

*Note: Some members of the City Council or the Mayor may participate by telephone, per Section 21.8 of the Code of Iowa;*

**SPENCER CITY COUNCIL MEETING  
COUNCIL CHAMBERS, CITY HALL  
March 2, 2015  
Regular Council Meeting  
6:30 o'clock P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

1. Iowa Lakes Corridor Development Corporation Update, Kiley Miller;

**2. Consent Agenda:**

A. Minutes of February 16, 2015;

B. Licenses: Class C Liquor License for Sarg's; subject to final approval by the Iowa Alcoholic Beverages Division;

C. Roll Call: Roll Call: Resolution Acknowledging Receipt of Fiscal Year 2015-2016 Budget of Spencer Municipal Hospital of the City of Spencer, Iowa;

**3. Public Hearings:**

**A. Public Hearing on the Proposed Sale of Lot Four (4) Green Industrial Center First Addition;**

**1. Roll Call: Resolution Approving and Authorizing the Sale of City Property, Lot Four, Green Industrial Center First Addition to Black Hills/Iowa Gas Utility Company, LLC;**

Enclosed in your packet information is a Resolution authorizing the City of Spencer to sell lot 4 of the Green Industrial Center to Black Hills Energy. The purchase price of the lot is \$40,000 for approximately 4 acres. Black Hills Energy is currently leasing a building in town but and will now will replace it with a permanent structure. **Subject to any comments at the public hearing I would recommend approval.**

**B. Public Hearing on Proposed Action to Institute Proceedings to Enter into a Loan and Disbursement Agreement in the Principal Amount Not to Exceed \$4,500,000 (Sewer Revenue);**

1. Roll Call: Roll Call: Resolution taking additional action with respect to a Sewer Revenue Loan and Disbursement Agreement and authorizing, approving and securing the payment of a \$575,000 Sewer Revenue Loan and Disbursement Agreement Anticipation Project Note (IFA Interim Loan and Disbursement Agreement)"

Enclosed in your packet information is the legal proceedings to allow the City to enter into a loan and disbursement agreement for an amount not to exceed \$4,500,000. The loan will be used for improvements to the City's Wastewater Treatment Plant and will be paid out of sewer revenues. This project was discussed during the budget process. **Subject to any comments at the public hearing I would recommend approval.**

**C. Public Hearing on Public Hearing on Proposed Rezoning of Real Property Owners Troy & Jennifer Huisenga Located at 515 6<sup>th</sup> Ave. East, Spencer, Clay County, Iowa (from C-2 Hwy. Commercial to A Residential Zoning) ;**

**Roll Call: An Ordinance Amending the Zoning Classification of Real Property Owned by Troy & Jennifer Huisenga Located at 515 6<sup>th</sup> Ave. East, Spencer, Clay County, Iowa and Amending the Official Zoning Map, 1st Filing;**

1. Enclosed in your packet information is a proposed ordinance amending the Zoning Classification for property located at 515 6<sup>th</sup> Ave. East from C-2 Highway Commercial to A Residential. This property is located next door to the CAASA property that you are scheduled to take action on the final filing (item A under old business). **Subject to comments from the public hearing I would recommend approval.**

**D. Public Hearing on Proposed Zoning Ordinance Text Amendment to the Zoning Code to Revise Regulations Applicable to the Use Classification of Food Processing;**

**1. Roll Call: Ordinance Amending Title 9, Chapter 2, Section 2 (B) (35) of the Spencer City Code (Food Processing), First Filing;**

Enclosed in your packet information is a proposed zoning text amendment to the Zoning Code to revise regulations applicable to the Use Classification of Food Processing. **It is important to point out that the proposed text amendment is not adding any new use category.**

The proposed text amendment is for the most part meant to modify some of the existing bearers to attracting new industry to our community. Currently the ordinance limits the number of employees on the production floor (200), number of companies on the property (1) and maximum square footage of the production floor (30,000). These limitations can potentially be a deterrent to bringing in larger employers who may want to expand their operations sometime in the future.

