

**REGULAR COUNCIL MEETING, CITY OF STORM LAKE, IOWA, CITY HALL,
JANUARY 17, 2017, 5:00 P.M.**

Present: Mayor Jon Kruse, Council Members Dan Anderson, Bruce Carlson, 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, Building Official Scott Olesen, Public Works Director Jason Etnyre, Water Plant Superintendent Mike Davis, Wastewater Superintendent Mark Streed, and Mayra Martinez City Clerk

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

Hear the Public – Andriette Wickstrom, 909 W 5th Street, expressed her disagreement with the mandatory residential garbage collection service.

Consent Agenda – Moved by Council Member Engelmann to approve the consent agenda which included the list of the bills check #54320 through 54431, minutes from January 3 and January 9, 2017, City Council meetings, liquor license renewal for Plaza Mexico Restaurant, and cigarette permit for Super Sun. Seconded by Council Member Porsch. Vote: All ayes with Council Member Anderson absent. Motion carried

Cigarette Permit – Moved by Council Member Porsch to approve cigarette permit for Brewsters located at 225 E Railroad Street effective January 17, 2017. Seconded by Council Member Rice. Vote: Ayes – Porsch, Rice, Engelmann; Abstain – Carlson; Absent – Anderson. Motion carried

Council Member Anderson arrived 5:08 pm.

Community Events – Moved by Council Member Porsch to adopt Resolution No. 65-R-2016-2017 approving a series of 2017 Community Events as submitted by Storm Lake United. The events are Taste of Storm Lake, Farmer's Market, Lake Fest, Ridiculous Days, Wood, Wine & Blues, and Miracle on Lake Avenue. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

RESOLUTION NO. 65-R-2016-2017

**A RESOLUTION APPROVING STORM LAKE UNITED REQUESTS FOR A SERIES
OF 2017 COMMUNITY EVENTS**

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

To approve the following events:

Taste of Storm Lake

- Permission for the use of the Chautauqua Park Shelter House each Thursday from 6/1 until 9/14 from 4:00pm until 8:00pm
- Noise Variance for the Chautauqua Park Shelter House venue each Thursday from 4:00pm until 8:00pm for outdoor entertainment and announcements

Storm Lake Farmer's Market

- Permission for sales of farmer raised goods on the east side of Erie Street in the 600 block and the north side of East 5th Street in the 200 block on assigned dates.
- Permission for the sales to occur on Saturdays from 7:00am until 1:00pm and on Thursdays from 3:00pm until 6:30pm from 6/3 until 10/14
- Noise Variance for outdoor entertainment and/or announcements on the above listed dates and times

Lake Fest

- Permission for the use of Sunrise and Awaysis Parks on the following dates and times
 - Friday, 6-16-2017 12:00pm until 12:00am
 - Saturday, 6-17-2017 7:00am until 1:00am
 - Sunday, 6-18-2017 12:00am until 5:00pm
- Friday, 6-16-2017
Noise Variance from 12:00pm until 12:00am
- Permission to use fencing to establish the controlled venue on the Great Lawn for Saturday's events

Saturday, 6-17-2017

- Closure of west Awaysis parking lot from 6:00am until 1:00am
- Noise Variance for outdoor entertainment from 12:00pm until 1:00am
- Permission to post directional signs to the event throughout the community
- Permission for food and promotional merchandise vending within the venue
- Permission for alcohol sales within the fenced venue at the Great Lawn under the Kings Pointe liquor license from 12:00pm until 12:00am
- Additional insurance will be acquired by one of the sponsoring entities for this event
- Permission to place port-a-pots in the fenced in concert venue
- Permission for additional events to take place within the Sunrise Park venue area

Sunday, 6-18-2017

- Clean up

Permission for the use of ATVs and golf carts in the two parks for staff throughout the three days of set up, the event and clean up.

Ridiculous Days

- Permission for sidewalk sales in the downtown, Central Business District from 7:00am on 7/20 through 5:00pm on 7/22

- Permission for food vendors on the downtown sidewalks on 7/21 from 8:00am until 8:00pm
- Noise Variance for the downtown venue on 7/21 from 3:00pm until 8:00pm

Wood, Wine & Blues

- Permission to use Sunset Park for the event venue on the following dates and times
 - Friday, 8/18 9:00am until 9:00pm
 - Saturday, 8/19 10:00am until 7:00pm
 - Sunday, 8/20 9:00am until 5:00pm
- Permission to use the Sunset Band Shell on Saturday, 8/19 from 10:00am until 5:00pm
- Noise Variance for the above listed dates and times for outdoor entertainment and announcements
- Permission for the chainsaw carving competitors to complete their carvings as scheduled by SLU within the requested dates and times listed above
- Permission for native wine and beer tasting from vendors within the venue on Saturday, 8/19 from 10:00am until 5:00pm
- Permission for crafts sales, merchandise sales and food vending in the venue throughout the weekend as scheduled in the above requested dates and times
- Permission for SLU to sell quick carve sculptures via silent auction in the venue on Saturday, 8/19
- Permission for the competitive carvers to sell their merchandise within the venue throughout the weekend as requested in the dates and times above
- Permission to access electricity in Sunset Park

Miracle on Lake Avenue

- Noise Variance in the downtown, Central Business District for outdoor entertainment on Thursday, 12/7 from 5:00pm until 9:00pm
- Parade Permit for a 6:00pm Holiday Parade with a route to approved by the police department
- Temporary closure of the 200 block of East 5th Street immediately following the parade for the lighting of the Christmas Tree

PASSED AND APPROVED this 17th day of January, 2017.

