

## **Finance & Personnel Committee**

**Monday, September 8, 2015**

**6:00 p.m.**

**Conference Room, City Hall**

1. Call to Order
2. Discuss Addition of Grade 19 Position in the Street Division;
3. Discuss Transfer from Hotel/Motel Fund to Capital Improvement Reserve for Pederson Park Lighting and Trail Project; and Debt Service Transfer regarding REDLG Loan;
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. **Update on Historic Preservation by Sheriffa Jones**
3. **Consent Agenda:**
  - A. Minutes of September 8, 2015:
  - B. Licenses: Class B Native Wine for The Hen House and Class C Liquor License with Sunday Sales for El Parian; subject to final approval by Iowa ABD;
  - C. Approve Sidewalk Construction & Assessment Agreements from Ronald Runkle, 810 E. 8<sup>th</sup> Street and Scott & Terrie Nissen, 209 W. 2<sup>nd</sup> Street;
  - D. Roll Call: Resolution Adopting Final Assessment Schedule for Nuisance Abatement and Confirming and Levying the Assessments (Mowing);
  - E. Roll Call: Resolution Authorizing to Publically Maintain the 18<sup>th</sup> Street Trail in the City of Spencer, Iowa
  - F. Roll Call: Resolution Authorizing Application to the Iowa Federal Recreational Trails Program, Committing to Publically Maintain Said Trail and Committing Local match to the Project (Iowa Great Lakes Trail Connection Project)
  - G. Approve Recommendation of the Compensation Advisory Board to retain current compensation levels for the Mayor and City Council;
  - H. Approve Purchase of Roll-Off Collection Containers for Solid Waste Division from Pro-Tainer for \$9,900, CIP Item:

#### 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, Final 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 final filing.**

**B. Roll Call: An Ordinance Changing the Names of “Ash Avenue”, “Elm Avenue”, and “Oak Avenue” in the City of Spencer, Iowa, Final 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 final filing.**

**C. Roll Call: Ordinance Amending Title 5, Chapter 4, Section 3, Paragraph “B” of the Spencer City Code Concerning Private Columbariums and Interment of Cremains, 2nd 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 of the 2<sup>nd</sup> filing.**

#### 5. Public Hearing:

**A. Public Hearing on Proposed Sale of City Real Property, A Portion of the Former Soo Line Railroad Right of Way Consisting of Approximately 40,000 Square Feet in Area, City of Spencer, Iowa;**

The purpose of the Public Hearing is to allow for public input for the proposed sale of an approximate 40,000 square foot of property located between Graham Tire and Graham Retread Company. This request is coming from Mr. and Mrs. Graham for a purchase price of \$60,000. Their offer also includes the City’s ability to keep its easements and potential utility easements in the future.

The obvious question that comes up is, how would this affect the connection to the Great Lakes Trail? As you may recall, the City retained RDG to study various options on extending the proposed trail north from North Park to the northern city limits. If the City does indeed dispose of this property it still leaves several options.

Please note that the City will only be taking input at this time thus no formal action will be taken at the meeting.

## 6. New Business:

### **A. Roll Call: Resolution Amending the City of Spencer Personnel Policy to Add an Additional Grade 19 Maintenance II Position in the Street Division of the Public Works Department;**

Enclosed in your packet information is a Resolution adding a grade 19 position to the Street Division "Street Maintenance II". The position for the most part operates equipment and performs various skilled tasks. Currently there is an open Grade 18 position that performs more unskilled tasks. Staff is recommending that the Grade 19 position be added with the thought that the Grade 18 position will not be filled. This action will have no effect on the General fund as it will be paid from the City's road use funds. Subject from any comments during the committee meeting, **I would recommend approval.**

### **B. Roll Call: Resolution Authorizing Transfer of Funds**

Enclosed in your packet information is a Resolution authorizing the transfer of funds from the Hotel/Motel Fund to the Capital Improvement Reserve Fund for Pederson Park Lighting (\$100,000) as well as Bike Trails (\$100,000). The Hotel/Motel fund currently has over \$300,000 that are unallocated

The City has adopted a strategy of transferring excess funds when available to help fund future projects. The Park Board has recently had a master plan performed to determine the cost of getting the Pederson Park field lighting updated. The project cost for that project is estimated to be around \$1,000,000. Staff is also requesting that funds be transferred from the Hotel/Motel taxes to the Trail fund. The City is continually applying for grants for its trails and matching monies are always needed. The Resolution also is requesting authorization to transfer funds from the Debt Service Fund for the proper classification of the RDLEG Loan. Subject to any comments from the Committee Meeting, **I would recommend approval.**

### **C. Roll Call: Ordinance Amending title 5, Chapter 5, Sections 13 (5-5-13) and 4 (5-5-4) of the Spencer City Code Concerning Requirements for Commercial Tree Trimmer's License and Removal of Trees on Public Property, 1<sup>st</sup> Filing;**

Enclosed in your packet information is an Ordinance amending the Code requirements pertaining to Tree Removal on Public Property on City Projects. The Ordinance for the most part exempts contractors working for the City in public property to remove trees from the tree trimmer's license requirements. The tree trimmer's license requirement was primarily meant to make sure individuals performing tree trimming were properly trained in trimming and pruning trees.

The Public Works Committee met on this item and voted to recommend approval of the ordinance. **I would recommend approval of the first filing.**

### **D. Roll Call: Ordinance Amending Title 5, Chapter 1 Article B, Section 3 (5-1B-3) of the Spencer City Code Concerning Definitions Pertaining to Excavations, 1<sup>st</sup> Filing;**

Enclosed in your packet information is an Ordinance amending the City Code pertaining to Excavations. The amendment, for the most part, requires individuals be a licensed excavator in the City to be able to excavate in the public utility easement over private property and excavations to install or repair "service lines" or "private treatment systems".

