variance with those set forth above if those same contracts provide long term guarantees that minimum payments will be made to the city to cover future bonded indebtedness during the term of the contract.

c. If a single meter serves a property or area containing one or more multiple dwellings, or an area or property with several residential dwellings, the residential rate shall apply.

d. If a single meter serves an area or property that is used for both residential purposes and for commercial and industrial purposes, the rate for the use that constitutes the majority of the consumption of water shall be used; or, the City Council may order that separate meters be installed to measure the water consumed by each such use.

e. Effective July 1, 2016 the minimum rate for each user of 1,500 gallons or less shall be twelve dollars and fifty-three cents (\$12.53) per month, per meter; effective July 1, 2017 the minimum rate for each user of 1,500 gallons or less shall be \$12.91 per month, per meter; effective July 1, 2018, the minimum rate for each user of 1,500 gallons or less shall be \$13.29 per month, per meter; effective July 1, 2019, the minimum rate for each user of 1,500 gallons or less shall be \$13.69 per month, per meter; effective July 1, 2020, the minimum rate for each user of 1,500 gallons or less shall be \$14.10 per month, per user; and effective July 1, 2021, the minimum rate for each user of 1,500 gallons or less shall be \$14.53 per month, per user. If a single meter shall serve more than one dwelling unit, commercial user, or industrial user, the minimum rate shall be increased by a factor equal to the total number of such units or users being served. As used herein, a dwelling includes separate apartments, condominiums, mobile homes or distinct portions of a duplex or multi-family dwelling, but it does not include dormitory rooms, hotel rooms, motel rooms or boarding rooms without separate kitchen and bath facilities.

f. A Residential Consumer shall be charged the Residential Rates specified above. A Commercial Consumer and an Industrial Consumer shall each be charged the Commercial and Industrial Rates specified above. For purposed of this Section 3-5-1, the following definitions apply:

1. "RESIDENTIAL CONSUMER": A consumer purchasing water for single or multi-family dwelling units whether or not such units are used exclusively for family living purposes.

2. "COMMERCIAL CONSUMER": A consumer purchasing water who does not qualify as a residential consumer and whose average monthly consumption, computed on an annual basis, is less than one hundred sixty thousand (160,000) gallons per month.

3. "INDUSTRIAL CONSUMERS": A consumer purchasing water who does not qualify as a residential consumer and whose average monthly consumption, computed on an annual basis, is more than one hundred sixty thousand (160,000) gallons per month.

**SECTION 2. AMENDMENTS TO SECTIONS 3-5-2, 3-5-4, 3-5-5, 3-5-6, AND 3-5-8:** Chapter 3-5 of Title III of the City Code of the City of Storm Lake, Iowa, is hereby amended by striking the phrase, "City Administrator," wherever it appears in Sections 3-5-2, 3-5-4, 3-5-5, 3-5-6, and 3-5-8, and substituting for each the phrase, "City Manager."

**SECTION 3. REPEALER:** All ordinances or parts of ordinances of the City of Storm Lake, Iowa in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 4. SAVINGS CLAUSE:** If any section, provision, sentence, clause, phrase, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase, or part thereof not adjudged invalid or unconstitutional.

**SECTION 5. EFFECTIVE DATE:** This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

**PASSED AND APPROVED** this 15<sup>th</sup> day of May, 2017.

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Jon F. Kruse, Mayor

ATTEST:

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Mayra A. Martinez, City Clerk

## Staff Summary

5/15/2017

Agenda Item # 15.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Brian Oakleaf, Finance Director

**SUBJECT:** **Resolution No.107-R-2016-2017 Revising Procurement Policy**

**BACKGROUND:** Iowa Economic Development Authority has revised their Procurement Policy and recommends that the City apply the same revisions to the Procurement Policy, adopted by Resolution on December 5th, 2016, to comply with CDBG requirements.

This policy applies to the procurement of all supplies, equipment, construction, and services of and for the City of Storm Lake related to the implementation and administration of the Community Development Block Grant. All procurement will be done in accordance with 2 CFR; Part 200. This CFR explains the way to conduct small and large procurements through competitive and non-competitive bidding and the procedures to use.

**FISCAL IMPACT:** No fiscal impact

**RECOMMENDATION:** Adopt Resolution No. 107-R-2016-2017

### ATTACHMENTS:

Description	Type
☐ Resolution No. 107-R-2016-2017 & Policy	Resolution

**RESOLUTION NO.'329/T/4238/4239**

**RESOLUTION ADOPTING PROCUREMENT POLICY**

WHEREAS, the City of Storm Lake has received a Community Development Block Grant from the Iowa Economic Development Authority; and

WHEREAS, the Iowa Economic Development Authority requires the City of Storm Lake to adopt Procurement Policies in order to utilize such funds;

THEREFORE, BE IT RESOLVED, by the City Council of the City of Storm Lake that it agrees to adopt and implement the attached Procurement Procedures for use during the implementation and administration of the City's Community Development Block Grant Program.

PASSED AND APPROVED this 15th day of May, 2017.

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Jon Kruse, Mayor

Attest:

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Mayra A. Martinez, City Clerk

# PROCUREMENT POLICY

## PURPOSE

The purpose of this Procurement Policy is to ensure that sound business judgment is utilized in all procurement transactions and that supplies, equipment, construction, and services are obtained efficiently and economically and in compliance with applicable federal law and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition.

## APPLICATION

This policy applies to the procurement of all supplies, equipment, construction, and services of and for the City of Storm Lake related to the implementation and administration of the Community Development Block Grant. All procurement will be done in accordance with 2 CFR Part 200.

## POLICY

### I. Methods of Procurement

Procurement under grants shall be made by one of the following methods, as described herein: (a) small purchase procedures; (b) competitive sealed bids (formal advertising); (c) competitive proposals; (d) noncompetitive proposals.

- A. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for a procurement of services, supplies, or other property, costing in the aggregate not more than \$25,000. The City of Storm Lake shall comply with state or local small purchase dollar limits under \$25,000. If small purchase procedures are used for a procurement under a grant, price or rate quotations shall be obtained from at least three qualified sources.
- B. In competitive sealed bids (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is lowest in price. The sealed bids method is the preferred method for procuring construction.
  - 1. Appropriate conditions in order for formal advertising to be feasible must be present, including, as a minimum, the following:

- (a) a complete, adequate and realistic specification or purchase description;
- (b) two or more responsible suppliers are willing and able to compete effectively for the City of Storm Lake business; and,
- (c) the procurement lends itself to a firm-fixed-price contract, and selection of the successful bidder can appropriately be made principally on the basis of price.

