

**SPENCER CITY COUNCIL
TOUR OF NEW POLICE DEPT. & COMMUNICATIONS CENTER
January 19, 2015
5:30 P.M.
Meet at Police Department**

1. Chief Warburton will lead the tour

**SPENCER CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL
January 19, 2015
Regular Council Meeting
6:30 o'clock P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

1. Consent Agenda:

- A.** Minutes of January 5, 2015;
- B.** Licenses:
- C.** Roll Call: Adopting Final Assessment Schedule for the Nuisance Abatement and Confirming and Levying the Assessments (Tree Trimming);
- D.** Roll Call: Adopting a Final Assessment Schedule for Snow Removal Costs and Confirming and Levying the Assessments;
- E.** Motion: Approve Agreement for Grant of Permanent Sanitary Sewer Force Main Easement & Temporary Construction Easement with John Thomas and Marie Thomas, 1110 Breezy Meadows Lane;
- F.** Roll Call: Resolution setting a date of meeting at which it is proposed to approve a Development Agreement with Green and Yellow, LLC, including annual appropriation tax increment payments in an amount not to exceed \$1,580,000, for February 2, 2015 at 6:30 P.M., Council Chambers, City Hall;
- G.** Set Public Hearing for February 2, 2015, at 6:30 P.M. on Proposed Rezoning of a tract of land in Section 18-96N-36W (200 4th St. SW) from B Multiple Residential to C-2 Commercial Zoning District (requested by The Merrill Company);
- H.** Set Public Hearing for February 2, 2015, at 6:30 P.M. on Proposed Rezoning of a tract of land in Section 7-96N-37W (517 6th Ave. E.) from C-2 Highway Commercial to A Residential Zoning District (requested by CAASA);
- I.** Motion: Motion: Approve purchase of 2015 Fleet Chevrolet Tahoe for Fire Department for \$31,417.25 from H & N Chevrolet, from CIP Plan;

2. Public Hearings:

A. Public Hearing on Designation of Expanded Spencer Consolidated Urban Renewal Areas and on Proposed Urban Renewal Plan Amendment;

1. **Roll Call: Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the 2015 Addition to the Spencer Consolidated Urban Renewal Areas;**

Enclosed in your packet information is a Resolution declaring the Necessity and Establishing an Urban Renewal Area as well as approving an amendment to the City of Spencer's Consolidated Urban Renewal Area. The area being added is where the John Deere facility will be located. P&Z met on this item and voted to recommend approval. **I would recommend approval.**

2. **Roll Call: Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2015 Addition to the Spencer Consolidated Urban Renewal Areas, Pursuant to Section 403.19 of the Code of Iowa, 1st Filing;**

Enclosed in your packet information is an ordinance providing for the division of taxes levied on taxable property in the newly created Urban Renewal Area. **I would recommend approval .**

B. Public Hearing on Grant of Permanent Easement Agreement and Perpetual Access Easement Agreement to D & T Office, LLC;

1. **Roll Call: Resolution Approving and Authorizing the Grant of Permanent Easement and Perpetual Access Easement to D & T Office;**

Enclosed in your packet information is a Resolution approving a permanent easement and perpetual access easement to D & T Office (Midwest Mechanical). This easement, for the most part, allows for D&T to gain access to their business that crosses the recently removed railroad tracks. **I would recommend approval.**

3. New Business:

A. 2015 Gateway by IGL First Addition Public Improvement Project;

1. **Motion: Retain Dorsey & Whitney as Bond Counsel for Project;**
2. **Motion: Professional Services Contract with Kruse, Cate & Nelson, PC for Engineering Services for Project;**

Staff is recommending that City hire KCN and Dorsey & Whitney for the above referenced Project.

3. **Roll Call: Resolution to provide for a notice of hearing for February 2, 2015, at 6:30 P.M. on proposed plans, specifications, form of contract and estimate of cost for the 2015 Gateway by IGL First Addition Public Improvement Project, and the taking of bids therefor on January 30, 2015;**

Enclosed in your packet information is a Resolution setting a Public Hearing date of February 2, 2015 to approve the proposed plans, specs, form of contract and estimated costs

for the IGL First Addition Public Improvement Project. The bid letting is set for January 30, 2015. **I would recommend approval.**

B. Roll Call: Ordinance Amending Title 9, Chapter 5, Section 2 to Include the Use of “Automotive Sales” as a Special Exception Use in the “CBD” Central Business District, 2nd Filing;

Enclosed in your packet information is an amendment to the ordinance that pertains to the zoning in the “CBD” Central Business District. The amendment, for the most part, adds “Automobile Sales” as a permitted use by special exception. An existing car dealership in the “CBD” District is contemplating reconstruction and expanding their operation in their current location. P&Z met on this item and has recommended approval.