Jon F. Kruse, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Zoning Ordinance - Moved by Council Member Porsch to set Monday, February 6, 2017, for a public hearing on a proposed text amendment to the Storm Lake Zoning Ordinance. Seconded by Council Member Anderson. Vote: All Ayes. Motion carried

Generators – Moved by Council Member Engelmann to approve a 3-Year customer support agreement on 14 emergency back-up generators with Ziegler Power Systems. Total annual cost of 38,350.33. Seconded by Council Member Porsch. Vote: All ayes. Motion carried.

Expansion Boulevard - Moved by Council Member Anderson to adopt Resolution No. 66-R-2016-2017 approving change order #3 an increase of \$8,972.50 to the contract with Healy Excavating for the Expansion Boulevard Storm Water Improvement Project. Total contract after change order #3 is \$1,371,247.10. Seconded by Council Member Porsch. Vote: All ayes. Motion carried.

RESOLUTION NO. 66-R-2016-2017

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

To approve Change Order No. 3 to the contract with Healy Excavating for the Expansion Boulevard Storm Water Improvements Project, an increase of \$8,972.50 to the contract. Change order is for a change of Type 3 to Type 2 seed and reimbursement of additional CN Railroad flagging costs.

Total cost of Change Order #3 is an increase of \$8,972.50 to the contract. Total contract cost after change order #3 is \$1,371,247.10

PASSED AND APPROVED this 17th day of January, 2017.

Jon F. Kruse, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Moved by Council Member Engelmann to adopt Resolution No. 67-R-2016-2017 approving change order #4 decrease of \$82,782.45 to the contract with Healy Excavating for the Expansion Boulevard Storm Water Improvement Project. Total contract after change order #4 is \$1,288,464.65 Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

RESOLUTION NO. 67-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 Healy Excavating for the Expansion Boulevard Storm Water Improvements Project, a decrease of \$82,782.45 to the contract. Change order is deletion of work items to balance contract value to zero that were not needed..

Total cost of Change Order #4 is a decrease of \$82,782.45 to the contract. Total contract cost after change order #4 is \$1,288,464.65

PASSED AND APPROVED this 17th day of January, 2017.

Jon F. Kruse, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Industrial Park Urban Renewal Amendment #6 – Moved by Council Member Porsch to adopt Resolution No. 68-R-2016-2017 setting January 23, 2017 at 2:00 pm for a consultation session and setting February 20, 2017 at 5:00 pm for a public hearing on proposed Amendment No. 6 to the Storm Lake Industrial Park Urban Renewal Plan. Seconded by Council Member Rice. Vote: All ayes. Motion Carried.

RESOLUTION NO. 68-R-2016-2017

RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 6 TO THE STORM LAKE INDUSTRIAL PARK URBAN RENEWAL PLAN IN THE CITY OF STORM LAKE, STATE OF IOWA

WHEREAS, by Resolution No. 33-R-91-92, adopted September 16, 1991, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Storm Lake Industrial Park Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Storm Lake Industrial Park Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Buena Vista County; and

WHEREAS, by Resolution No. 25-R-2004-2005, adopted October 18, 2004, this City Council approved and adopted an Amendment No. 1 to the Plan; and

WHEREAS, by Resolution No. 07-R-2010-2011, adopted July 19, 2010, this City Council approved and adopted an Amendment No. 2 to the Plan; and

WHEREAS, by Resolution No. 36-R-2013-2014, adopted November 18, 2013, this City Council approved and adopted an Amendment No. 3 to the Plan; and

WHEREAS, by Resolution No. 29-R-2015-2016, adopted August 24, 2015, this City Council approved and adopted an Amendment No. 4 to the Plan; and

WHEREAS, by Resolution No. 33-R-2016-2017, adopted October 17, 2016, this City Council approved and adopted an Amendment No. 5 to the Plan; and

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

ORIGINAL AREA

A part of the South Half (S1/2) of Section One (1), Township Ninety North (T 90 N), Range Thirty Seven West (R 37 W) of the Fifth Principal Meridian (5th P.M.) lying North of the Illinois Central Railroad, and a part of the Northeast Quarter (NE^{1/4}) of Section (12), Township Ninety North (T 90 N), Range Thirty Seven West (R 37 W) of the Fifth Principal Meridian (5th P.M.) lying North of the Illinois Central Railroad, more particularly described as follows:

Commencing at the Northwest Corner of the Southwest Quarter (SW^{1/4}) Section One (1), Township Ninety North (T 90 N), Range Thirty Seven West (R 37 W) of the Fifth Principal Meridian (5th P.M.), thence 00°32' East along the West Line of said Southwest Quarter (SW^{1/4}) a distance of One Thousand Two Hundred Seven and Seven Tenths Feet (1,207.70') to the Point of Beginning; thence North 90°00' East a distance of Two Thousand Six Hundred Forty Two and Six Hundredths Feet (2,642.06') to the North-South Centerline of said Section One (1); thence South 00°34' East along the North-South Centerline of said Section One (1), a distance of Four Hundred Seven and Eighteen Hundredths Feet (407.18'); thence North 90°00' East a distance of Two Thousand Six Hundred Thirty Eight and Seventy Two Hundredths Feet (2,638.72') to the East Line of said Section One (1); thence South 00°31' East along the East Line of said Section (1) a distance of One Thousand Eighty Seven and Seven Tenths Feet (1,087.7') to the Southeast Corner of said Section One (1), said Point also being the Northeast Corner of Section Twelve (12), Township Ninety North (T 90 N), Range Thirty Seven West (R 37 W) of the Fifth Principal Meridian (5th P.M.); thence South 00°20'20" East along the East Line of said Northeast Quarter (NE^{1/4}) Section Twelve (12) a distance of Two Hundred Sixty Six and Five Hundredths Feet (266.05') to the North Right of Way Line of the Illinois Central Railroad; thence North 77°07" West along the North Right of Way Line of said Railroad a distance of Five Thousand Four Hundred Twenty Seven and Seven Tenths Feet (5,427.7') to the West Line of the Southwest Quarter (SW^{1/4}) said Section One (1); thence North 00° 32' West along the West Line of said Section (1) a distance of Five Hundred Fifty and Seventy One Hundredths Feet (550.71') to the Point of Beginning.

The above parcel contains 115.46 acres in total

MCS Industrial Addition to Storm Lake, Iowa

AND

A PART OF THE SOUTH EAST QUARTER (SE¹/₄) OF SECTION 2, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) corner of the Southeast Quarter (SE¹/₄) of said Section 2; thence South 89°45'20" West along the North line of said Southeast Quarter (SE¹/₄), a distance of 2,131.17 feet to a point on the Easterly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence Southerly along the Easterly right of way line of said railroad on a curve whose short chord bearings are as follows: South 29°31'40" East, a distance of 57.05 feet; thence South 23°07'17" East, a distance of 601.83 feet; thence South 16°32'54" East, a distance of 56.08 feet; thence continuing along the Easterly line of said railroad right of way South 15°59'20" East, a distance of 675.12 feet to a point on the Northerly line of the Illinois Central Railroad right of way; thence South 89°44'44" East, along the Northerly line of said railroad, a distance of 824.23 feet; thence South 1°56'40" West, a distance of 238.22 feet; thence South 76°34'40" East, a distance of 872.88 feet to a point on the East line of said Southeast Quarter (SE¹/₄); thence North along the East line of said Southeast Quarter (SE¹/₄) a distance of 1,759.60 feet to the point of beginning containing 62.91 acres and subject to all easements of record.

The East line of the Southeast Quarter (SE¹/₄) of said Section 2 is assumed to bear due North and South in the above description.

AMENDMENT NO. 1 AREA

All of the property within the corporate limits that is located South of Richland Avenue and East of Flint Drove. The area also includes the full right-of-way of all streets forming the boundary.

AMENDMENT NO. 2 AREA

A parcel in Buena Vista County, Iowa beginning at a point which is at the center of the intersection of the Canadian National Railroad right of way and Radio Road in Storm Lake, Iowa; thence South along the center line of Radio Road to the south right of way line of Highway 7; thence continuing South along the centerline of the County Road just West of the Northwest Quarter (NW¹/₄) of Section Twelve (12), Township Ninety (90) North, Range Thirty-Seven (37) West of the 5th P.M. to a point that the center line intersects with the South line of the Northwest Quarter (NW¹/₄) of Section Twelve (12), Township Ninety (90) North, Range Thirty-Seven (37) West of the 5th P.M.; thence East along a South line of the Northwest Quarter (NW¹/₄), Section Twelve (12), Township Ninety (90) North, Range Thirty-Seven (37) West of the 5th P.M. to the Southeast corner of the Northwest Quarter (NW¹/₄) of Section Twelve (12), Township Ninety (90)

North, Range Thirty-Seven (37) West of the 5th P.M.; thence North along the East line of the Northwest Quarter (NW¹/₄) of Section Twelve (12), Township Ninety (90) North, Range Thirty-Seven (37) West of the 5th P.M. to the point where that East line intersects with the South line of Highway 7; thence East along the South line of Highway 7 to the point where it intersects with the center line of Gilbert Street extended South across Highway 7; thence North along the center line of Gilbert Street to the point where that line intersects with the center line of the Canadian National Railroad right of way; thence Northwesterly along the center line of the Canadian National Railroad right of way to the point of beginning.