2. When formal advertising is used for a procurement under a grant, the following requirements shall apply:

- (a) a sufficient time prior to the date set for opening of bids, bids shall be solicited from an adequate number of known suppliers. In addition, the invitation shall be publicly advertised.
- (b) the invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation.
- (c) all bids shall be opened publicly at the time and place stated in the invitation for bids.
- (d) a firm-fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of the City of Storm Lake indicates that such discounts are generally taken.
- (e) any or all bids may be rejected when there are sound documented business reasons in the best interest of the program.

C. In competitive proposals, proposals are requested from a number of sources and the Request for Proposal is publicized. Negotiations are normally conducted with more than one of the sources submitting offers, and either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive negotiation may be used if conditions are not appropriate for the use of formal advertising. If competitive negotiation is used for a procurement under a grant, the following requirements shall apply:

1. Proposals shall be solicited from an adequate number of qualified sources to permit reasonable competition consistent with the nature and requirements of the procurement. The Request for Proposal shall be publicized and reasonable requests by other sources to compete shall be honored to the maximum extent practicable.
2. The Request for Proposal shall identify all significant evaluation factors, including price or cost where required and their relative importance.
3. The City of Storm Lake shall provide mechanisms for technical evaluation of the proposals received, determinations of responsible offerors for the purpose of written or oral discussions, and selection for contract award.
4. Awards may be made to the responsible offeror whose proposal will be most advantageous to the procuring party, with price and other factors considered. Unsuccessful offerors will be notified promptly in writing.
5. The City of Storm Lake may utilize competitive negotiation procedures for procurement of architectural/engineering (A/E) professional services, whereby competitor's qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in the procurement of A/E professional services. It cannot be used to procure other types of services (e.g. administrative services) even though A/E firms are a potential source to perform the proposed effort.

D. Noncompetitive proposal is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. Noncompetitive negotiation may be used when the award of a contract is infeasible under small purchase, competitive bidding (formal advertising) or competitive negotiation procedures. Circumstances under which a contract may be awarded by noncompetitive negotiation are limited to the following:

1. The item is available from only a single source;
2. After solicitation of a number of sources, competition is determined inadequate;

3. Public exigency or emergency when the urgency for the requirement will not permit a delay incident to competitive solicitation; and,

Sole source procurement for supplies, equipment, construction, and services valued at \$25,000 or more must have prior approval of the Iowa Economic Development Authority.

- E. The City of Storm Lake will provide, to the greatest extent possible, that contracts be awarded to small businesses located within the project area or owned in substantial part by project area residents. (The project area is defined as the county in which the project is located.) The City of Storm Lake will solicit qualified small, minority, and women's businesses whenever they are potential sources. The City of Storm Lake will procure goods and services from labor surplus areas when economically feasible.
- F. Any other method of procurement must have prior approval of the Iowa Economic Development Authority.

## II. Contract Pricing

- A. The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.
- B. The City of Storm Lake shall perform some form of cost/price analysis for every procurement action, including modifications or change orders.

## III. Procurement Records

The City of Storm Lake shall maintain records sufficient to detail the significant history of a procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the cost or price.

## EFFECTIVE DATE

Passed this 15th day of May, 2017.

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Jon Kruse, Mayor

Attest:

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Mayra A. Martinez, City Clerk



## Staff Summary

5/15/2017

Agenda Item # 16.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Brian Oakleaf, Finance Director

**SUBJECT:** **Public Hearing for FY 2017 Budget Amendment**

**BACKGROUND:** The City of Storm Lake is required to hold a public hearing on any amendments to its current fiscal year budget. As such the notice has been published in the newspaper as required by Iowa Law.

The FY 2017 Budget Amendment includes amendments in the major expense programs as follows:

*All Payroll Dependent Programs- Increase due to updated estimate of group insurance costs.*

*Public Safety- Additional costs associated with new hires, vehicle operations and vehicle repairs.*

*Public Works- Increased supply costs for ice removal, electricity for street lighting and equipment costs.*

*Culture and Recreation- Various increases due to the extended campground season (these additional expenses were far exceeded by the additional revenues.)*

*Community and Economic Development- Additional contractual services for updating and expanding URA/TIF.*

*General Government- Increased personnel and legal expenses.*

*Capital Projects- Preliminary costs associated with projects that bridge fiscal years, approved change orders and park purchase.*

*Business Type/Enterprise- Major reallocation of transfers to the*

earmarked proprietary account and increased operational costs related to increased water usage, primarily in the areas of chemicals, treatment and testing.

Revenue-Although revenue is not required by the state to be amended, the City has always wanted to show an accurate picture of the City's budget. Therefore, we amend revenue to properly reflect what we expect to receive. Notable revenue increases were seen in the areas of Enterprise revenue, Campground revenue, TIF receipts and Grant acquisition.

**FISCAL IMPACT:**

The fiscal impact of the budget amendment is an increase of revenue by \$1,817,149 and an increase of expenses of \$1,801,599. The sum total of the Amendment represents a \$15,550 positive difference.

**RECOMMENDATION:**

Open Public Hearing  
Hear Comments  
Close Public Hearing

**ATTACHMENTS:**

Description		Type
	FY 2017 Budget Amendment	Financial Report

**NOTICE OF PUBLIC HEARING  
AMENDMENT OF FY2016-2017 CITY BUDGET**

The City Council of Storm Lake in BUENA VISTA County, Iowa  
will meet at City Council Chambers - Storm Lake City Hall  
at 5:00 pm on 5/15/2017  
(hour) (Date)

,for the purpose of amending the current budget of the city for the fiscal year ending June 30, 2017  
(year)  
by changing estimates of revenue and expenditure appropriations in the following functions for the reasons given.  
Additional detail is available at the city clerk's office showing revenues and expenditures by fund type and by activity.

		Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
<b>Revenues &amp; Other Financing Sources</b>				
Taxes Levied on Property	1	4,192,977	0	4,192,977
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
<b>Net Current Property Taxes</b>	3	4,192,977	0	4,192,977
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	837,731	131,749	969,480
Other City Taxes	6	2,041,119	75,660	2,116,779
Licenses & Permits	7	239,671	77,165	316,836
Use of Money and Property	8	560,760	110,101	670,861
Intergovernmental	9	5,807,051	431,931	6,238,982
Charges for Services	10	13,075,358	771,967	13,847,325
Special Assessments	11	0	0	0
Miscellaneous	12	189,018	0	189,018
Other Financing Sources	13	0	0	0
Transfers In	14	4,786,768	218,576	5,005,344
<b>Total Revenues and Other Sources</b>	15	31,730,453	1,817,149	33,547,602
<b>Expenditures &amp; Other Financing Uses</b>				
Public Safety	16	3,134,088	52,635	3,186,723
Public Works	17	1,818,048	166,265	1,984,313
Health and Social Services	18	9,500	0	9,500
Culture and Recreation	19	2,163,688	265,006	2,428,694
Community and Economic Development	20	99,217	224,804	324,021
General Government	21	382,071	71,515	453,586
Debt Service	22	1,746,415	0	1,746,415
Capital Projects	23	2,357,430	214,962	2,572,392
<b>Total Government Activities Expenditures</b>	24	11,710,457	995,187	12,705,644
Business Type / Enterprises	25	12,675,136	3,135,928	15,811,064
<b>Total Gov Activities &amp; Business Expenditures</b>	26	24,385,593	4,131,115	28,516,708
Transfers Out	27	7,334,860	-2,329,516	5,005,344
<b>Total Expenditures/Transfers Out</b>	28	31,720,453	1,801,599	33,522,052
<b>Excess Revenues &amp; Other Sources Over (Under) Expenditures/Transfers Out Fiscal Year</b>	29	10,000	15,550	25,550
Beginning Fund Balance July 1	30	12,387,797	1,806,546	14,194,343
<b>Ending Fund Balance June 30</b>	31	12,397,797	1,822,096	14,219,893

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

Reclassification of Transfers back into Proprietary Funds.  
Extended season in Campground  
Increase in Tort/Admin/Legal and Group Insurance Costs  
Increases in Services Related to URA and TIF  
Increases in Enterprise revenues and related operation expenses

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

Brian T. Oakleaf  
City Clerk/ Finance Officer Name

## Staff Summary

5/15/2017

Agenda Item # 17.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Brian Oakleaf, Finance Director

**SUBJECT:** **Resolution No. 108-R-2016-2017 Amending The Current Budget For the Fiscal Year Ending June 30, 2017**

**BACKGROUND:** The City of Storm Lake is required to amend the budget to accurately account for expenses.

The FY 2017 Budget Amendment includes amendments in the major expense programs as follows:

*All Payroll Dependent Programs- Increase due to updated estimate of group insurance costs.*

*Public Safety- Additional costs associated with new hires, vehicle operations and vehicle repairs.*

*Public Works- Increased supply costs for ice removal, electricity for street lighting and equipment costs.*

*Culture and Recreation- Various increases due to the extended campground season (these additional expenses were far exceeded by the additional revenues.)*

*Community and Economic Development- Additional contractual services for updating and expanding URA/TIF.*

*General Government- Increased personnel and legal expenses.*

*Capital Projects- Preliminary costs associated with projects that bridge fiscal years, approved change orders and park purchase.*

*Business Type/Enterprise- Major reallocation of transfers to the*

earmarked proprietary account and increased operational costs related to increased water usage, primarily in the areas of chemicals, treatment and testing.

Revenue-Although revenue is not required by the state to be amended, the City has always wanted to show an accurate picture of the City's budget. Therefore, we amend revenue to properly reflect what we expect to receive. Notable revenue increases were seen in the areas of Enterprise revenue, Campground revenue, TIF receipts and Grant acquisition.

**FISCAL IMPACT:**

The fiscal impact of the budget amendment is an increase of revenue by \$1,817,149 and an increase of expenses of \$1,801,599. The sum total of the Amendment represents a \$15,550 positive difference.

**RECOMMENDATION:**

Approve Resolution No. 108-R-2016-2017

**ATTACHMENTS:**

Description	Type
□ Resolution No. 108-R-2016-2017	Resolution

## RESOLUTION NO. 108-R-2016-2017

### A RESOLUTION AMENDING THE CURRENT BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2016

Be it Resolved by the Council of the City of Storm Lake:

Section 1. Following notice published May 5, 2017 and the public hearing held, May 15, 2017 the current budget is amended as set out herein and in the detail by fund type and activity that supports this resolution which was considered at that hearing:

		Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
<b>Revenues &amp; Other Financing Sources</b>				
Taxes Levied on Property	1	4,192,977	0	4,192,977
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
Net Current Property Taxes	3	4,192,977	0	4,192,977
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	837,731	131,749	969,480
Other City Taxes	6	2,041,119	75,660	2,116,779
Licenses & Permits	7	239,671	77,165	316,836
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Intergovernmental	9	5,807,051	431,931	6,238,982
Charges for Services	10	13,075,358	771,967	13,847,325
Special Assessments	11	0	0	0
Miscellaneous	12	189,018	0	189,018
Other Financing Sources	13	0	0	0
Transfers In	14	4,786,768	218,576	5,005,344
Total Revenues and Other Sources	15	31,730,453	1,817,149	33,547,602
<b>Expenditures &amp; Other Financing Uses</b>				
Public Safety	16	3,134,088	52,635	3,186,723
Public Works	17	1,818,048	166,265	1,984,313
Health and Social Services	18	9,500	0	9,500
Culture and Recreation	19	2,163,688	265,006	2,428,694
Community and Economic Development	20	99,217	224,804	324,021
General Government	21	382,071	71,515	453,586
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Total Gov Activities & Business Expenditures	26	24,385,593	4,131,115	28,516,708
Transfers Out	27	7,334,860	-2,329,516	5,005,344
Total Expenditures/Transfers Out	28	31,720,453	1,801,599	33,522,052
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out for Fiscal Year	29	10,000	15,550	25,550
Beginning Fund Balance July 1	30	12,387,797	1,806,546	14,194,343
Ending Fund Balance June 30	31	12,397,797	1,822,096	14,219,893

NOW THEREFORE be it resolved by the City Council of the City of Storm Lake, Iowa, to approve the above said budget amendment for the 2016-2017 Fiscal Year.

PASSED AND APPROVED this 15th day of May, 2017.