The proposed ordinance before you calls for the number of employees on the production floor be increased from 200 to 300, the number of businesses utilizing the property from 1 to unlimited and the total square footage of the production floor from 30,000 square feet to 50,000 square feet. P&Z met on this and recommended approval. Subject to comments from the public hearing **I would recommend approval.**

**E. Public Hearing on Public Hearing on Fiscal Year 2015/2016 Budget for City of Spencer;**

**1. Roll Call: A Resolution Adopting the City of Spencer Annual Budget for the Fiscal Year ending June 30, 2016;**

Enclosed in your packet information is a Resolution approving the 2015/16 Fiscal year annual budget. The proposed budget before you calls for the general levy rate to remain the same as the current years levy rate of \$11.99 per thousand dollars of taxable valuation. Enclosed in your packet information is a more detail look at the budget. **I would recommend approval.**

**2. Motion: Approve 5 year Capital Improvement Plan;**

We have enclosed the summary of the 5 year Capital Improvement Plan in your packet information. **I would recommend approval.**

4. **Old Business:**

**A. Roll Call: An Ordinance Amending the Zoning Classification of Real Property Owned by Centers Against Abuse and Sexual Assault Located at 517 6<sup>th</sup> Ave. East, Spencer, Clay County, Iowa and Amending the Official Zoning Map, Final Filing;**

Enclosed in your packet information is an ordinance amending the Zoning Classification of Real Property owned by CAASA that is located at 517 6<sup>th</sup> Ave. East from C-2 Commercial to Residential as well as amending the official zoning map. I believe the building was a church at one time and has since be used as a second hand thrift store. The owner now wishes to have it rezoned as residential.

The P&Z voted to recommend approval. **I would recommend approval of the final filing.**

**B. Roll Call: An Ordinance Amending the Comprehensive Land Use Plan of the City of Spencer and Amending the Zoning Classification of Real Property of the Merrill Company as Described Herein and Amending the Official Zoning Map of the City of Spencer, Iowa, Final Filing;**

Enclosed in your packet information is an ordinance amending the Comprehensive Land Use Plan and the Zoning Classification of Property of the Merrill Company from B Multi-family to C-2 Highway Commercial. The area in question is an approximate 6 acre piece of land that is located at 200 4<sup>th</sup> Street SW.

P&Z held a public hearing on this item and received 2 comments. Representatives from the Merrill Company has since met with those individuals to discuss their concerns which for the most part dealt with providing a buffer from their property. It is my understanding that during that meeting it was determined that the Merrill Company would provide for a 50 foot buffer on the south and west portions of the property. The stipulation for the 50 foot buffer is included in the ordinance before you.

During the hearing, Mr. Peterson, from the Merrill Company, addressed the topic of truck traffic. He indicated that he did not anticipate any more truck traffic being created from their use of this land and that the route of the trucks would continue to utilize 4<sup>th</sup> Street Southwest. According to our City transportation plan this is classified as a minor arterial which we would look for truck traffic to use. It should be noted the Merrill Company has now signed an agreement for a covenant for the property (enclosed in your packet information).

The P&Z voted to recommend approval. **I would recommend approval of the final filing.**

5. **New Business:**

**A. Roll Call: Resolution to Re-Classify Brian Weuve to Deputy City Manager, Finance Officer, effective 7-1-15;**

Enclosed in your packet information is a Resolution reclassifying Brain Weuve form Finance Officer to Deputy Manager/Finance Officer. This new classification is the same as what Donna Fisher was classified at. Brian has been part of our management team for over 3 years new and has proved himself to a great asset to our community. This item was discussed during the budget process. **I would recommend approval of the Resolution effective 7-1-15.**

**B. 2015 PCC Paving Project #1:**

The project which consists of installation of PCC pavement, PCC sidewalks, water main, storm sewer intakes, and sanitary sewer. The location of the project is located along 4<sup>th</sup> Ave East (14<sup>th</sup> Street to 18<sup>th</sup> Street) and 3<sup>rd</sup> Ave. East (11<sup>th</sup> Street to 13<sup>th</sup> Street). The estimated cost for the project including Water Main is \$785,004. The funding for the project is being paid out of Street Reserves, Special Assessments, Storm Sewer Reserves, Sanitary Sewer Reserves as well as SMU (water main expenses).

**1. Review Bids Received 2-27-2015**

The bids for this project were received on Friday. The Engineer will present the results of those bids on Monday night.

The Council will need to take action of item 2 or 3 depending on the results of the bids.

**2. Motion: Table Action Awarding Contract**

**Or**

**3. Roll Call: Resolution Awarding Contract for 2015 PCC Paving Project #1;**

**6. Department Reports –Goals Report**

- A. Public Works
- B. City Attorney
- C. Parks & Recreation
- D. Golf Course
- E. Planning Department
- F. Library
- G. Fire
- H. Police
- I. Finance Director

**7. Engineer's Report**

**8. City Manager's Report:**

**9. Mayor's Report: Opening on Golf Board**

**10. Council/Comm. Reports:**

**11. City Clerk's Report**

- Bills and Claims
- Funds Transfers

**12. Other Business/Opportunity to Address the Council**

**13. Adjourn**

