

**Committee of the Whole  
Monday, August 15, 2016  
5:45 o'clock P.M.  
Council Chambers, City Hall**

**AGENDA**

**1. Call to Order**

**2. Discuss Sidewalk Program**

A representative of Precision Concrete Cutting will be on hand to present the results of their phase 1 sidewalk inspection. They identified sidewalks that were not in compliance with the City's sidewalk standards as well as areas that were in need of infill. As discussed during my report at the last council meeting, Precision's specialty is to saw cut sidewalks that have shifted thus creating a trip hazard. Their company has perfected the process of saw cutting sidewalks of a certain height back into compliance of ADA standards.

They will also be doing a demonstration on a sidewalk just outside of City Hall.

**3. Adjourn**

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

**1. Pledge of Allegiance**

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

**3. Consent Agenda;**

A. Minutes of August 1, 2016

B. Licenses: Class C Beer Permit and Sunday Sales for Tienda y Carniceria La Morenita at 205 11<sup>th</sup> St. S.E.; and Temporary Outdoor Service Area Extension for 5:13 for event August 27, 2016;

C. Roll Call: Resolution to fix a date for a public hearing on a proposal to enter into a Sewer Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$4,100,000 (Public Hearing: September 19, 2016, 6:30 P.M.);

D. Roll Call: Resolution Approving Official 2015-2016 Fiscal Year Street Finance Report;

- E. Roll Call: Resolution Authorizing and Directing the Temporary Closing of Portions of City Street (West 5<sup>th</sup> Street) in the City of Spencer, as Requested by Spencer Main Street on August 25, 2016;
- F. Roll Call: Resolution Authorizing and Directing the Temporary Closing of Portions of City Street (East 5<sup>th</sup> Street) in the City of Spencer, as Requested by Season Center on September 29, 2016;
- G. Roll Call: Adopting Final Assessment Schedule for Nuisance Abatement and Confirming and Levying the Assessments (Mowing);
- H. Motion: Approve 4 Subcontractors for the Wastewater System Improvements, Waste Treatment Plant Rehabilitation, Phase I Project, as follows: **Rock Solid Masonry** of Spirit Lake, Iowa; **Champion Coatings** of Savage, Minnesota; **Holstein Electric** of Holstein, Iowa; and **Southern Minnesota Urethanes** of Caledonia, Minnesota;

#### 4. Old Business

##### A. **Roll Call: An Ordinance Amending Title 7, Chapter 10 of the Spencer City Code Concerning the Operation of Golf Carts on City Streets, Final Filing;**

Enclosed in your packet information is an amended Ordinance concerning Golf Carts on City Streets. As you are aware this ordinance was put in place to allow individuals to operate a Golf Cart on certain designated streets within the City, that are near both the Spencer Golf and Country Club and Spencer Municipal Golf Course. The Ordinance also sets out the hours of operation that the carts can be on the streets, type of safety equipment that needs to be on the cart, carts primarily can only be used to transport Golfers and golf clubs to and from the golf course and individuals must be at least 16 and have a valid driver's license.

The purpose of the amendment is to address the added Residential Subdivisions that have been recently added near the Golf Courses. The revised designated streets that can be driven on by Golf carts are as follows:

**Section 1.** Title 7, Chapter 10, Section 6 of the Spencer City Code is hereby amended by repealing existing subsection 7-10-6(A) (2) and by adopting the following new subsection, (A) 2.

"7-10-6(A) 2: The South property line of West 18<sup>th</sup> Street from Country Club Lane to 18<sup>th</sup> Ave. West shall constitute the North line of the boundary; except, that golf carts may cross West 18<sup>th</sup> Street at its intersections with 21<sup>st</sup>, 22<sup>nd</sup>, 23<sup>rd</sup> and 24<sup>th</sup> Avenues West, and golf carts may be operated on said avenues north of West 18<sup>th</sup> Street."

**Section 2.** Title 7, Chapter 10, Section 6 of the Spencer City Code is hereby amended by repealing existing subsection 6(B) (1) and by adopting the following new replacement subsection, (B) 1.