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Jon F. Kruse, Mayor

ATTEST:

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Mayra Martinez, City Clerk

## Staff Summary

5/15/2017

Agenda Item # 18.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Keri Navratil, Assistant City Manager

**SUBJECT:** **Resolution No. 109-R-2016-2017 Approving Agreement With Bolton And Menk For GIS Services**

**BACKGROUND:** The City's GIS data is hosted by Sidwell and has an annual maintenance agreement of \$8,200. The current subscription will expire December, 2017 and we have been notified that the maintenance charge will increase between 3%-5%. In addition, when we add a GIS layer there is a \$630 one time fee and \$260 is added to the annual maintenance agreement. We are estimating the next maintenance agreement to be between \$8,460 to \$8,870.

In order to reduce future costs, City staff investigated several options and determined that the GIS platform hosted by Bolton & Menk is the most cost effective proposal.

There will be a one time fee in the amount of \$10,474 for web application development, data migration from the Sidwell system, and staff training. The yearly maintenance cost is \$4,800.

**FISCAL IMPACT:** There would be a one time set-up fee of \$10,474 and the yearly maintenance agreement will be \$4,800.

The cost will be split between Water, Wastewater, Stormwater, and Road Use Tax Funds.

**RECOMMENDATION:** Adopt Resolution No. 109- R-2016-2017 approving the agreement with Bolton and Menk for GIS services.

### ATTACHMENTS:

Description	Type
□ Bolton & Menk Agreement	Contract
□ Resolution No. 109-R-2016-2017	Resolution



Real People. Real Solutions.

218 11th Street SW Plaza  
Spencer, IA 51301

Ph: (712) 580-5075  
Bolton-Menk.com

May 5, 2017

Keri Navratil  
Assistant City Manager  
P.O. Box 1086  
620 Erie Street  
Storm Lake, IA 50588

RE: Proposal for GIS Services  
City of Storm Lake, IA

Dear Ms. Navratil:

Per your request, Bolton & Menk is pleased to submit the following proposal for GIS Services including web GIS application development. We also appreciate your attendance at our GIS demonstration at City Hall on April 13<sup>th</sup>. We look forward to having future discussions in furthering the use of GIS by the City.

Geographical Information Systems (GIS) is a software platform for maintaining and delivering organizational spatial related data. While GIS can be thought of as a mapping tool, it also provides access to additional information pertinent to the object. By interacting with the map you can easily obtain any recorded information for a feature. This may include taxpayer information for parcels, maintenance records, pipe sizes, or manhole depths for utilities. Having an accurate and well documented GIS allows organizations much more efficient retrieval of information as well as a tool for managing related information.

Creating an organizational GIS involves many steps that include data collection, migration, and maintenance. Many organizations have GIS data available but struggle with staff availability and providing a standard platform to share the information. After listening to the needs of staff, Bolton & Menk recommends that we host a web mapping application on behalf of the City. The web GIS would provide a spatial information hub that would be accessible via an internet connection to all designated City staff. We believe this will assist the City with accessing information and performing such time-consuming tasks as generating maps, creating mailing labels, and ownership research. Major benefits of having a web-based GIS application include:

- Easier Transition of Knowledge Among Staff
- Web Based Mapping Access
- Increased Information Research Efficiency
- GIS Data Stored and Maintained Off-Site
- No Specialized Staff Necessary

Bolton & Menk understands the fundamental GIS needs of the City and we have a team of professional and knowledgeable GIS staff to accomplish these expectations. We have been a part of over 85 municipal GIS implementations in the upper Midwest and are committed to providing a quality project for the City of Storm Lake. The following tasks are proposed to create the City's personalized web-based GIS.



## **GIS Development Tasks**

### **Task 1 – Data Acquisition & Migration**

Bolton & Menk understands the City of Storm Lake has a wide variety of GIS data which was created by city staff and others. We will work with City staff to locate and compile this information for the web application. It is our understanding for this project scope that all City provided GIS data to be incorporated will be provided to us in a GIS ready format. We will also work with both Storm Lake and Buena Vista County to obtain the most current parcel and ownership information available. Other existing publicly available information for Aerial Photography, FEMA Floodplain, Lidar Contours, National Wetland Inventory, and soils will be acquired and made available through the proposed mapping application. In addition, Bolton & Menk will incorporate these City identified and available GIS layers into a web-based GIS application.

- Sanitary Sewer
- Storm Sewer
- Drainage Districts
- Watermain System
- Fiber and Communications
- Trees
- Streets with IDOT Pavement Ratings
- TIF Districts
- Zoning Map

Our GIS staff will incorporate all City provided GIS data as-is. Accordingly, Bolton & Menk will make no warranty as to accuracy or completeness of the GIS data including geometric accuracy and attribute integrity. All information will be compiled into an ArcGIS compliant geodatabase which will be available to the city upon project completion.

### **Task 2 – Web Application Development**

Bolton & Menk will create a GIS web application for use by Storm Lake City staff. The web-based application will be developed using industry leading ESRI technology with HTML5 and will work on browsers across all computers, tablets, and smart phones. This web application will provide the most commonly used GIS functionality in a web-based interface and include the following as core functions:

- Mailing label generation for both property address and taxpayer address
- Selection and buffering tools
- Attributes exportable to Excel format
- Printing functionality including customized map templates with Storm Lake logo
- Web markups for customizing maps
- Search mechanism for PID, owner name, property address, and subdivision name
- Map linking to Bird's Eye View and Google Maps (if available)
- Linking to Buena Vista County Property Information webpage
- Password secured access for City staff and Bolton & Menk employees

After the web application development is completed, we will host all components of the application for the City. The hosted application will be available using all current browsers including Internet Explorer, Google Chrome, Safari and Firefox. The application developed for the City of Storm Lake will be device responsive and work on several current device browsers including Apple and Android. This hosting

Name: Keri Navratil, Assistant City Manager

Date: May 5, 2017

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service avoids the need for Storm Lake to individually license the development software or acquire additional software/hardware required for internally hosted services.

### **Task 3 – Web Application Training**

Once finalized, Bolton & Menk will schedule a training session with designated City Staff. The training session will take approximately 2-4 hours and will be accompanied by a reference guide. This training will be hosted at a location specified by the City. Bolton & Menk GIS staff will also make themselves available for any technical questions following the staff training.

