

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

1. **ROLL CALL:** Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty
2. Nuisance Hearing by Roger Rouse, 303 E. 8th Street;
3. **Consent Agenda;**
 - A. Minutes of May 16, 2016;
 - B. Licenses: New Class C Beer/Wine License with Sunday Sales for **Chens Garden**; Class C Beer Permit with Sunday Sales for **Hy-Vee Gas**; Class E Liquor, Class B Wine, Class C Beer and Sunday Sales for **Wal Mart**; Class C Liquor, Brew Pub and Catering Privilege and Sunday Sales for **Plueger, Inc.**; and Class C Liquor, Sunday Sales and Outdoor Service for **Clay County Fair**, all subject to final approval by the Iowa Alcoholic Beverages Division;
 - C. Motion: Approve Spencer Municipal Band Performance and Funding Agreement for 2016 Season;
 - D. Motion: Approve Sidewalk Construction and Assessment Agreement with Joshua Werts, 210 East 5th Street;
 - E. Motion: Authorize purchase of pick-up for Solid Waste Division from Don Pierson Ford for \$29,944.00 (from CIP Plan);
 - F. Motion: Approve Sharing Agreement with Spencer Community School for School Resource Officer for 2016-17 School Year, not to exceed \$12,000.00;
 - G. Motion: Approve Submission of Hazard Mitigation Grant Application for 6 Emergency Lift Station Generators;

3. New Business:

- A. **Motion: Approve Communications Center/Police Department Heat Pump Replacement Project with Hansen's Plumbing and Heating (City Share \$3,313.75 from Comm. Center Reserve, and \$7,127.50 from Police Reserve, less rebates)**

Enclosed in your packet information is a memo from the Police Chief detailing the three Heat Pumps that are being requested to purchase. Heat Pump #1 is specifically for the Communication Center. Heat Pump #2 serves equally portions of both the Communication Center as well as the Police Department. The Communications Center Board met these two items and voted to recommend approval. The City of Spencer and Clay County share 50/50 on costs associated with the Communication Center. The Police Departments share of Heat Pump #2 will come out of the Police Department Reserve. Heat Pump #3 is Police Department only and was included in the CIP. This item will be paid out of the Police Reserve. **I would recommend approval.**

B. Motion: Approve Real Estate Contract with Jon Hjelm for purchase of 16.957 acres near the Solid Waste Transfer Station for \$101,742.00;

Enclosed in your packet information is a Real Estate Contract with Jon Hjelm for purchase of 16.957 acres north of the Solid Waste Transfer Station for a purchase price of \$101,742.00 (\$6,000.00 per acre). This area will be used for future expansion to the Transfer Station. The purchase will be paid from an internal loan from the Landfill. This item was discussed at a Public Works Committee Meeting and was recommended for approval. **I would recommend approval.**

C. Motion: Approve Real Property Use and Exchange Agreement with Foresight AG, LLC;

Enclosed in your packet information is a Real Property Use and Exchange Agreement with Foresight AG, LLC. Foresight AG, recently purchased an area of land directly north of Shoeneman Lumber on Highway Blvd. The agreement for the most part sets out at that at such time the land is platted or earlier, upon the request of the City or Foresight Ag, Foresight agrees to dedicate and convey to the City, the North Sixty-six (66) feet of Parcel B for use and development by the City as a public street and trail right-of-way, without cost to the City. In consideration of the dedication, the City agrees to convey to Foresight the East forty (40) feet of former railroad right-of-way which lies adjacent to Parcel B. The agreement also sets that any trail to be construction over the North Sixty-six (66) feet of Parcel B shall be constructed as near to the north boundary as reasonably possible. The City also agrees that Foresight will not be required to construct any additional sanitary sewer to serve Parcel B in connection with the Platting of Parcel B. This being agreed to by the City as an existing sanitary sewer main has already been constructed along the East boundary of Parcel B. Lastly, in the event that the City obtains additional property for street right-of-way immediately north of Parcel B, the City will convey the south Thirty-three (33) feet back to the then titleholder of Parcel B. I want to personally thank Foresight Ag, for their commitment to the community. **I would recommend approval.**

D. Motion: Approve Lease with Jacobsen Homes Corp. for Property North of the Little Sioux River;

Enclosed in your packet information is a lease agreement with Jacobsen Homes Corp. for the property directly behind "Gary's on the River" as well as a City owned residential lot that is used to allow vehicles to drive down to the above referenced property. This lease is similar in nature to the previous lease we had entered into with them. **I would recommend approval.**

E. Roll Call: Resolution to Request the Assistance of the Staff of the Northwest Iowa Planning and Development Commission for Administration of 4th Avenue Storm Water & Sewer Separation Improvements CDBG Grant;

Enclosed in your packet information is a Resolution requesting assistance from Northwest Iowa Planning and Development Commission for the administration of the 4th Ave. Storm Water & Separation Improvement Project CDBG Grant. You may recall the City was just recently awarded a \$600,000.00 grant for the project. The cost for this service is \$22,500.00, which is paid out of the grant proceeds. **I would recommend approval.**

F. Motion: Approve Amendment Number One to Professional Services Contract with Kruse, Cate & Nelson, PC for West Central Sewer Retrofit Project (FEMA HMPG #DR-1998-21-01) for a total not to exceed \$42,500;

Enclosed in your packet information is an Amendment to Professional Services Contract for the West Central Sewer Retrofit Project with Kruse, Cate & Nelson. The amendment adds \$42,500.00 to the contract for a total not to exceed costs for Engineering Services of \$230,660.00. The City's portion of the cost for the change order is \$6,375.00. The balance of the costs will come from a grant from the Federal and State. This item was previously discussed at a Public Works Committee Meeting. **I would recommend approval.**

4. Department Head Reports:

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

5. Engineer's Report:

6. City Manager's Report: Bill Muller, Economic Development Projects

7. Mayor's Report:

8. Council/Comm. Reports:

9. City Clerk's Report:

- Bill and Claims
- Funds Transfers

10. Other Business/Opportunity to Address the Council

11. Adjourn