AMENDMENT NO. 3 AREA

A tract of land located in the Southwest Quarter of the Southeast Quarter (SW¹/₄SE¹/₄) of Section 1, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, and being more particularly described as follows:

Beginning at the Northwest (NW) Corner of Lot Seven (7), Block One (1), of Industrial Park Addition to Storm Lake; thence on a previously recorded bearing of North 90°00'00" East along the North line of said Lot Seven (7), 581.78 Feet to the West line of the East One Hundred Seventy-Five Feet (175') of said Lot Seven (7); thence North 00°10'50" West along the Northern extension of said West line of the East One Hundred Seventy-Five Feet (175'), 186.90 feet; thence South 90°00'00" West, 583.58 Feet to the East line of Lot Six (6), of said Block One (1); thence South 00°43'45" East, along said East line, 186.90 Feet to the point of beginning.

Tract contains 2.50 acres and is subject to all easements of record.

and

A tract of land located in the Southeast Quarter (SE¹/₄) of Section 1, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, and being more particularly described as follows: Commencing at the Northwest (NW) Corner of the Southeast Quarter (SE¹/₄) of said Section 1; thence on a true bearing of South 00°21'07" East along the West line of said Southeast Quarter (SE¹/₄), 930.76 Feet to the point of beginning; thence South 89°10'02" East 838.14 Feet; thence South 00°21'07" East, 645.29 Feet to the North line of the Industrial Park Addition to the City of Storm Lake; thence North 89°50'14" West, along said North line, 255.00 Feet; thence North 00°02'17" East, 186.90 Feet; thence North 89°47'21" West, 583.58 Feet to the East line of Lot Six (6), Block One (1) of said Industrial Park Addition; thence North 00°32'05" West, along said East line, 220.28 Feet to the Northeast (NE) Corner of said Lot Six (6); thence North 00°21'07" West, along the West line of the Southeast Quarter (SE¹/₄), 247.44 Feet to the point of beginning. Hereafter referred to as Lot C of Lot B in Section 1, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 10.00 acres and is subject to all easements of record; and

AMENDMENT NO. 4 AREA

Adds no new land.

AMENDMENT NO. 5 AREA

Adds no new land.

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 6 to the Plan ("Amendment No. 6" or "Amendment"), a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to add and/or confirm the list of proposed projects in the Urban Renewal Area; and

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

WHEREAS, this proposed Amendment No. 6 to the Urban Renewal Plan adds no new land; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 6 to the Storm Lake Industrial Park Urban Renewal Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amendment No. 6 to the Storm Lake Industrial Park Urban Renewal Plan subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Amendment and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

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

That the consultation on the proposed Amendment No. 6 to the Storm Lake Industrial Park Urban Renewal Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on the 23rd day of January, 2017, in the Council Chambers, City Hall, 620 Erie Street, Storm Lake, Iowa, at 2:00 P.M., and the Assistant City Manager, or her delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the

consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of this Resolution and the proposed Amendment No. 6 to the Storm Lake Industrial Park Urban Renewal Plan, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN
THE CITY OF STORM LAKE, STATE OF IOWA AND ALL
AFFECTED TAXING ENTITIES CONCERNING THE
PROPOSED AMENDMENT NO. 6 TO THE STORM LAKE
INDUSTRIAL PARK URBAN RENEWAL PLAN FOR THE
CITY OF STORM LAKE, STATE OF IOWA

The City of Storm Lake, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 2:00 P.M. on January 23, 2017, in the Council Chambers, City Hall, 620 Erie Street, Storm Lake, Iowa concerning a proposed Amendment No. 6 to the Storm Lake Industrial Park Urban Renewal Plan, a copy of which is attached hereto.

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

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Assistant City Manager, or her delegate, as the designated representative of the City of Storm Lake, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 6 to the Storm Lake Industrial Park Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

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

Dated this _____ day of _____, 2017.

City Clerk, City of Storm Lake, State of Iowa

(End of Notice)