### **Hosted Web Application Operations and Maintenance**

Bolton & Menk will host the web-based GIS application outlined in this proposal for an initial term of 2 years. We will provide all professional services, equipment, and software for operation and maintenance of the hosted site and a 2 year web hosting agreement will be provided upon completion of web application development. Prior to the end of the initial term, a services and product evaluation will be conducted. During this evaluation Bolton & Menk will review the existing application for necessary technology modifications, enhancement opportunities, and other critical factors affecting the operational and financial viability of all software applications and this method of delivering GIS services. If the City and Bolton & Menk agree that the application is still an effective way for both parties to provide GIS services to Storm Lake, the parties may renew the original agreement for another 2 year term. For web applications delivered by Bolton & Menk, we will furnish readily available support staff and infrastructure technology to provide access and support for the City. During each two year term a **\$4,800.00** annual retainer will be invoiced for all normal operations, maintenance and support. This retainer will be used to maintain functionality, perform routine archiving and implement platform updates.

If at any time the City determines that continuation of the software and system used for this application and GIS delivery method is no longer viable as proposed herein (for any reason), the City is provided the right to discontinue this application and any operational services by giving Bolton & Menk not less than 30 days written notice prior to the desired termination date. Similarly, Bolton & Menk will have the right to terminate or suspend hosting of the web-based GIS application at any time upon 30 day written notice.

All information contained within the City GIS database will remain the property of the City of Storm Lake and the City may request a digital copy of the Esri version database at any time at no charge. The web mapping software and technology will be licensed directly through Bolton & Menk, Inc. and will remain its property.

As with other types of services, web technology continues to evolve and change and users must adopt new trends and standards. In order to improve the user experience for the City, Bolton & Menk will routinely evaluate the system processes and consider different versions of installed applications. Updates to the system may be required which, at times, may require the system to be temporarily unavailable. Bolton & Menk will provide advanced notice of these updates and schedule data migration/upgrades at the convenience of the City's schedule.

Similarly, any hosted website is subject to occasional scheduled and unscheduled operational outages, due to weather events, operating system matters, security updates, equipment changeover, etc. We will make every effort to advise the City in advance of any scheduled outages. However, we cannot assume responsibility for outages over which we have no control and no guarantee can be made regarding a particular level of service for hosted operations.

## **GIS Maintenance - Project Tasks**

### **Ongoing Data Maintenance and Map Creation**

A key to having a well-established and current GIS is consistent data maintenance. Following completion of tasks in this proposal, Bolton & Menk can support the City with GIS data updates and additions. The cost to provide these updates and additions will be based on our current fee schedule and cost estimates will be provided as requested. Among the types of ongoing data management services that may be advisable are:

- Adding new data layers,
- Modifying existing layers based on new data provided by the City,
- Zoning designation changes,
- Utility map updates designed by others,
- Linked file inclusion or updates,
- Other data additions or updates

Bolton & Menk will work with City Staff in determining when and which new data sets are to be added or updated. Bolton & Menk can also perform field data collection services to assist the City in updating efforts or new GIS initiatives. We understand that currently the City of Storm Lake has staff with GIS capabilities and we will work with those staff to facilitate data updates on a scheduled basis. As always, Bolton & Menk will be available to the City of Storm Lake for updating existing/incorporating new data and be a resource at the City's convenience.

All ongoing data maintenance and map creation is available separately from the Hosted Web Application Operation and Maintenance services. Any map additions, updates, and revisions will be performed at our regular hourly fee schedule. Based on our experience working with similar sized communities, we can provide the City with budgeting estimates of annual GIS updating dependent on future initiatives.

We understand that City Staff will periodically desire updated hard copy maps for distribution or reference. As this occurs, we will work with staff to design and create hard copy maps upon request. Such maps may be created with a number of different sizes, quantities and on special materials as needed.

### **Included Data Maintenance**

Bolton & Menk will include quarterly Buena Vista County parcel updates with no separate GIS update fees. This includes any parcel and linked taxpayer data maintained by the County. Any public works improvement projects that Bolton & Menk designs and administers for the City will be updated and added to the web application as part of the project **with no separate GIS update fees**. These include:

- Acquisition of current parcel data from the Buena Vista County
- Utility Features (Structures, Pipes)
- Project Boundaries
- Scanned Record Drawings

## **Project Cost**

The following spreadsheet demonstrates the breakdown of tasks, hours, and costs for services to be provided on the initial implementation of this project.

Name: Keri Navratil, Assistant City Manager

Date: May 5, 2017

Page: 5

<b>Client:</b> City of Storm Lake, IA						
<b>Project:</b> GIS Professional Services						
<b>TASK NO.</b>	<b>WORK TASK DESCRIPTION</b>	<b>GIS Project Manager</b>	<b>GIS Specialist</b>	<b>GIS Technician</b>	<b>Total Hours</b>	<b>Total Cost</b>
1.0	Data Acquisition & Migration	2	0	40	42	\$4,212
2.0	Web Application Development	18	20	0	38	\$4,948
3.0	Web Application Training	9	0	0	9	\$1,314
<b>TOTAL HOURS &amp; COST</b>		<b>29</b>	<b>20</b>	<b>40</b>	<b>89</b>	<b>\$10,474.00</b>
<b>AVERAGE HOURLY RATE</b>		\$146.00	\$116.00	\$98.00		
<b>SUBTOTAL</b>		\$4,234	\$2,320	\$3,920		
<b>TOTAL PROJECT COST</b>						<b>\$10,474.00</b>
<b>ANNUAL HOSTING FEE</b>						<b>\$4,800.00</b>

Any additional tasks requested by the City of Storm Lake and outside the scope of this proposal will be performed at our regular hourly fee schedule, to be updated annually in consultation with the City.

## Project Schedule

The project completion schedule will be approximately 16 weeks from project initiation. We will dedicate our GIS staff and additional resources to deliver this application in a timely fashion.

We appreciate the opportunity to provide you with this proposal for GIS Professional Services. If you have any questions regarding this proposal, please feel free to contact me or John Shain at (712) 580-5075.

Sincerely,

**Bolton & Menk, Inc.**



**Joshua A. Pope, P.E., LEED AP BD+C**  
Project Manager



**John Shain, GISP**  
Principal GIS Project Manager

**RESOLUTION NO. 109-R-2016-2017**

**RESOLUTION APPROVING AGREEMENT WITH BOLTON AND MENK FOR GIS SERVICES**

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

To approve the agreement with Bolton and Menk for Geographical Information System (GIS) services that include the following:

1. Data acquisition and migration
2. Web application development
3. Web application training

The total one time fee of \$10,474 and a yearly maintenance agreement of \$4,800.00

PASSED AND APPROVED this 15<sup>th</sup> day of May, 2017.

