

SPENCER CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL
December 5, 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. Approve Minutes of November 21, 2016;
- B. Licenses: Approve Class C Liquor License with Sunday Sales for Plaza Mexico Mexican Restaurant, subject to final approval by Iowa Alcoholic Beverages Division;
- C. Motion: Approve Sidewalk Construction and Assessment Agreements for **Karlon Glau** at 902 West 4th Street; **Diane Johnson** at 210 East 16th Street; **Gary Clausen** at 1620 1st Avenue West; **Matthew Herke** at 722 East 5th Street and **Edward and Julie Kinsley** at 722 West 5th Street;
- D. Roll Call: Resolution Adopting a Final Assessment Schedule for the City of Spencer 2016 Sidewalk Construction Project and Confirming and Levying the Assessments; (Sidewalk Construction and Assessment Program);
- E. Motion: Approve Amendment and Extension to Household Hazardous Waste Regional Collection Center Satellite Agreement with Palo Alto County (continues indefinitely until terminated by agreement of the parties);
- F. Roll Call: Resolution Acknowledging Receipt of Calendar Year 2016 Budget Amendment and Calendar Year 2017 Budget for Spencer Municipal Utilities of the City of Spencer, Iowa;
- G. Motion: Approve Purchase of 2017 Ford Utility Police Interceptor AWD from Don Pierson Ford for \$29,293.00 for Police Department (included in CIP Plan);
- H. Motion: Approve Contract Amendment to Iowa Economic Development High Quality Jobs Grant for Shine Bros. Corp., for a one year extension;

4. Public Hearing:

- A. **Public Hearing on Proposed Transfer of City Real Property to the State of Iowa, for the Use and Benefit of the Iowa Department of Transportation;**
 - 1. Roll Call: Resolution Approving the Transfer of City Real Property to the State of Iowa, for the Use and Benefit of the Iowa Department of Transportation, Without Monetary Consideration, for Public Purposes as Highway Right-of-Way;**

Enclosed in your packet information is a Resolution approving the transfer of a parcel of land owned by the City to the State of Iowa for the use and benefit of IDOT. The land in question, is located on the Northeast side of the Grand Ave. Bridge. The area for the most part, is located in the West 14 feet of the North one half of lot 5. This transaction, if approved, will allow IDOT the amount of land needed for right of way purposes. **I would recommend approval.**

On a side note, the remainder of the parcel could then be used by the Sanvig's for a way finding type of sign for their business.

5. New Business:

A. 2016 Application for CDBG Owner Occupied Rehabilitation Project:

1. Roll Call: Resolution Authorizing Application to the Housing Fund Grant Program, Committing Local Match to the Project, and Designating Persons Authorized to Execute Said Application;

Enclosed in your packet information is a Resolution authorizing the City to submit an application to the Housing Fund Grant Program for a CDBG grant. As part of this resolution, the City authorizes the Mayor and City Clerk to sign and execute the application. The City also pledges \$20,000 in local funding to support this rehabilitation project. If successful, the grant funds would be used to help individuals with an owner occupied single family home rehab their house. The Planning Department has been working diligently with Northwest Planning to identify areas that meet the criteria. **I would recommend approval.**

2. Motion: Action to Set Public Hearing on Housing Fund Grant Application to the Iowa Economic Development Authority for December 19, 2016, at 6:30 P.M., Council Chambers, City Hall;

In order to move forward on this grant application, the City needs to set a Public Hearing Date (December 19, 2016 at 6:30). **I would recommend approval.**

3. Motion: Action to Adopt Spencer Community Development & Housing Needs Assessment;

Enclosed in your packet information is a Spencer Development and Housing Needs Assessment that is required for this grant. **I would recommend approval.**

B. Motion: Approve Amendment to Agreement for Professional Services for North Park Trail Connection with Bolton and Menk, Inc., for an additional \$3,500 for Easement Services;