"7-10-6(B) 1: On city Streets in the vicinity of the Spencer Municipal Golf Course in the area contained in the following boundaries:

1. The west line of 4<sup>th</sup> Avenue SW from 12<sup>th</sup> Street SW to 25<sup>th</sup> Street SW, except that golf carts may cross 4<sup>th</sup> Avenue SW at its intersection with 13<sup>th</sup> Street SW, and may be operated on said 13<sup>th</sup> Street SW to the west line of 8<sup>th</sup> Avenue SW, and those streets south of 13<sup>th</sup> Street SW within the Gateway by IGL First Addition.
2. The north property line of 12<sup>th</sup> Street SW from 4<sup>th</sup> Ave SW to the west line of 2<sup>nd</sup> Avenue SE shall constitute the north line of the boundary.
3. The west line of 2<sup>nd</sup> Avenue SE from the extension of the north line of 12<sup>th</sup> Street SW to the north line of 25<sup>th</sup> Street SE shall constitute the east line of the boundary.
4. The north line of 25<sup>th</sup> Street SE and 25<sup>th</sup> Street SW from 2<sup>nd</sup> Avenue SE to the west line of 4<sup>th</sup> Avenue SW shall constitute the south line of the boundary."

**I would recommend approval of the final filing.**

## **5. New Business:**

### **A. Roll Call: Resolution Approving Contract & Bond with Sioux Commercial Sweeping, Inc., for 2016 HMA Crack & PCC Joint Sealing Project for \$97,606.40;**

Enclosed in your packet information is a Resolution approving the Contract and Bond with Sioux Commercial Sweeping, Inc., for the 2016 HMA Crack & PCC Joint Sealing Project for a bid price of \$97,606.40. **I would recommend approval.**

### **B. Roll Call: Resolution Awarding Contract for 2016 Sanitary Sewer Rehabilitation Project to Municipal Pipe Tool Co., LLC of Hudson, Iowa for \$53,340.00; (Quotes received at City Hall 8/5/2016)**

Enclosed in your packet information is a Resolution awarding a contract to Municipal Pipe Tool Co. for the 2016 Sanitary Sewer Rehabilitation Project for a bid price of \$53,340.00. **I would recommend approval.**

### **C. Roll Call: Resolution Approving Contract & Bond for 2016 Sanitary Sewer Rehabilitation Project with Muni. Pipe Tool, Co., LLC for \$53,340.00;**

Enclosed in your packet information is a Resolution approving the Contract and Bond from Municipal Pipe and Tool Co., for the 2016 Sanitary Sewer Rehabilitation Project. Subject to receiving the proper paper work **I would recommend approval.**

### **D. Motion: Authorize Riverfront Committee to negotiate contract with consultant for Spencer Riverfront Master Plan Project for up to \$50,000;**

As you may recall the Council at its last Goal Setting session prioritized continuing to improve our Riverfront District. It was determined by the committee that the next logical step in reaching that goal was to retain a consultant to help develop a master plan. The

committee has been interviewing consultants and is now requesting authorization to negotiate a contract for a not to exceed price of \$50,000.00. Once the negotiations are complete the contract will come to the council for approval. **I would recommend approval.**

**E. Roll Call: Resolution to Award Contract for 2016 Sidewalk Grinding Project to Precision Concrete Cutting for sidewalk saw cutting services.**

Depending on the discussion and results of Precision's sidewalk inspection (Presented at the Committee of the Whole), staff will be making a recommendation to award a contract to them to perform sidewalk saw cutting services for the sidewalks identified as defective during their inspection of phase . The contract amount will determined after the discussion with the Contractor.

**F. Motion: Approve Preliminary Plat for Orwig's First Addition, as recommended the Planning & Zoning Commission;**

Enclosed in your packet is information related to the Orwig First Addition to the City of Spencer. Mr. Orwig has acquired land at the south end of 12<sup>th</sup> Ave SE and wants to build additional housing. He intends to connect the lots to sewer, which will require annexation into the City. Planning and Zoning has approved the Preliminary Plat that is before you. **Recommend Approval.**

**6. Engineer's Report:**

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

**8. Mayor's Report:** Motion: Appointment of Chris Tostenrud to Spencer Municipal Utilities Board, term expires 6-30-2022;

**9. Council/Comm. Reports:**

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

- Bill and Claims
- Funds Transfers

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

**12. Adjourn**