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Jon F. Kruse, Mayor

ATTEST:

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Mayra Martinez, City Clerk

## Staff Summary

5/15/2017

Agenda Item # 19.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Keri Navratil, Assistant City Manager

**SUBJECT:** **Resolution No. 110-R-2016-2017 Approving Sub-Lease Agreement For Memorial Ballfields**

**BACKGROUND:** The Whitecaps will be sub-leasing Memorial Ballfields from St. Mary's with the following terms:

1. The softball field shall be exclusively used by St. Mary's. This Sub-Lease shall not affect the use of the softball field.
2. Deposit / Claim Procedure: The deposit for this Sub-Lease shall be \$3,000, and such amount shall be held in escrow by the City.
3. Whitecaps will install new bullpens.
4. Whitecaps will be responsible for any overages above any ordinary expenses.
5. Whitecaps shall pay for any damages
6. Fields must be maintained and returned in the same condition of the field to what it was prior to each use. If the field maintenance contractor for St. Mary's is required to spend additional time for maintenance the extra time will be billed to the Whitecaps.
7. Whitecaps shall not use St. Mary's equipment or buildings without permission.
8. The Whitecaps shall purchase a portable 3 compartment sink for use of both parties at the concession.
9. Whitecaps will provide St. Mary's and the City required insurance.

**FISCAL IMPACT:** There is no fiscal impact by approving this sub-lease

**RECOMMENDATION:** Adopt Resolution No. 110-R-2016-2017 approving the Sub-Lease agreement for Memorial Ball field.

**ATTACHMENTS:**

Description	Type
□ Sub-Lease Agreement	Contract



## SUB-LEASE

This Sub-Lease (“***Sub-Lease***”) is made this \_\_\_\_ day of May, 2017, between St. Mary’s Catholic School, Storm Lake, Iowa, 300 Third Street, Storm Lake, Iowa 50588 (“***St. Mary’s***”) and the Storm Lake Whitecaps, LLC, 204 Ontario St, Storm Lake, IA 50588 (“***Whitecaps***”) with the express consent of the City of Storm Lake, Storm Lake City Hall, PO Box 1086, 620 Erie Street, Storm Lake, Iowa 50588 (“***City***”).

WHEREAS the Memorial Ballfields located in the City of Storm Lake, Iowa (“Memorial Ballfields”) are owned by the City, and leased to St. Mary’s under a certain Lease Agreement dated April 21, 2008 (the “***Lease Agreement***”); and

WHEREAS, St. Mary’s desires to sub-lease the Memorial Ballfields to the Whitecaps in order to allow a newly-formed baseball team to utilize the Memorial Ballfields while allowing St. Mary’s to have primary use for high school baseball and softball; and

WHEREAS, the City desires to provide its express consent, as such express consent is required under the Lease Agreement.

NOW THEREFORE, in consideration of the mutual terms, agreements and covenants herein contained, and other valuable consideration, it is agreed:

1. Use for playing baseball/softball. The Memorial Ballfields (which include a baseball field and softball field) shall be used as follows:
  - A. The softball field shall be exclusively used by St. Mary’s. This Sub-Lease shall not affect the use of the softball field.
  - B. St. Mary’s shall have use of the baseball field for all of its scheduled contests in 2017.
  - C. The Whitecaps shall have use of the baseball field for the following 2017 home schedule:
    - June 3 Carroll home 7:05
    - June 8 Sioux Falls home 7:05
    - June 11 Bancroft home 4:00
    - June 13 Sioux Falls home 7:05
    - June 16 Carroll home 7:05
    - June 18 Albert Lea home 4:00
    - June 22 Bancroft home 7:05
    - June 30 Bancroft home 7:05
    - July 4 Albert Lea home 7:05
    - July 7. Carroll home 7:05
    - July 9 Albert Lea home 4:00 NL
    - July 12 Carroll home 7:05



July 15 Albert Lea home 7:05  
July 20 Albert Lea home 7:05  
July 26 Bancroft home 7:05  
July 28 Sioux Falls home 7:05  
July 29 Sioux Falls home 7:05  
July 30-August 5 playoffs

- D. With respect to practices, St. Mary's shall have primary and first use of the baseball field. Any practices conducted by the Whitecaps must be approved by the baseball coach for St. Mary's.
- E. With respect to make-up dates, the Whitecaps may not schedule any such dates without conferring with the baseball coach for St. Mary's, who, in his sole discretion, may or may not agree to such date(s) in the event that such make-up dates are during the baseball season. With respect to scheduling of make-up dates for St. Mary's, the St. Mary's may schedule any such make-up dates over any dates previously scheduled by the Whitecaps for their practices. The parties shall confer regularly about all make-up date situations.
2. Term. The Term of this Sub-Lease shall commence with its execution and with the payments as set forth in section 4(D), and shall terminate on August 31, 2017.
3. Rent, Costs and Deposit.
- A. Deposit / Claim Procedure: The deposit ("***Deposit***") for this Sub-Lease shall be **\$3,000.00**, and such amount shall be held in escrow by the City as provided herein.

With respect to a claim for payment by St. Mary's from the Whitecaps as provided herein, St. Mary's shall provide written notice to the Whitecaps of the claim. If, within ten (10) days of receipt of the claim the Whitecaps do not submit a written dispute, then that claim is a payable claim ("***Payable Claim***") and Whitecaps must pay that claim.

If, within ten (10) days of receipt of the claim the Whitecaps, the Whitecaps may provide written notice to St. Mary's of the disputed claim, with a copy to the City. Before any disputed claim is submitted to legal action, the parties must first participate in a meeting to resolve such disputed claims. The City has no duty with respect to any such meeting, other than the meeting shall occur at City Hall. The City may, but is not required, to participate in such meeting.

On or before September 30, 2017, St. Mary's shall certify the status of any Payable Claims, or claims still disputed which may become Payable Claims. The deposit shall be applied and paid to St. Mary's against any unpaid Payable Claims.

If there are no other disputed claims as of September 30, 2017, the remaining Deposit shall be returned and paid to the Whitecaps. If there are unresolved disputed claims, the City shall retain the amount of the those disputed claims, plus \$85, until December 31, 2017. All unresolved disputed claims shall be submitted to the Buena Vista County small claims court. If St. Mary's obtains judgment, it may apply that judgment amount against the Deposit, unless the Whitecaps satisfy that judgment.