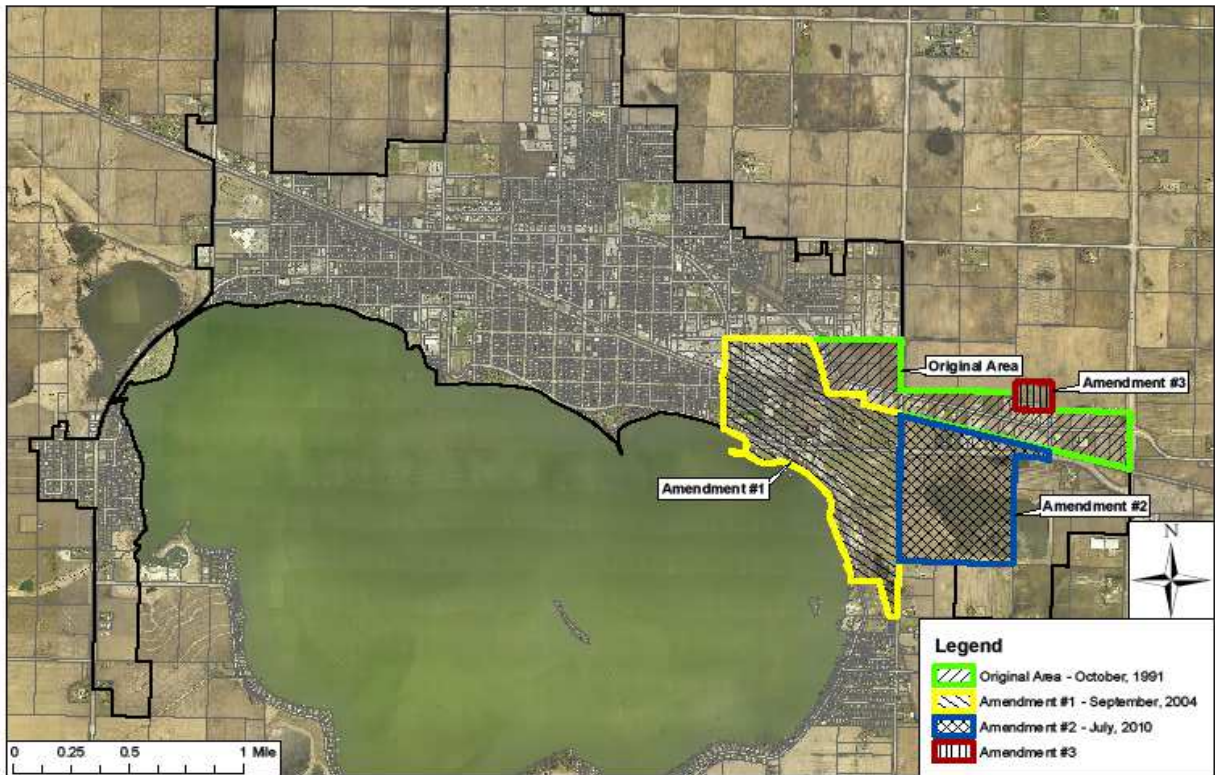
That a public hearing shall be held on the proposed Amendment No. 6 to the Storm Lake Industrial Park Urban Renewal Plan before the City Council at its meeting which commences at 5:00 P.M. on February 20, 2017, in the Council Chambers, City Hall, 620 Erie Street, Storm Lake, Iowa.

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

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL
OF A PROPOSED AMENDMENT NO. 6 TO THE STORM
LAKE INDUSTRIAL PARK URBAN RENEWAL PLAN FOR
AN URBAN RENEWAL AREA IN THE CITY OF STORM
LAKE, STATE OF IOWA

The City Council of the City of Storm Lake, State of Iowa, will hold a public hearing before itself at its meeting which commences at 5:00 P.M. on February 20, 2017 in the Council Chambers, City Hall, 620 Erie Street, Storm Lake, Iowa, to consider adoption of a proposed Amendment No. 6 to the Storm Lake Industrial Park Urban Renewal Plan (the "Amendment") concerning an Urban Renewal Area in the City of Storm Lake, State of Iowa, generally depicted in the following map:



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

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

The general scope of the urban renewal activities under consideration in the Amendment is to promote the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the

Amendment. The general scope of the urban renewal activities under consideration in the Amendment is to promote economic development and to rehabilitate, conserve and redevelop land, buildings and other improvements within such area through the elimination and containment of conditions of blight so as to improve the community through the establishment of effective land use controls, through use of an effective program of rehabilitation of existing buildings and elimination of those structures which cannot be economically rehabilitated, with a limited amount of acquisition, clearance, resale and improvement of land for various purposes specified in the Amendment. To accomplish the objectives of the Amendment, and to encourage the further economic development of the Urban Renewal Area, the Amendment provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A of the Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The Amendment provides that the City may issue bonds or use available funds for purposes allowed by the Plan, as amended, and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Amendment initially proposes specific public infrastructure or site improvements to be undertaken by the City, and provides that the Amendment may be amended from time to time.

The proposed Amendment No. 6 would add and/or confirm the list of proposed projects in the Urban Renewal Area. The proposed Amendment adds no new land. Other provisions of the Plan not affected by the Amendment would remain in full force and effect.

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

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

Dated this _____ day of _____, 2017.

City Clerk, City of Storm Lake, State of Iowa

(End of Notice)

That the proposed Amendment No. 6 to the Storm Lake Industrial Park Urban Renewal Plan, attached hereto as Exhibit 1, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 6 to the Storm Lake Industrial Park Urban Renewal Plan referred to in the notices for purposes of such consultation and hearing and that a copy of the Amendment shall be placed on file in the office of the City Clerk.

PASSED AND APPROVED this 17th day of January, 2017.

Jon F. Kruse, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

These are draft minutes Subject to Final Council Approval

EXHIBIT 1

STORM LAKE INDUSTRIAL PARK URBAN RENEWAL PLAN

AMENDMENT #6

CITY OF STORM LAKE, IOWA

Original Area Adopted –1991

Amendment #1 – 2004

Amendment #2 – 2010

Amendment #3 – 2013

Amendment #4 – 2015

Amendment #5 – 2016

Amendment #6 - 2017

AMENDMENT #6
to
STORM LAKE INDUSTRIAL PARK
URBAN RENEWAL PLAN
CITY OF STORM LAKE, IOWA

The Storm Lake Industrial Park Urban Renewal Plan ("Plan") for the Storm Lake Industrial Park Urban Renewal Area ("Area" or "Urban Renewal Area"), adopted in 1991, and amended in 2004, 2010, 2013, 2015, and 2016 is being further amended to add and/or confirm the list of proposed projects to be undertaken within the Urban Renewal Area ("Amendment #6" or "Amendment"). No land is being added to the Urban Renewal Area by this Amendment.

