

**SPENCER CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL
August 18, 2014
Regular Council Meeting
6:30 o'clock P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

- 1. Presentation of Flag to City of Spencer from Jade Beehler;**
- 2. Consent Agenda:**
 - A. Minutes of August 4, 2014;
 - B. Approve Licenses:
 - C. Approve Conveyance of Easement with Spencer Municipal Utilities near Fairview School;
 - D. Approve Property Management Agreement with Clay County Conservation Board for 2.87 acres of property located near the retention pond at the Waste Treatment Plant;
 - E. Set Public Hearing for September 2, 2014, at 6:30 P.M. on Proposed Rezoning of a tract of land in the West Half of the NE Quarter of Section 24-96N-37W (900 block of 14th St. S.W.) from C-2 Highway Commercial and A Residential Zoning Districts to B Multiple Residential Zoning District;
- 3. Public Hearing on General Obligation Communications Equipment Acquisition Loan Agreement for the Acquisition of Emergency Communications Equipment for use in the E-911 System;**

Enclosed in your packet information is the legal proceedings to approve a GO Communications Equipment Acquisition Loan Agreement. The loan is for an amount not to exceed \$360,000 that will be used for the purchase of Emergency Communication Equipment for the E-911 system. The loan calls for a no interest loan to be paid back over 10 years. Staff would like to publically thank SMU for their part in securing the funds for this loan.

- 1. Roll Call: Resolution Taking Additional Action with Respect to a General Obligation Communications Equipment Loan Agreement;**

I would recommend approval.

4. Old Business:

A. Roll Call: An Ordinance Amending Title 9, Chapter 5, Section 2, Subsection B to Add Primary Educational Facilities and Secondary Education Facilities as Special Exception Uses in the “CBD” Central Business District, Final Filing;

Enclosed in your packet information is an ordinance that amends the civic permitted uses by special exception in the CDB Zoning District by adding the uses of “primary educational facilities” and “secondary educational facilities”. Staff for the most part views this a housekeeping item that was brought out when the Spencer School District office was looking into options that could be included in their building. P&Z held a public hearing on this matter and later voted to recommend that this item be approved. **I would recommend approval.**

5. New Business:

A. Motion: Approve proposal from Midwest Fence and Gate Company to install an 8 foot fence around the East Leach Park Skate Park for \$21,026.24, as recommended by the Park Board, from undesignated Capital Improvements;

As you may recall, a great deal of discussion was held at the last Council meeting concerning the Skate Board Park in East Leach Park. The Skate Board Park was built specifically for skate boards and not meant for bicycles. However, over the last several years individuals riding bicycles have begun to dominate the area thus making it difficult for skate board users to utilize the facility. Because the facility was not built for bikes, a dangerous situation has arisen. There has also been some concerns about other types of activity taking place there as well. Since our last meeting, a camera has been installed as well as a more concerted effort of having a larger police presence. This has helped somewhat but it is not feasible to think the Police Department can continue to allocate enough time to spend at the park. As also discussed at the meeting, the possibility of putting up a fence was evaluated. Several options were looked at during a recent Park and Recreation Board meeting and it was ultimately decided that an 8 foot fence would be put around the skate park that would detour bicycles from getting in there. The fence will be black epoxy coated with two ingress/egress points. This fence would be somewhat similar to the fences that surround the tennis courts and swimming pool. The Police Chief also made the recommendation to the Park Board that the 8 foot fence be erected. The facility could potentially be locked if users do not follow the rules but the hope would be not to have to do that. The proposal that is being recommended by the Park Board is \$21,026.24 and would come from undesignated CIP funds. **Recommend approval.**

B. Roll Call: An Ordinance Deleting Property From the Tax Increment Financing District for the Spencer Consolidated Urban Renewal Areas of the City of Spencer, Iowa, Pursuant to Section 403.19 of the Code of Iowa;

