

**SPENCER CITY COUNCIL MEETING  
COUNCIL CHAMBERS, CITY HALL  
Monday, February 15, 2016  
Regular Council Meeting  
6:30 o'clock P.M.**

**1. ROLL CALL:** Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty

**2. Consent Agenda:**

- A. Minutes of February 1, 2016;
- B. Licenses: Ownership Update for Walgreens #1153;
- C. Roll Call: Resolution Adopting a Final Assessment Schedule for Snow Removal Costs and Confirming and Levying the Assessments;
- D. Motion: Set Public Hearing for City of Spencer Budget and Capital Improvement Plan for Fiscal Year 2016/2017;
- E. Roll Call: Resolution setting a date of meeting at which it is proposed to approve a Development Agreement with William J. Muller Revocable Trust including annual appropriation tax increment payments, Public Hearing date is March 7, 2016, 6:30 P.M.;
- F. Roll Call: Resolution setting a date of meeting at which it is proposed to approve a Development Agreement with Spencer Ag Center, LLC, including annual appropriation tax increment payments, Public Hearing date is March 7, 2016, 6:30 P.M.;
- G. Roll Call: Resolution to fix of meeting at which it is proposed to approve and authorize the sale of real property for redevelopment (March 7, 2016);
- H. Motion: Approve Quote from Alex Apparatus, Inc. for \$40,000 for Upgrading Extrication Equipment for Fire Department, CIP Item;
- I. Motion: Approve Sewer Refund for Jacobsen Homes Corp. at 221 32<sup>nd</sup> Avenue West for \$666.86;
- J. Roll Call: Resolution to fix a date for a public hearing on proposal to enter into a General Obligation Street Improvement Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$350,000;

**3. Public Hearings;**

**A. Public Hearing on Proposed Zoning Ordinance Text Amendment to Amend Provisions of Title 9-3-3D and 9-4A-3D to Provide for Maintenance of Historic Front Yard Setback Distances for Residential Properties Abutting North Grand Avenue;**

**1. Roll Call: An Ordinance Amending Title 9, Chapter 3, Section 3 (D) and Title 9, Chapter 4A Section 3 (D) to Provide for Maintenance of Historic Front Yard Setback Distances for Residential Properties Abutting North Grand Avenue, 1<sup>st</sup> Filing;**

The City had recently received a request from individuals located in the North Grand Avenue Residential Historical District to reestablish a 75-foot front yard setback in the Historic District. The District for the most part are the residential houses on Grand Ave. north of 11<sup>th</sup> Street and south of 18<sup>th</sup> Street. The proposed setback was originally established and maintained for the area. However over time the setbacks have been rendered ineffective and no longer enforceable. The City was approached by individuals from the area to make said setbacks permanent. The Planning and Zoning Commission met on this item and voted to recommend approval to the City Council. A copy of the ordinance is enclosed in your packet information. **Subject to any comments from the Public Hearing, I would recommend approval of the 1<sup>st</sup> filing of the ordinance.**

**B. Public Hearing on Proposed Text Amendment to Amend Title 9-9-2A to Permit “Indoor Sports and Recreation” as a Special Exception Use in the “E” Heavy Industrial Zoning District;**

**1. Roll Call: An Ordinance Amending Title 9, Chapter 9, Section 2A of the Spencer City Code to Permit “Indoor Sports and Recreation” as a Special Exception Use in the “E” Heavy Industrial Zoning District, 1<sup>st</sup> Filing;**

The City has recently been approached by a couple of different individuals to be allowed to put up an “Indoor Sports and Recreation” building in an “E” Heavy Industrial Zoning District. The current zoning does not allow for such of facility. The Planning and Zoning Commission met on this item and voted to recommend approval to allow this type of use by exception. A copy of the ordinance is enclosed in your packet information. **Subject to any comments from the Public Hearing, I would recommend approval of the 1<sup>st</sup> filing of the ordinance.**

**4. New Business:**

**A. Roll Call: An Ordinance to Update the Schedule of Street and Sidewalk Grades, 1<sup>st</sup> Filing;**

Enclosed in your packet information is an ordinance to update the schedule of Street and Sidewalk Grades. This ordinance is required to be updated per our City Code. **I would recommend approval of the 1<sup>st</sup> filing.**

**B. Roll Call: An Ordinance Amending Title 7, Chapter 11 of the Spencer City Code Concerning Snowmobiles, 1<sup>st</sup> Filing;**

As you may recall as we were evaluating how to move forward with the ATV ordinance the City Attorney made reference that we need to review our snowmobile ordinance as well. We have enclosed in your packet information an amendment to our snowmobile ordinance. The proposed changes are as follows:

**7-11-1: - Definition** – For the most part the definition sets out in this section that the term “snowmobile” does not include an all-terrain vehicle.

**7-11-2E:** - This area sets out the Iowa code sections that pertains to registering snowmobiles.

**7-11-3 subsection C** – This amendment repeals subsection C and replaces it with Subsection D. This removes authorization for operation of snowmobiles over the Little Sioux River Grand Ave. Bridge.

**I would recommend approval of the 1<sup>st</sup> filing.**

**C. Roll Call: Resolution Approving a Contract and Performance and/or Payment Bond with DeLoss Construction for the 2016 Fairway Woods Second Addition PCC Paving Project ;**

Enclosed in your packet information is a Resolution approving the Contract and Bond for the 2016 Fairway Woods Second Addition PCC Paving Project with DeLoss Construction. The project was awarded at our last Council meeting for a bid price of \$240,481.06. **I would recommend approval.**

**D. Roll Call: Ordinance Amending Title 2, Chapter 14 to Establish a Quorum of the Plumbers Examining Board, 1<sup>st</sup> Filing;**

Enclosed in your packet information is an amended Ordinance to establish what constitutes a quorum of the Plumbers Examining Board. The current ordinance does not officially set out what number represent a quorum. The amended ordinance will set out that it would need a minimum of 2 members of the 3 must be present at the meeting to be able to transact business. **Staff looks at this as a housekeeping item and would recommend approval of the 1<sup>st</sup> filing.** If there is no objection staff would look to take up the last 2 filings at the first meeting in March.

**5. Engineer’s Report:**

**6. City Manager’s Report:**

- 7. Mayor’s Report:**
- NW Iowa League Meeting 2/18/16 at Spencer
  - Appointment of Tiffany Andreasen to Spencer Cares Committee

**8. Council/Comm. Reports:**

**9. City Clerk’s Report**

- Bills and Claims
- Funds Transfers

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

**11. Adjourn**