In no event shall the City be required to hold the Deposit beyond December 31, 2017. Any residual Deposit on that date shall be returned to the Whitecaps.

- B. Rent: The rent ("***Rent***") for the entire term of the Sub-Lease shall be **\$1.00**.
- C. Supply and equipment costs / Bullpens: The parties understand that St. Mary's has certain expenses for the upkeep and maintenance of the Memorial Ballfields. The Whitecaps shall cover those specific expenses as set forth under Sections 3(E), 3(F) and 3(G). Section 4, 5 and 6 also specify certain duties with respect to the Whitecaps in relation to supplies and equipment. In consideration for all other maintenance, supply and equipment costs incurred by St. Mary's, the parties agree that the Whitecaps shall be completely responsible and shall pay for any costs related to the removal and replacement of the bullpens located in both left field and right field. The installation of the bullpens must be approved by both the field manager for St. Mary's and by the City, and such approvals may not be unreasonably denied. The parties agree that the Whitecaps must perform this work on or before June 1, 2017, weather permitting and, in no event, any later than July 1, 2017. In the event that the bullpens are not so installed, the parties agree that the liquidated damages for the failure to perform this work shall be in the amount of \$1,500.00, payable by the Whitecaps to St. Mary's.
- D. Initial Payments. The Deposit shall be paid to the City on or before June 1, 2017. The Rent shall be paid to St. Mary's on or before June 1, 2017.
- E. Utility costs - Electric: The term of this Sub-lease covers the months of June, July and August. The invoices for these bills arrive in the following month. The parties agree that St. Mary's shall pay for the usual expense for electric, and that the usual expense shall be determined from 2016. The Whitecaps shall pay any overage.

Electric - The usual expense for electric payable by St. Mary's is:

Electric bill due and payable in July:	\$190
Electric bill due and payable in Aug:	\$70
Electric bill due and payable in Sept:	\$46

The Whitecaps must pay St. Mary's any and all overage. St. Mary's shall provide the invoice to the Whitecaps, who must make payment in ten (10) days.

- F. Utility costs - Water: The term of this Sub-lease covers the months of June, July and August. The invoices for these bills arrive in the following month. The parties agree that St. Mary's shall pay for the usual expense for water, and that the usual expense shall be determined from 2016. The Whitecaps shall pay any overage.

Water - The usual expense for water payable by St. Mary's is:

Water bill due and payable in July: \$42

Water bill due and payable in Aug: \$70

Water bill due and payable in Sept: \$27

The Whitecaps must pay St. Mary's any and all overage. St. Mary's shall provide the invoice to the Whitecaps, who must make payment in ten (10) days.

- G. Utility costs - Toilet: The term of this Sub-lease covers the months of June, July and August. During that time, St. Mary's usual and ordinary expense for portable toilets is a total of \$450. The parties agree that the Whitecaps shall pay any and all overage above \$450. St. Mary's shall provide the invoice to the Whitecaps, who must make payment in ten (10) days.

- H. Other costs. The Whitecaps shall pay for any other damages arising under this Sub-Lease. St. Mary's shall provide an invoice for such other damages arising under this Sub-Lease to the Whitecaps, who must make payment in ten (10) days.

4. Maintenance of fields. With respect to any use of the Memorial Ballfields, the Whitecaps must return the condition of the field to which it was prior to each use by the Whitecaps. This would, but not be limited to, the following: infield must be dragged, the pitching mound properly restored, and the batting area properly restored, trash all removed, field secured. All maintenance by the Whitecaps must be as required by the St. Mary's baseball coach, as may be amended from time to time in the coach's sole and reasonable discretion.

In the event that the field maintenance contractor for St. Mary's is required to spend additional time in order to carry out the maintenance duties required upon the Whitecaps, the field maintenance contractor shall itemize the time necessary to carry out such corrective maintenance as well as any out-of-pocket expenses. The time shall be billed at \$25 per hour. Such labor and costs shall be invoiced as under Section 3(F) above.

5. Equipment / Buildings.

- A. The Whitecaps may not use any equipment belonging to St. Mary's without first receiving permission from the St. Mary's field maintenance manager. The Whitecaps shall be responsible to pay for any damage to any such equipment. On the permitted dates, the Whitecaps shall be permitted:

- i. Use of dugouts, batting cages, press box and supply areas.
    - ii. Bases and related equipment to install bases, rakes and lawn tractor and related equipment necessary to restore the baseball field.
  - B. The Whitecaps must supply all other equipment and baseball supplies not listed above, including uniforms, bats, balls, chalk, and any and all other items necessary for baseball contests and practices.
  - C. In order to avoid any misunderstandings, the Whitecaps shall provide a written list of all equipment it owns or is otherwise obtaining to the field manager for St. Mary's. At the end of this Sub-Lease, there should be no misunderstandings about any equipment to be removed by the Whitecaps, which should be on this list.
6. Concessions.
- A. St. Mary's has an agreement with Coca-cola which requires that all drink products sold at the Memorial Ballfields must be purchased through the Coca-cola distributor, and the Whitecaps shall be subject to this requirement.
  - B. The Whitecaps shall purchase a portable 3 compartment sink, which shall allow the concession stand to be compliant with all governmental regulations, and which shall be jointly used under this Sub-Lease. (This item shall be listed under Section 5(C)).
  - C. Both parties may use the concession stand building.
  - D. The Whitecaps may use St. Mary's equipment within the concession stand and the grill. (If the Whitecaps provide equipment for the concession stand, St. Mary's may use that equipment, and if the Whitecaps intend to remove such equipment, those items must be listed under Section 5(C)).
  - E. With respect to inventory, prior to the end of St. Mary's contests, St. Mary's and the Whitecaps shall cooperate to share inventory. During this period. St. Mary's shall adopt a procedure for the reporting of inventory by both parties at the end of each contest. At the end of a St. Mary's contest, St. Mary's shall make a report of the inventory. At the end of a Whitecaps' contest, the Whitecaps shall make a report of the inventory. St. Mary's shall purchase and supply all inventory. St. Mary's shall periodically provide written invoices to the Whitecaps for the cost of the inventory used by the Whitecaps, who must make payment within ten (10) days.
  - F. It is absolutely essential that the Whitecaps return the concession stand to a good and clean condition. If not, St. Mary's may make claim for the same.

