

## **Public Works Committee**

**Tuesday, September 8, 2015**

**6:00 p.m.**

**Council Chambers, City Hall**

1. Call to Order
2. Discuss Ordinance Change Concerning Requirements for Commercial Tree Trimmer's License and Removal of Trees on Public Property;
3. Discuss Ordinance Change Pertaining to Excavation in Public Utility Easements
4. Adjourn

### **SPENCER CITY COUNCIL MEETING**

**COUNCIL CHAMBERS, CITY HALL**

**Tuesday, September 8, 2015**

**Regular Council Meeting**

**6:30 o'clock P.M.**

1. **ROLL CALL:** Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty
2. **Iowa Lakes Corridor Program, Brian Dalziel, Network Manager**
3. **Consent Agenda:**
  - A. Minutes of August 17, 2015:
  - B. Licenses: 5-day Class C Liquor License for Sacred Heart Church for Fall Festival Event; subject to final approval by Iowa ABD;
  - C. Roll Call: Resolution Approving Official 2014-2015 Fiscal Year Street Finance Report;
  - D. Approve Spencer Residential Tax Abatement Applications from Robert & Mary Heintz for 1512 Kristin Drive and Kelly and Linda Manwarren, 1504 14<sup>th</sup> Ave. West;
  - E. Approve Application for Spencer Main Street Urban Revitalization Plan from Dave & Leann Jacobsen for 500 Grand Avenue;
  - F. Approve Quote from Michaels Fence and Supply for \$5070.52 for Police Impound Relocation Project; (CIP Item)
  - G. Approve Purchase of 12 Computers from Solutions for a total of \$14,768.88; (Technology CIP Item);
  - H. Motion: Approve quote from Hare Painting & Sandblasting for Painting the East Building at the Spencer Police Dept. for \$42,000; (CIP Item);

- I. Approve Off-Street Parking Agreement with Faith Lutheran Church;
- J. Motion: Approve MidAmerican Energy Temporary Construction Easement at the Landfill;
- K. Motion: Approve Amendment to Sharing Agreement with Spencer Community School for School Resource Officer for 2015/16 School Year, to increase the City's Contribution from a maximum of \$10,000 to a maximum of \$12,000;

#### 4. Old Business:

- A. **Roll Call: An Ordinance Amending Title 8, Chapter 4, Section 3 of the Spencer City Code Adopting an Exception to the State Plumbing Code, 2nd filing;**

Enclosed in your packet information is an amended ordinance pertaining to exceptions to the State Plumbing Code. The Spencer Board of Examiners has met and is now recommending that the Plumbing Code be amended to allow for the use of High Density Polyethylene (HPDE) tubing for water services lines from the curb box to the meter. **I would recommend approval of the 2<sup>nd</sup> filing.**

- B. **Roll Call: An Ordinance Changing the Names of "Ash Avenue", "Elm Avenue", and "Oak Avenue" in the City of Spencer, Iowa, 2nd Filing;**

Enclosed in your packet information is an ordinance changing the names of Ash Avenue to 10<sup>th</sup> Ave. SW, Elm Avenue to 9<sup>th</sup> Ave SW, and Oak Avenue to 8<sup>th</sup> Avenue SW. The proposed changes are being brought forward by Public Works to bring the street names in line with the Spencer City Code. Title 5-1D-3 subsection (A) require all streets running north/south shall be known as numbered avenues. Currently there are no U.S. Mail or E-911 addresses established on the platted portions of the above referenced streets. The streets are located north of 25th Street SW. **I would recommend approval of the 2<sup>nd</sup> filing.**

#### 5. New Business:

- A. **Roll Call: Resolution Cancelling Amended Development with Green & Yellow LLC;**

Enclosed in your packet information is the legal proceedings to cancel the Development Agreement with Green & Yellow. This action is needed as the developer has decided to postpone the project until sometime in the near future, thus would not be able to meet the terms of the current agreement. I visited with the owner and he stated that they fully intend to complete the project in the not so distant future. At that time they will need to enter into a new development agreement. **I would recommend approval.**

- B. **Roll Call: Resolution Amending an Option to Purchase Real Estate Granted to Southern Pointe, LLLP;**

Enclosed in your packet information is a Resolution extending the option to purchase property owned by the City to Southern Point LLLP. This is the property that the proposed 30 unit apartment building is scheduled to be constructed on. As you may recall the City pledged to have certain improvements installed. The original option called for the option to be held open until September 15, 2015. In order for them to complete the requirements to secure their

financing, the pledged infrastructure improvements need to be completed. Staff is requesting that the City Council extend the option for the purchasing the land until December 15, 2015. **I would recommend approval.**

