

**SPENCER CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL
November 3, 2014
Regular Council Meeting
6:30 o'clock P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

1. Consent Agenda:

- A. Minutes of October 20, 2014;
- B. Licenses:
- C. Approve purchase of Double Coin foam filled tires for the solid waste wheel loader for \$20,190.48 from Freemont Tire, Inc. (included in CIP);
- D. Roll Call: Resolution Authorizing and Directing the Temporary Closing of a Portions of a City Street in the City of Spencer, as requested by Spencer Dream Center, Pastor Kevin Grimes, on December 1, 2014;
- E. Approve Griffin Trust Fund Distribution for 2014 (Spencer Jaycees, YMCA & Clay County DHS);
- F. Approve Agreements for Grant of Permanent Sanitary Sewer Force Main Easement & Temporary Construction Easement (FEMA Project) with George Moriarty and Janet Heikens; Robert L Ginger and Kristina M. Ginger and John Thomas and Marie Thomas ;
- G. Authorization to increase Transfer Station Petty Cash (Cash in Transit) from \$150-\$200;

2. Public Hearings:

A. Public Hearing on Proposed Text Amendment to the City of Spencer Zoning Code to Adopt an Ordinance Amending Title 9, Chapter 12, Section 4D to Provide for Optional Public Hearings on Text Amendments to the Spencer Zoning Code;

1. Roll Call: An Ordinance Amending Title 9, Chapter 12, Section 4D Concerning Public Hearings Held by the Planning Zoning Commission, 1st Filing;

Enclosed in your packet information is a proposed Ordinance concerning Public Hearings Held by the Planning and Zoning Commission. The purpose for amendment, for the most part, is to allow for the Planning and Zoning Commission the option of not holding a public hearing on minor text amendments. The thought being that those types of hearings do not normally have any public comments thus creating a cost that does not necessarily need to happen. The City Council would still hold a public hearing giving anyone the opportunity to speak on the text amendment. P&Z met on this item and voted to recommend approval. **I would recommend approval.**

B. Public Hearing on Proposed Zoning Ordinance Text Amendment to the City of Spencer Zoning Code to Amend Provisions of Title 9, Chapter 16, Sections 5, 6, 8 and 12 of the Spencer Flood Plain Management Ordinance to Adopt Changes Required by the Iowa Department of Natural Resources;

- 1. Roll Call: An Ordinance Amending Title 9, Chapter 16 of the Spencer City Code to Amend Floodway Fringe Overlay District Performance Standards Regarding New and Substantially Improved Structures and Subdivisions; to Insert a Provision on Recreational Vehicles; to Amend General Flood Plain Overlay District Performance Standards and to Add Definitions for “Existing Construction”, “Historic Structure”, “Minor Projects”, “Recreational Vehicle”, “Routine Maintenance of Existing Buildings and Facilities”, Start of Construction” and Substantial Damage, 1st Filing;**

Enclosed in your packet information is the proposed amendment to the City of Spencer’s zoning code pertaining to floodways. A representative from FEMA has recently reviewed our Floodway Ordinance and has recommended some changes to our code. P&Z met on this item and voted to recommend approval. **I would recommend approval.**

C. Public Hearing on the Adoption of an Amendment to the Plan for the Spencer Residential Urban Revitalization Area for the City of Spencer, Iowa, pursuant to Chapter 404 of the Code of Iowa;

- 1. Roll Call: Resolution Adopting the 2014 Amendment to the Plan for the Spencer Residential Urban Revitalization Area;**

Enclosed in your packet information is a Resolution approving an amendment to the Spencer Residential Urban Revitalization Plan. This, for the most part, is a housekeeping item that more clarifies the basis of property tax exemption available for multifamily properties in the Urban Revitalization Area. The intent when we last amended this section was to provide for a 10 year, 100% exemption from taxes. The amended ordinance does not include that section. **I would recommend approval.**

3. Old Business:

- A. An Ordinance Amending Title 4, Chapter 1, Section 11 of the Spencer City Code Concerning Installment payments of Nuisance Abatement Costs, Final Filing;**

Enclosed in your packet information is an amended ordinance pertaining to the installment payments for Nuisance Abatement Costs. The ordinance, for the most part, amends our ordinance to be consistent with Section 384.60 of the Code of Iowa as it relates to the amount of time individuals have to make yearly installments towards their nuisance abatement costs. The new ordinance sets out the following schedule

\$500.00 or less	1 Installment
Between \$500.00 and \$1000.00	Up to 5 years of annual installments
Between \$1000.00 to \$2,000.00	Up to 7 years of annual installments
Over \$2,000.00	Up to 10 years of annual installments.

I would recommend approval.

4. New Business:

A. Motion: Approve Submission by McClure Engineering of State Revolving Fund Planning & Design Loan Application for Improvements and Rehabilitation of the Waste Treatment Plant and Sewer Separation along 4th Avenue West; and Submission of Clean Water State Revolving Fund Intended Use Plan Application

Enclosed in your packet information are two applications to the State Revolving Fund (SRF) for potential funding for Waste Treatment Plant and Sewer Separation projects. These applications were talked about extensively at the Committee of the Whole last Monday night. The Planning and Design loan, if approved by SRF, would allow the City to borrow money at a 0 % interest for 3 years. They would be then rolled into a permanent loan at that time (\$575,000). The second application to the SRF would be for permanent funding for both the Wastewater Treatment Plant and the 4th Ave. Combine Sewer Separation Project \$5,864,175. If funded the loan would be for 20 years at 2 % (current interest %). **I would recommend approval to authorize McClure Engineering to submit the above referenced applications to the SRF on the City of Spencer's behalf.**

B. Motion: Approve Purchase of Fire Truck from Danko Emergency Equipment for a total of \$374,507.00 from Fire Reserve;

This purchase will replace the 1987 pumper truck. It had previously been included in last year's CIP. A copy of the Fire Chief's memo on this item is enclosed in your packet information. **I would recommend approval.**

C. Roll Call: Resolution relating to financing of proposed project to be undertaken by the City of Spencer, Iowa; establishing compliance with reimbursement bond regulations under the Internal Revenue Code (Sidewalk Improvements Project);

Enclosed in your packet information is a resolution stating the City's intention that in the event we issue debt to cover a portion of the Sidewalk Grant program assessments, that we intend on using the proceeds to reimburse ourselves any cash that we have paid up front. The IRS requires the City to adopt this resolution in within 60 days of the first expenditure in order to maintain the ability to issue this debt as tax-exempt. Whether or not the City issues any debt will depend on the final amount that the City has up fronted for those residents who have chosen to be specially assessed for the labor portion of their sidewalk construction. **I would recommend approval.**

D. Roll Call: Action on Contract for Construction of 2014 Fairway Woods 1st Addition PCC Paving Project;

This item will be discussed at the meeting.

5. Department Reports

- A. Public Works
- B. City Attorney
- C. Parks & Recreation
- D. Planning Department
- E. Library
- F. Fire
- G. Golf

H. Police

6. Engineer's Report

7. City Manager's Report:

8. Mayor's Report:

9. Council/Comm. Reports:

10. City Clerk's Report

- Bills and Claims

- Funds Transfers

11. Other Business/Opportunity to Address the Council

12. Adjourn