Enclosed in your packet information is a map that shows Urban Renewal District #4. The hashed areas shows the parcel owned by Clay County Lodging, LLC (Holiday Inn Express developers). In Iowa, any TIF District created for the purposes of Economic Development have a statutory life of 20 years, after which they expire. The City is then free to place the property back into a new TIF District, however, the base valuation is reset to the current valuation. District #4 has not yet reached its full 20 year life, however we are at a point where there are not enough years left to be able to offer a 10 year tax rebate to the hotel developers. The action above will remove the hashed areas (14.809 acres) from the current District and then the City will create a new district consisting of this parcel in future action. This will allow the City to be able to offer development incentives to the entire parcel that is owned by the hotel developers as they develop it further. **I would recommend approval.**

1. Roll Call: Motion to suspend rules and place Ordinance on Final Filing;

In order to keep the Holiday Inn Express on schedule, Staff is requesting the Council suspend the rules and take the final filing on this ordinance. **Recommend approval.**

2. Roll Call: An Ordinance Deleting Property From the Tax Increment Financing District for the Spencer Consolidated Urban Renewal Areas of the City of Spencer, Iowa, Pursuant to Section 403.19 of the Code of Iowa, Final Filing;

I would recommend approval of the final filing subject to the council approve item 1 above.

C. Roll Call: Resolution setting date for public hearing on designation of the expanded Spencer Consolidated Urban Renewal Areas and on urban renewal plan amendment;

Pursuant to State Law, the Council must set a public hearing whenever a new project is proposed that will include incentives to be paid for by Tax Increment Financing (TIF). In addition, the City must also amend its Urban Renewal Plan. These steps are necessary for the agreement with the Holiday Inn Express project. With this plan amendment, the City will create a new TIF District that consists of the hotel developer's parcel and authorize the hotel project as an approved project eligible for TIF payments. **I would recommend approval of setting the Public Hearing Date for September 15, 2014.**

D. Roll Call: Resolution Approving and Accepting the Plat of West Beltway Commercial First Addition;

Enclosed in your packet information is a Resolution approving and accepting the Final Plat for the West Beltway Commercial First Addition. The plat consists of 9 lots off of 32nd Ave. West, which is located to the east of the Spencer Airport. The area is currently not in the City limits but Iowa law allows Cities to review areas within a 2-mile area of its city limits. P&Z met on this item and voted to recommend approval. **I would recommend approval.**

E. Motion: Approve Agreement with RDG Planning and Design for North Spencer Trail Visioning Plan for \$17,200 plus expenses;

This item is an agreement with RDG for the North Spencer Trail Visioning Plan. The area that this agreement encompasses is an approximate 100 foot wide City of Spencer owned right-of-way that stretches from West 10th Street north along the abandoned railroad to 58th Street. You may recall that IDOT had recently authorized the City of Spencer to remove the rail by sometime in 2015. The plan calls for Public Engagement, Concept Plan Development, Opinion of Probable Costs, as well as an Illustrative Rendering. RDG will split the discussion up into Residential Zones (11th Street to 18th Street) and Business Zones (18th Street to 58th Street). RDG will also be including, as part of their team, some individuals that are well versed in incorporating safety features into the trail. **I would recommend approval.**

F. Motion: Approve Change Order #2 for 2014 City of Spencer PCC Recreational Trail Improvements Project for an increase of \$2280.00;

Enclosed in your packet information is change order #2 for the 2014 City of Spencer PCC Recreational Trail Improvement Project for the amount of \$2,280.00. **I would recommend approval.**

G. Roll Call: Award Contract for 2014 City Hall Roofing Project to H & S Roofing Company, Inc. for \$45,910.45;

The City received competitive quotes on August 12 for the above referenced roof replacement project. The Engineer's estimated costs for the project was 57,400.00. KCN is recommending that H&S out of Spencer be awarded the project for a bid price of \$45,910.45. **I would recommend approval.**

6. City Manager's Report: Northwest Iowa Planning & Development Commission;

7. Mayor's Report:

8. Council/Comm. Reports :

9. City Clerk's Report:

- Bills and Claims
- Funds Transfers

10. Other Business/Opportunity to Address the Council