**C. Roll Call: Resolution Awarding Contract for 2015 Spencer Southern Pointe Apartments Site Improvements, Grading and PCC Paving Project (DeLoss Construction \$64,857.40);**

Enclosed in your packet information is a Resolution awarding the contract for the 2015 Spencer Southern Point Apartment Site Improvements, Grading and PCC Paving Project to DeLoss Construction for a bid price of \$64,857.40. **I would recommend approval**

**D. Roll Call: Resolution of Commitment to the Clay County Regional Events Center for Fiscal Year 2016-2017 and Thereafter;**

Enclosed in your packet information is a Resolution approving the City of Spencer's commitment to the Clay County Regional Event Center. The commitment calls for a 4 year annual contribution to the Event Center of \$40,000, which is down from \$85,000. The contribution amount can only be used for capital improvements to the Event Center. **I would recommend approval.**

**E. Roll Call: Resolution Approving and Authorizing a Purchase Agreement with Rod Hanson for the Purchase of City Real Property Legally described as Lot 8, Block 4, Second Railroad Addition to the City of Spencer, Clay County, Iowa and Locally known as 612 4<sup>th</sup> Ave. W., Spencer, Iowa;**

Enclosed in your packet information is a Resolution approving the Purchase Agreement for the above referenced property. We have also enclosed the Real Estate Contract which sets out the timelines in which the property is rehabilitated. I would recommend approval.

**F. Roll Call: Ordinance Amending Title 5, Chapter 4, Section 3, Paragraph "B" of the Spencer City Code Concerning Private Columbariums and Interment of Cremains, 1<sup>st</sup> Filing;**

Enclosed in your packet information is an Ordinance pertaining to Private Columbariums and Interment of Cremains. The ordinance for the most part limits the number of cremains in one gravesite or mausoleum space to 2 down from 4. It also clarifies that only the Cemetery Superintendent will have access to the above ground columbarium. **I would recommend approval.**

**G. Motion: Authorize Staff to Solicit Quotes for Recommended Repairs for Grand Avenue Bridge Monuments Stabilization Project;**

Staff is requesting authorization to solicit quotes for the repairs to the Grand Ave. Bridge Monuments Stabilization Project. The City has retained Bolton and Menk to provide the survey needed, for a price not to exceed \$2,000. **I would recommend approval.**

**H. Roll Call: Resolution Expressing Intent to Enter into a Development Agreement and to Provide Economic Development Support to Quality Refrigerated Services Inc.;**

Enclosed in your packet information is a Resolution expressing intent for the City to enter into a Development Agreement with Quality Refrigerated Services (QRS) and to provide Economic Development Support. This action is needed to allow QRS to secure their financing. The total project costs is estimated to be over \$4,000,000. This project was

being negotiated when 13 years of TIF rebate was still available. Since that time the City has moved towards a TIF program that max out at 10 years of rebate for over \$1 million of investment and under that amount is graduated based on the amount. It is staff's intention to start the process of amending the Urban Renewal Plan and setting a hearing for the Development Agreement at your next meeting. **I would recommend approval.**

**I. Motion: Approve Creation of a Tier II Employee in the Park & Recreation Department;**

As you are all aware the Parks Department has added several new amenities to the park system over the last several years without adding additional staff. Staff has struggled to try and keep up with those new additions and it has become apparent that a new support person is needed to help maintain those areas. After meeting with Park Staff, I have determined that we will need to create a Tier 2 position in the Park Department. A Tier 2 position, for the most part, is a part-time employee that works in excess of the Affordable Care Act threshold of 29 hours per week and is eligible for our health insurance. This year round position will be extremely valuable during those times when we run short of part-time employees due to school. **I would recommend approval.**

**6. Department Head Reports:**

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

**7. Engineer's Report:**

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

**9. Mayor's Report:**

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

**11. City Clerk's Report:**

- Bill and Claims
- Funds Transfers

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

**13. Closed Session:** Iowa Code Section 21.5 (c), to discuss strategy in imminent litigation when open discussion might prejudice the City.

**14. Roll Call:** Resolution Proposing the Sale of City Real Property, A Portion of Former Soo Line Railroad Right-of-Way Consisting of Approximately 40,000 Square Feet; Scheduling a Public Hearing for September 21, 2015; and Directing the Publication of Notice;

**15. Adjourn**