Enclosed in your packet information is amendment with Bolton and Menk, Inc. for Professional Services on the North Park Trail Connection. The amendment for the most part is for services related to easements. **I would recommend approval.**

- C. **Roll Call: An Ordinance Providing for the Crediting and Distribution of Increased Local Option Sales and Services Tax Revenues Attributable to Certain Retail Establishments in the Local Option Tax District for the Spencer Consolidated Urban Renewal Areas, Pursuant to Sections 423B.7, 423B.10 and 403.19 of the Code of Iowa, 1st Filing;**

This Ordinance establishes a Sales Tax TIF district. By creating a Sales Tax District in this area, we will be able to capture the 1 cent Local Option Tax and use it for a potential incentive to bring in another business. As per the State Code, we met with the Clay County Board of Supervisors on this item. The Board voted to unanimously to support our efforts. **I would recommend approval.**

- D. **Roll Call: Resolution Approving Contract for 2016 11th Street S.E. Culvert Removal Project with BD Construction Services, LLC for \$10,800;**

Enclosed in your packet information is a Resolution Approving a Contract with BD Construction Services for the 2016 11th Street Culvert Removal Contract that was awarded last council meeting. **I would recommend approval.**

- E. **Motion: Approving Change Order #3 to 2015 HMGP West Central Sewer Retrofit Project with Vander Pol Excavating, LLC, for an increase of \$62,960.12;**

Enclosed in your packet information is Change Order #3 with Vender Pol Excavating for the 2015 HMGP West Central Sewer Retrofit Project for \$86,460.12 less the liquidated damages of \$23,500.00 for a net amount of \$62,960.12. It is also important to point that the HMGP Grant covers 85% of the cost of this change order. **I would recommend approval.**

- F. **Roll Call: Resolution Accepting Work Covering the 2015 HMGP West Central Sewer Retrofit Project (Including 5-year Supplemental Maintenance Bond for the new street pavement on 5th Avenue West);**

Enclosed in your packet information is a Resolution accepting the work for the 2015 HMGP West Central Sewer Retrofit Project along with a letter from our Engineer certifying the project has been substantially completed. The amount due the Contractor has been reduced by \$23,500.00 for liquidated damages as provided by the contract. The Contractor has also provided a 5-year supplemental maintenance bond for the new pavement on 5th Ave. West. There was an issue with the concrete materials and placement that may make it susceptible to premature deterioration. **I would recommend approval.**

- G. **Roll Call: Resolution Accepting Work Covering the 2015 PCC Paving Project #1;**

Enclosed in your packet information is a Resolution accepting the work for the 2015 PCC Paving Project #1 with Vander Pol Excavation along with a letter from our Engineer certifying the project has been substantially completed. The amount due the Contractor has been reduced by \$3,200.00 for liquidated damages as provided by the contract. **I would recommend approval.**

6. Department Head Reports

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

7. Engineer's Report:

8. City Manager's Report:

9. Mayor's Report:

- A. Announce openings on Library Board and Electrical Board ;
- B. Motion: Approve Appointment of Donavon Wunschel to Planning & Zoning Commission to replace Dean Jacobsen, term expires 6/30/2018;
- C. Motion: Approve Appointment of Dawn Dahm to Collection Rate Review Board to replace Anita Jorgenson, term expires 6/30/2020;

- 10. Council/Comm. Reports:** Committee of the Whole for CIP, 12/7/16, 6:00 P.M.
Committee of the Whole for Budget, 1/3/17, 5:45 P.M.
P.W. Committee for Budget, 1/9/17, 6:00 P.M.
Public Safety and Prog. & Dev. for Budget, 1/23/17, 6:00 P.M.
Finance & Personnel for Budget, 1/30/17, 6:00 P.M.

11. City Clerk's Report:

- Bill and Claims
- Funds Transfers

12. Other Business/Opportunity to Address the Council

13. Adjourn