Except as modified by this Amendment, the provisions of the original Storm Lake Industrial Park Urban Renewal Plan, as previously amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control.

AREA DESIGNATION

The Urban Renewal Area has been designated as a mixed area for the remediation of blight and promotion of economic development (commercial and industrial). The Urban Renewal Area continues to be appropriate for a mixed area for the remediation of blight and promotion of economic development (commercial and industrial).

PROJECT OBJECTIVES

No changes are made by this Amendment.

TYPES OF RENEWAL ACTIVITIES

No changes are made by this Amendment.

ELIGIBLE URBAN RENEWAL PROJECTS (Amendment #6)

1. Public Improvements:

Project	Estimated Date	Not to Exceed Cost	Rationale
<i>King's Pointe Resort.</i> Remodel and renovate King's Pointe Resort. The renovations include, but are not limited to, electrical upgrades, mechanical upgrades, information	2017-2022	\$4,500,000	This project promotes economic development. King's Pointe Resort is almost 10 years old and in need of remodeling and renovations. It is industry

These are draft minutes Subject to Final Council Approval

<p>and technology upgrades, interior finishes, furniture, and lighting upgrades for the entire property.</p>			<p>standard to remodel and renovate hotel rooms and public spaces every 7 years. Further, King's Pointe Resort is a leading recreational and tourism feature in the City and is used by members of the City, County and School communities as well as attracting tourists and business related travelers from outside of the community. King's Pointe Resort spurs tourism and commercial business activity in the community and is a key component to attracting employers, employees and economic development.</p>
<p><i>Outdoor Waterpark.</i> Remove and replace outdoor waterpark concrete.</p>	<p>2017-2020</p>	<p>\$800,000</p>	<p>This project promotes economic development. The outdoor waterpark is a leading recreational and tourism feature in the City and is used by members of the City, County and School communities to enhance quality of life and promote livability that is essential to attracting employers, employees and economic development. Increased employment opportunities and enhanced livability are necessary factors in sustaining the population of the City. An attractive, vibrant and developing community, in turn, will benefit the School District and County. Improving the outdoor waterpark, therefore,</p>

			enhances the community's attractiveness to employers and employees, and provides benefits to the citizenry of the City, County and School.
<i>Memorial Park Storm Water Improvements.</i> Construction of various storm water improvements including, but not limited to, detention pond, rain garden, and other storm water mitigation improvements.	2017-2021	\$750,000	This project remediates blighting influences and promotes economic development. The project is intended to reduce flooding occurrences along Highway 7 and protect neighboring retail establishments from flooding. The City expects that part of the site may be available for commercial space subsequent to the storm water improvements being complete.

2. Development Agreements:

- A. *Storm Lake Chamber and Area Development, Inc. (aka Storm Lake United):* The proposed project involves the acquisition of approximately six parcels of land within the urban renewal area by Storm Lake United. It is anticipated that Storm Lake United will transfer two of the six parcels to the City for use in the Memorial Park Storm Water Improvement project and Storm Lake United will market and sell the other four parcels for commercial and/or tourism related development. The acquisition is expected to occur in 2017-2018. The City expects to provide incentives to Storm Lake United in the form of a one-time grant not to exceed \$500,000 to assist with the acquisition. All incentives will be subject to the terms and conditions of a detailed development agreement between the City and Storm Lake United.

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

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

DEBT

1.	Current constitutional debt limit:	\$23,140,673
2.	Current outstanding general obligation debt:	\$18,379,000
3.	Proposed amount of loans, advances, indebtedness or bonds to be incurred. A specific amount of debt to be incurred for the Eligible Urban Renewal Project (Amendment #6) has not yet been determined. The projects authorized in this Amendment are only proposed projects at this time. The City Council will consider each project proposal on a case-by-case basis to determine if it is consistent with the Plan and in the public's best interest to participate in the project. These projects, if approved, will commence and be concluded over a number of years. In no event will debt be incurred that would exceed the City's debt capacity. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects described above will be approximately as stated in the next column:	Up to \$6,600,000

PUBLIC BUILDING ANALYSIS

1. Outdoor Waterpark.

This project involves a public building. This project involves the removal and replacement of concrete at the outdoor waterpark. If this project is ultimately approved by the City, the City intends to finance a portion of the cost of the project through tax increment financing. For the costs of this project to be paid with tax increment funds, the City proposes to issue general obligation bonds and abate a part of the principal and interest payments utilizing available incremental tax revenues within the Area, if available. The City anticipates that tax increment revenues, if available, will fund up to 100% of the total project costs. Total project costs for removal and replacement of the concrete are estimated to be not in excess of \$800,000. Specifically, under these circumstances, Iowa law requires an analysis of alternative development options and funding for the project and reasons why such options would be less feasible than the use of incremental tax revenues for the projects.