7. Signs. All present and permanent signage existing shall remain in place. If the Whitecaps are to utilize signage, it must be temporary, only utilized on Whitecap game dates. All signage used by the Whitecaps must be removed prior to any St. Mary's contest.
8. Liability/Indemnification.
  - A. The Whitecaps agree to indemnify and hold the City and St. Mary's harmless from and against all liability for injuries to persons or damage to property caused by the Whitecaps use or occupancy of the demised premises; and provided further that the Whitecaps shall give the City and St. Mary's prompt and timely notice of any claim made or suit instituted which in any way, directly or indirectly, contingently or otherwise, affects or might affect the City or St. Mary's, and the City or St. Mary's shall have the right to compromise and defend the same to the extent of its own interest only upon prior written consent of the Whitecaps.
  - B. The Whitecaps agree to carry liability insurance during the existence of the term for personal injury and property damage in a sum not less than \$1,000,000.00 single limit for each accident or occurrence for the protection of the City and St. Mary's. The City and St. Mary's shall be an additional named insured on such policy of insurance, and proof of said insurance shall be delivered to the City and St. Mary's on or before June 1, 2017.
9. Alcohol
  - A. St. Mary's has no authority to provide permission to the Whitecaps as it relates to alcohol. The Whitecaps must obtain a separate license from the City as it relates to the sale of alcohol.
  - B. In the event such license is granted by the City to the Whitecaps, the Whitecaps agree to carry dram shop liability insurance in a sum not less than \$1,000,000.00 single limit for each accident or occurrence. Said coverage shall name the City and St. Mary's as additional insured parties, and proof of said insurance shall be delivered to the City and St. Mary's on or before June 1, 2017.
10. Original Lease Agreement / Consent.
  - A. The Whitecaps expressly agree to be bound to all of the terms under the Lease Agreement between the City and St. Mary's, as a sub-lessee.
  - B. The City hereby consents to the terms of this Sub-Lease.
11. Assignment. The Whitecaps may not at any time assign this Sub-Lease or any part thereof without the express written approval of the City and St. Mary's.

ST. MARY’S CATHOLIC SCHOOLS

By: \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Date

STORM LAKE WHITECAPS

By: \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Date

CONSENT GIVEN BY:

CITY OF STORM LAKE, IOWA

\_\_\_\_\_  
Jon F. Kruse, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Mayra Martinez, City Clerk

**RESOLUTION NO. 110-R-2016-2017**

**AUTHORIZING THE EXECUTION OF A SUB-LEASE AGREEMENT BETWEEN ST. MARY'S CATHOLIC SCHOOL AND THE STORM LAKE WHITECAPS, LLC WITH EXPRESS CONSENT OF THE CITY OF STORM LAKE IOWA**

WHEREAS the Memorial Ballfields located in the City of Storm Lake, Iowa ("Memorial Ballfields") are owned by the City, and leased to St. Mary's under a certain Lease Agreement dated April 21, 2008 (the "Lease Agreement"); and

WHEREAS, St. Mary's desires to sub-lease the Memorial Ballfields to the Whitecaps in order to allow a newly-formed baseball team to utilize the Memorial Ballfields while allowing St. Mary's to have primary use for high school baseball and softball; and

WHEREAS, the City desires to provide its express consent, as such express consent is required under the Lease Agreement.

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

The St. Mary's sub-lease to Memorial Ballfields to the Whitecaps , LLC is hereby approve and the Mayor is authorized to execute said sub-lease agreement and any other relative documents.

PASSED AND APPROVED this 15<sup>th</sup> day of May, 2017.

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Jon F. Kruse, Mayor

ATTEST:

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Mayra Martinez, City Clerk

## Staff Summary

5/15/2017

Agenda Item # 20.



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

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Keri Navratil, Assistant City Manager

**SUBJECT:** **Resolution No. 111-R-2016-2017 Approving Waiving The Fees For The RV Care-A-Vanners**

**BACKGROUND:** Misty Sanderson, Organizational Director for BV Habitat for Humanity is requesting that the fees for 5 RV Sites be waived from July 16-30th for Habitat for Humanity volunteers to assist with the current housing project located in 3rd Addition.

**FISCAL IMPACT:** The total fiscal impact is around \$1,725.

**RECOMMENDATION:** Adopt Resolution No. 111-R-2016-2017 approving waiving the campground fees for the RV-Care-A-Vanners.

### ATTACHMENTS:

Description	Type
Letter of Request from Habitat for Humanity	Letter
Resolution No. 111-R-2016-2017	Resolution



Dear Keri & Storm Lake City Council,

Habitat for Humanity has the unique opportunity to have a nationwide group that is trained in building trades with HFH International, come to Storm Lake and assist in our current construction/rehab. This group is called the RV Care-A-Vanners and they are retired folks who visit Habitat sites all over the United States, helping build for 2 weeks straight. They are on their third visit to another small affiliate, Heart of Iowa, out of Boone, Jefferson, and Guthrie Counties-where the Executive Director has nothing but great things to say about what this group can accomplish. We applied for the group to come to Storm Lake and help our affiliate, and we have been approved-which is significant. However, to attract more RV Care-A-Vanners, we need to offer free camping, as we will likely fill our sites with volunteers. Heart of Iowa is able to attract their RV Care-A-Vanners year after year because they are provided with free RV sites, and days of volunteer-donated food. We are asking that the City of Storm Lake consider donating 5 RV Sites from July 16th-July 30th. We are confident that upon visiting our City Beautiful, many of these campers will come back to frequent the campgrounds again.

Thank you for hearing our request. We look forward to hearing from you.

<https://www.habitat.org/volunteer/travel-and-build/rv-care-a-vanners>

Sincerely,

Misty Sanderson  
Organizational Director  
BV County Habitat for Humanity  
(509) 710-0355  
[www.bvhabitat.org](http://www.bvhabitat.org)

**RESOLUTION NO. 111-R-2016-2017**

**RESOLUTION APPROVING THE BV HABITAT FOR HUMANITY REQUESTS  
WAIVING FEES FOR THE RV CARE-A-VANNERS.**

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

To approve waiving 5 RV sites for BV Habitat for Humanity RV Care-A-Vanners on  
Sunday, July 16, 2017 to Sunday, July 30, 2017.

PASSED AND APPROVED this 15<sup>th</sup> day of May, 2017.

---

Jon F. Kruse, Mayor

ATTEST:

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Mayra A. Martinez, City Clerk