

**SPENCER CITY COUNCIL MEETING  
COUNCIL CHAMBERS, CITY HALL  
May 4, 2015  
Regular Council Meeting  
6:30 o'clock P.M.**

**1. Roll Call**

**2. Consent Agenda:**

- A. Minutes of April 20, 2015;
- B. Approve Spencer Municipal Band Performance and Funding Agreement for 2015 Season;
- C. Licenses: Class E Liquor License, Class B Wine Permit, Class C Beer Permit and Sunday Sales for **Walgreens**; Class E Liquor License, Class B Wine Permit and Class C Beer Permit for **Fareway**; Class B Beer Permit with Sunday Sales for **Pizza Hut**; Class C Beer Permit with Sunday Sales for **Wessels Crossroads**; Temporary Outdoor Service for Event on July 25, 2015 for **Weasy's** and Transfers for the **Clay County Regional Event Center** for Races in May & June, 2015;
- D. Roll Call: Resolution Authorizing & Directing the Temporary Closing of Portions of East 3<sup>rd</sup> Street in the City of Spencer, as requested by Weasy's Lounge & Grille on July 25, 2015 from 5:00 P.M. to 12:00 A.M.;
- E. Approve Playground Services Contract with the YMCA for the 2015 Season;
- F. Approve Agreement for Spencer Aquatic Center Operation for the 2015 Season;
- G. Approve Purchase of Tasers for Spencer Police Department from Jack's Uniform for \$26,332.75, included in the Capital Improvement Plan;
- H. Approve Electrical Control Plan Upgrade for West 4<sup>th</sup> Street Lift Station from Pixler Electric for \$23,087.00, included in the Capital Improvement Plan;
- I. Roll Call: Resolution Proposing the Vacation of a 5 foot Utility Easement on the North Side and a 4.5 foot Utility Easement on the West Side of Lot 4, Ell-Mor Court Addition to the City of Spencer, Iowa; Setting a Public Hearing for May 18, 2015 at 6:30 P.M. and Directing Publication of Notice;

**3. Public Hearings:**

**A. Public Hearing on Spencer Consolidated Urban Renewal Areas;**

**1. Roll Call: Resolution to Approve Urban Renewal Plan Amendment for the Spencer Consolidated Urban Renewal Areas;**

Enclosed in your packet information is an amendment to the City of Spencer's Urban Renewal Plan. There are two new projects being added the plan amendment. They are as follows:

- 1. **Spencer Development Group, LLC. (Dollar Tree)** - This project calls for the construction of an approximate \$900,000 retail store that is located in front of Menards. The total amount of incremental property taxes to be rebated over a 9-year period is \$220,000.

2. **Green and Yellow, LLC Development (Noteboom)** – This project was previously approved January 19, 2015. Since that time the developer has determined that the estimated costs for the project have risen approximately \$1,400,000 to \$5,900,000. The total maximum amount of incremental property taxes to be rebated back over a 13-year period is \$2,071,000.

Subject to any comments from the Public Hearing, **I would recommend approval.**

**B. Public Hearing on Development Agreement Between the City and Spencer Development Group, LLC;**

1. **Roll Call: Resolution Approving Development Agreement with Spencer Development Group, LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement;**

Enclosed in your packet information is a Development agreement with Spencer Development Group, LLC (Dollar Tree). Based on a project cost of \$900,000, the developer will receive a maximum of \$220,000 of incremental property tax over a 9-year period. This item was previously discussed in a Progress and Development Committee Meeting and recommend for approval. Subject to any comments from the Public Hearing, **I would recommend approval.**

**C. Public Hearing on Amended Development Agreement between the City and Green and Yellow, LLC;**

2. **Roll Call: Resolution Approving Amended Development Agreement with Green & Yellow, LLC, Authorizing Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement;**

Enclosed in your packet information is a Resolution approving a Development Agreement with Green and Yellow, LLC (Noteboom Implement). The agreement calls for a 13 year rebate agreement of incremental property taxes for a total amount of \$2,071,000. The project, which is estimated to be \$5,900,000, will be constructed south of Menards. The project also calls for the developer to extend the water and sewer to their south platted property line within 6 months from the City's request or no longer than two years. In addition the City had requested that the sanitary sewer line be lowered a foot and would reimburse the developer \$3,500 when the sanitary sewer project is completed. **I would recommend approval.**

**D. Public Hearing on Proposed Rezoning of Real Property Owned by IGL Construction, LLC located in the West Half of the NE Quarter of Section 24, Township 96 North, Range 37 West from the current zoning classification of "C-2" Highway Commercial to "A" Residential;**

- A. **Roll Call: An Ordinance Amending the Zoning Classification of Real Property Owned by IGL Construction, LLC, located at the West Half of the NE Quarter of Section 24, Township 96 North, Range 37 West, Clay County, Iowa and Amending the Official Zoning Map, First Filing;**

Enclosed in your packet information is a rezoning request for a portion of property owned by IGL Construction, LLC, from "C-2" Highway Commercial to "A" Residential. This section was inadvertently left out when the City originally rezoned this property. Subject to any comments from the Public Hearing, **I would recommend approval.**

**4. Old Business:**

- A. Roll Call: Ordinance Amending the Zoning Classification of Real Property Owned by Green & Yellow, LLC, Located Adjacent to Highway 71 in Southwest Spencer as Legally Described Herein and Amending the Official Zoning Map (from A Residential to C-2 Highway Commercial), Final Filing;**

Enclosed in your packet information is a proposed ordinance to amend the zoning for Green and Yellow, LLC (Noteboom Implement) from “A” Residential to “C-2” for the approximate 24 acres they recently purchased. **I recommend approval of the final filing.**

**5. New Business**

**6. Department Reports**

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

**7. Engineer’s Report**

**8. City Manager’s Report:**

**9. Mayor’s Report:**

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

**11. City Clerk’s Report**

- Bills and Claims
- Funds Transfers

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

**13. Adjourn**