The Public Works Committee met on this item and voted to recommend approval of the ordinance. **I would recommend approval of the first filing.**

**E. Motion: Retain Dorsey & Whitney for legal services for Development Projects (Merrill Company, QRS & Shine Bros. Corp.);**

The City uses the services of Dorsey & Whitney to navigate us through the process of amending our Urban Renewal Plan/District and also with our Development agreement dealings with TIF rebates. They have recently had a change in process in where they want a formal engagement agreement signed when we start a new development agreement. **I would recommend approval.**

**F. Roll Call: Resolution Setting date for public hearing for October 19, 2015 on designation of the expanded Spencer Consolidated Urban Renewal Areas and on urban renewal plan amendment;**

Enclosed in your packet is a Resolution setting a public hearing for October 19<sup>th</sup> on an amendment to our current Urban Renewal Plan. The Amendment includes the addition of four new projects to our plan. The first project includes the addition of new parcels of land for the Merrill Company and also includes their project of expanding the warehouse and office space. The second project is the construction of four new buildings at Shine Brothers facility. The third project is the addition of warehousing space at QRS. The last project is actually amending a project currently in the Plan. As you are aware, the City added the ability to utilize TIF for the construction of the trail going north. In the previous plan, we allocated up to \$250,000 of TIF for this project. Based on current discussions, we will be raising the amount of TIF that could be used up to \$1.5 million. By doing so, this gives us the authority to utilize this amount of TIF, but does not obligate us to use it all or any of it. **I would recommend approval.**

**G. Roll Call: Resolution setting a date of meeting at which it is proposed to approve a Development Agreement with Shine Bros. Corp., including annual appropriation tax increment payments (October 19, 2015);**

Enclosed in your packet is a Resolution setting a public hearing for October 19<sup>th</sup> on a Development Agreement with Shine Brothers, Inc. The Agreement will call for the construction of 4 new buildings (3 of which have already been constructed, 4<sup>th</sup> is in progress). The Agreement will call for a 10 year rebate of their taxes, minus any legal fees that the City incurs, and subject to an annual appropriation by the City Council. The annual appropriation clause has become standard in our agreements as it allows the City to not count future tax payments against our overall debt capacity. **I would recommend approval.**

**H. Motion: Approve Agreement with Beck Engineering for 2015-16 Deerfield Park Enhancement Project – Phase 3;**

The Park Board has given its approval for the agreement to utilize Beck Engineering to design certain improvements in Deerfield Park. These include the installation of a new shelter house, a plaza area and basketball court area. Staff has been working with Beck to reduce the original price of the fees and are comfortable with the amount now contained in the contract. **I would recommend approval.**

**I. Motion: Approve Engineering Agreement with Kruse, Cate & Nelson for 2015 South Spencer Storm Sewer Project;**

The City needs to formalize our agreement with Kruse, Cate and Nelson for their work on the 2015 Spencer Storm Sewer Project. This would include the work being done under the grant from the SRF Loan and that we have been working on over the summer. **I would recommend approval.**

**J. Motion: Approve Engineering Agreement with Kruse, Cate & Nelson for 2016 4<sup>th</sup> Avenue West Sewer Separation Project;**

In the City's CIP, we have identified the next phase of the sewer separation projects and that project will be to continue to go north on 4<sup>th</sup> Avenue West, starting where our last project ended just south of the RR tracks at E 7<sup>th</sup> Street. This project will extend all the way to W 18<sup>th</sup> Street and cover a large area of our separation plan. The project is slated for construction in calendar year 2017. This agreement will allow Kruse, Cate & Nelson to start the design of this project. **I would recommend approval.**

**K. Roll Call: Resolution Approving Contract and Bond for 2015 Spencer Southern Pointe Apartments Site Improvements Grading & PCC Project with DeLoss Construction;**

Enclosed in your packet is a Resolution to approve the contract with DeLoss Construction for the 2015 Southern Pointe Apartments project. The Council awarded the project at your last meeting and this action will approve the contract. As you may recall, this is the site work for the CHI Project and needs to be completed prior to the City transferring the land to CHI. **I would recommend approval.**

**L. Motion: Approve Change Order on 2015 Gateway by IGL First Addition Public Improvement Project to allow for 6-Year Escrow Account of \$2,728.50 for Concrete;**

Enclosed in your packet is a Change Order for the 2015 Gateway by IGL Improvement Project. Concrete delivered to the site and incorporated into the work did not meet project specifications. The concrete supplier has proposed an extended warranty for 6 years in lieu of replacement. To insure that adequate funds are available to achieve the replacement, should the concrete fail within the 6-year period, an amount equal to 150% of the cost to remove and replace the pavement in question will be held in an escrow account. At the end of the warranty period the remaining balance and interest shall be released to the contractor. **I would recommend approval.**

**M. Roll Call: Resolution Accepting Work on 2015 Gateway by IGL First Addition Public Improvement Project (Assessment Project );**

With the approval of the Change Order, the Project is now ready for acceptance by the City as the work has been completed. Enclosed in your packet is the letter from the Engineer recommending his approval of the project. **I would recommend approval.**

**7. Engineer's Report:**

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

**9. Mayor's Report: Motion to appointment Nate Prenzlow to the Spencer Cares Committee**

**10. Council/Comm. Reports: Public Safety Committee, 9-28-2015, 5:30 P.M.**

**11. City Clerk's Report**

**- Bills and Claims**

**- Funds Transfers**

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

**13. Adjourn**