The City has considered alternative funding sources, including the following:

- One alternative funding source for this project is the issuance of general obligation bonds that would be paid by the City's debt service levy (i.e. without using incremental tax revenues). This option would mean that only taxpayers of the City would be responsible for payment of the bonds/notes. However, the project benefits not only City residents, but also County and school district residents. In such case, the use of tax increment financing to pay a portion of the principal and interest payments from debt associated with the projects is the most appropriate funding mechanism.
- A second alternative is to consider Local Option Sales Tax (LOST) funding received by the City. LOST revenues are not available for this project, as the City has already obligated available LOST revenues to fund other projects and tax relief.
- A third alternative is grant funding. The City anticipates pursuing grants from local agencies, as well as from state and federal sources if they become available. However, funding from most grant programs is extremely competitive and, even if successful, generally only provides a small percentage of the total capital needed for a project.

Regional Impact of Outdoor Waterpark:

The Outdoor Waterpark provides recreational opportunities expected by employers and employees and will promote economic development. Use of the Outdoor Waterpark will be open to rural residents as well as residents of neighboring communities. The facility draws people from the rural areas, nearby communities and is expected to be an attraction as part of the overall tourism related activity in the community.

Economic Development Potential:

The availability of recreational activities is an important quality-of-life factor for existing residents and companies choosing to locate or expand their business. Facilities such as the Outdoor Waterpark are also important factors for employees when choosing a place to live. The City recognizes a need to attract and retain a workforce of adequate size in order for existing and potential employers to locate and expand within the City and the region.

By fostering a more attractive business climate in the City, the development potential of the area will be enhanced. An attractive, vibrant, and diverse community, in turn will benefit the Storm Lake Community School District, as well as Buena Vista County. The project will have a positive impact on the quality of life in the City of Storm Lake and the surrounding area, and in turn will help promote economic development and generate new employment opportunities.

Feasibility of Using Tax Increment:

Because the proposed Urban Renewal Project benefits County and school district residents, the use of tax increment to pay for a portion of the project is appropriate. The Outdoor Waterpark project demonstrates regional benefit to both the County and the school district. As a result, it is fair for the school district and the County to share in the cost of the project. For the aforementioned reasons, the use of tax increment revenue (debt abated by incremental tax revenues) for this project is the most feasible, fair, and equitable mechanism for helping to fund the proposed project.

2. King's Pointe Resort.

This project may involve a public building. This project involves the remodeling and renovation of King's Pointe Resort. If this project is ultimately approved by the City, the City intends to finance a portion of the cost of the project through tax increment financing. For the costs of this project to be paid with tax increment funds, the City proposes to issue general obligation bonds and abate a part of the principal and interest payments utilizing available incremental tax revenues within the Area, if available. The City anticipates that tax increment revenues, if available, will fund up to 100% of the total project costs. Total project costs for remodeling and renovation of King's Pointe Resort are estimated to be not in excess of \$4,500,000. Specifically, under these circumstances, Iowa law may require an analysis of alternative development options and funding for the project and reasons why such options would be less feasible than the use of incremental tax revenues for the projects.

The City has considered alternative funding sources, including the following:

- One alternative funding source for this project is the issuance of general obligation bonds that would be paid by the City's debt service levy (i.e. without using incremental tax revenues). This option would mean that only taxpayers of the City would be responsible for payment of the bonds/notes. However, the project benefits not only City residents, but also County and school district residents. In such case, the use of tax increment financing to pay a portion of the principal and interest payments from debt associated with the projects is the most appropriate funding mechanism.
- A second alternative is to consider Local Option Sales Tax (LOST) funding received by the City. LOST revenues are not available for this project, as the City has already obligated available LOST revenues to fund other projects and tax relief.
- A third alternative is grant funding. The City anticipates pursuing grants from local agencies, as well as from state and federal sources if they become available. However, funding from most grant programs is extremely competitive and, even if successful, generally only provides a small percentage of the total capital needed for a project.

Regional Impact of King's Pointe Resort:

King's Pointe Resort provides expanded recreational opportunities, as well as, space for local and regional events including receptions, reunions, and other get-togethers. Events at this facility are expected to draw people from the rural areas as well as other nearby communities. The availability of a renovated and updated facility would enhance and potentially expand current events and possibly encourage other events. Use of the facility is open to rural residents as well as residents of neighboring communities.

Economic Development Potential:

The availability of tourism and recreational activities is an important quality-of-life factor for existing residents and companies choosing to locate or expand their business. Facilities such as King's Pointe Resort are also important factors for employees when choosing a place to live. The City recognizes a need to attract and retain a workforce of adequate size in order for existing and potential employers to locate and expand within the City and the region.

By fostering a more attractive business climate in the City, the development potential of the area will be enhanced. An attractive, vibrant, and diverse community, in turn will benefit the Storm Lake Community School District, as well as Buena Vista County. The project will have a positive impact on the quality of life in the City of Storm Lake and the surrounding area, and in turn will help promote economic development and generate new employment opportunities.