1. Motion: Suspending rules requiring certain ordinances to be placed on file at two meetings prior to the meeting at which it is adopted;

Staff is requesting that the Council suspend the rules to allow an existing car dealership move their project along.

2. Roll Call: Ordinance Amending Title 9, Chapter 5, Section 2 to Include the Use of “Automotive Sales” as a Special Exception Use in the “CBD” Central Business District, Final Filing;

I would recommend approval.

C. Motion: Approve Sponsorship of Business Financial Assistance Application for Simonsen Iron Works;

Enclosed in your packet information is a Business Financial Assistance Application from Simonsen Iron Works to the Iowa Economic Development Authority. These types of applications, as you are aware, require a Sponsor Organization that in most cases is the City. On December 19th, the City was made aware that IEDA approved Simonsen’s application. The next step in the process is to authorize the City to sign the application as the Sponsor Organization. **I would recommend approval.**

D. Motion: Approve Preconstruction Agreement for Preliminary Road Project (US Hwy 71);

Enclosed in your packet information is a Preconstruction Agreement for the Road Project scheduled to take place on US Hwy 71 with the Iowa Department of Transportation. You may recall, a representative from IDOT recently attended a Council Meeting to update you on this project. Primarily the agreement sets out each entities responsibility. **I would recommend approval.**

E. 2015 HGMP West Central Sewer Retrofit Project (FEMA):

Enclosed in your packet information is a letter from KCN describing the project in great detail. You might recall that the City received an approximate \$2,000,000 Hazard Mitigation Grant that covers a good portion of the total cost of the project. When completed, the project will help reduce basement backups as well as eliminate some of the combined sewers in the project area. There is, however, a portion of the project that is not grant eligible that will be paid from Public Works reserves as well as special assessments. The agenda items below are the legal proceedings that are needed for the portion of the project that deals with the costs associated with items being specially assessed. **I would recommend approval of item 1-3 below.**

- 1. Roll Call: Preliminary Resolution pursuant to Section 384.42 of the Iowa Code covering the 2015 HGMP West Central Sewer Retrofit Project;**
- 2. Roll Call: Resolution Approving and Adopting Preliminary Plans and Specifications, Estimate of Cost and Plat and Schedule for 2015 HGMP West Central Sewer Retrofit Project;**
- 3. Motion: Introduce proposed Resolution of Necessity and to set date for Public Hearing Thereon for 2015 HGMP West Central Sewer Retrofit Project;**

F. 2015 PCC Paving Project No. 1 (3rd Ave. East and 4th Ave. East):

The 2015 PCC Paving project, for the most part, consists of the replacement of the existing street pavement and portions of sidewalk on 4th Ave. East from East 14th Street to East 18th Street as well as 3rd Ave. East from East 11th Street to East 13th Street. A portion of these items will be assessed to the benefited property owners. In addition to the items listed above, the project consists of removal of existing pavements, pavement excavation, removal and replacement of portions of driveway approaches required by the street reconstruction, sidewalk ramps in the intersections, replacement of existing storm water inlets, replacement of portions of existing sanitary sewer pipes and manholes under and adjacent to pavements to be replaced, and water main replacement.

The items listed below are the legal proceedings needed to move forward on this project that are related to the special assessments. **I would recommend approval of item 1-3 below.**

- 1. Roll Call: Preliminary Resolution pursuant to Section 384.42 of the Iowa Code covering the 2015 PCC Paving Project No. 1;**
- 2. Roll Call: Resolution Approving and Adopting Preliminary Plans and Specifications, Estimate of Cost and Plat and Schedule for 2015 PCC Paving Project No. 1;**
- 3. Motion: Introduce proposed Resolution of Necessity and to set date for Public Hearing Thereon for 2015 PCC Paving Project No. 1;**

6. City Manager's Report:

7. Mayor's Report:

8. Council/Comm. Reports:

-Finance & Personnel, January 20, 2015, 6:00 P.M.

-Council Photo, February 2, 2015, 6:00 P.M.

-Diversity Training, Feb. 11, 2015, 7:00-9:00 P.M., Muni. Golf Course

9. City Clerk's Report

- Bills and Claims
- Funds Transfers

10. Other Business/Opportunity to Address the Council

11. Adjourn