Feasibility of Using Tax Increment:

Because the proposed Urban Renewal Project benefits County and school district residents, the use of tax increment to pay for a portion of the project is appropriate. The King's Pointe Resort project demonstrates regional benefit to both the County and the school district. As a result, it is fair for the school district and the County to share in the cost of the project. For the aforementioned reasons, the use of tax increment revenue (debt abated by incremental tax revenues) for this project is the most feasible, fair, and equitable mechanism for helping to fund the proposed project.

DEVELOPMENT PLAN

Storm Lake has a general plan for the physical development of the City as a whole, outlined in the Comprehensive Plan – Storm Lake 2030, adopted by the City in February, 2013. The goals and objectives identified in this Amendment #6, and the urban renewal projects described herein, are in conformity with the goals, objectives, and recommendations identified in Comprehensive Plan – Storm Lake 2030.

This Urban Renewal Plan does not in any way replace the City's current land use planning or zoning regulation process. The City doesn't anticipate any change in zoning as a result of the proposed development.

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

PROPERTY ACQUISITION/DISPOSITION

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

URBAN RENEWAL PLAN AMENDMENTS

The Plan may be amended from time to time for a variety of reasons, including but not limited to, adding or deleting land, adding urban renewal projects, or to modify goals or types of renewal activities. The City may amend this Plan in accordance with applicable state law.

EFFECTIVE DATE

This Amendment #6 will become effective upon its adoption by the City Council. No changes are expected in the effective period of this Urban Renewal Area.

REPEALER

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

SEVERABILITY CLAUSE

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

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4th and Barton Storm Sewer Improvements - Moved by Council Member Porsch to approve an engineering contract with ISG for the 4th and Barton Storm Sewer Improvement. Contract cost is \$118,500.00. Seconded by Council Member Anderson. Vote: All ayes. Motion carried.

2016 Watermain Improvements – Moved by Council Member Engelmann to set February 20, 2017, for a public hearing on the plans, specifications, bids, form of contract, and engineer’s opinion of probable cost for the 2016 Watermain Improvements. Seconded by Council Member Porsch. Vote: All ayes. Motion carried.

Housing Rehabilitation – Moved by Council Member Porsch to adopt Resolution No. 69-R-2016-2017 approving change order #2 with an increase of \$1,300.00 to the contract with R. Wise

These are draft minutes Subject to Final Council Approval

Construction for the Housing Project #2014-8. Total contract cost after change order #2 is \$28,015.00. Seconded By Council Member Carlson. Vote: All ayes. Motion carried.

RESOLUTION NO. 69-2016-2017

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

To approve Change Order #2 to the contract with R. Wise Construction for the Housing Rehabilitation Project #2014-8 with the following changes:

- Add gutters and install a new metal door on kitchen entrance. Increase of 1,800.00
- Dirt fill not needed. Deduction of \$300.00.

Total cost of change order #2 is an increase of \$1,500.00 to the contract. Total contract cost after change order #2 is \$28,015.00

PASSED AND ADOPTED this 17th day of January, 2017.

Jon F. Kruse, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

Moved by Council Member Anderson to adopt Resolution No. 70-R-2016-2017 approving the final acceptance of the contract with R. Wise Construction for the Housing Project #2014-8. Total contract amount \$28,015.00. Seconded by Council Member Carlson. Vote: All ayes. Motion carried.

RESOLUTION NO. 70-R-2016-2017

RESOLUTION ACCEPTING PUBLIC IMPROVEMENT

WHEREAS, the City Council of the City of Storm Lake, Iowa entered into a construction contract, and the Mayor and Clerk of Storm Lake, Iowa executed the contract with R. Wise Construction Sioux Rapids, IA with regard to the Housing Rehabilitation Project #2014-8, and City of Storm Lake, Iowa.

WHEREAS, said contractor has fully completed the said project in accordance with the terms and conditions of said contract and plans and specifications.

These are draft minutes Subject to Final Council Approval

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, upon final inspection approval, and the total final contract price is \$28,015.00

PASSED AND APPROVED this 17th day of January, 2017.

Jon F. Kruse, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

A Congratulation to Public Safety Director Mark Prosser for the Dr. Martin Luther King Jr. Achievement Award for 2017, On Behave of the City Council

Also, the City of Storm Lake was one of the ten recipients to receive an award from the 1000 Friends of Iowa for the 2016 Best Development Award on the North Central Stormwater Project.

Closed Session – Moved by Council Member Porsch to go into closed session at 5:37 pm in Reference to Iowa Code Chapter 21.5(C) to discuss personnel evaluation. Seconded by Council Member Rice. Vote: All ayes with Council Member Porsch absent. Motion carried.

Attendance in closed session: Engelmann, Rice, Anderson, Carlson, Kruse, Patrick, and Martinez.

Moved by Council Member Porsch to return to open session at 7:21 pm. Seconded by Council Member Anderson. Vote: All ayes. Motion carried

Adjournment – Moved by Council Member Porsch to adjourn the meeting at 7:21 pm. Seconded by Council Member Rice. Vote: All ayes. Motion carried.

Jon F. Kruse, Mayor

ATTEST:

Mayra Martinez, City Clerk