

**SPENCER CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL
FEBRUARY 20, 2017
REGULAR COUNCIL MEETING
6:30 o'clock P.M.**

1. Pledge of Allegiance

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

3. Consent Agenda:

- A. Motion: Approve Minutes of February 6, 2017;
- B. Motion: Approve 9 month Class C Liquor License with Sunday Sales and Outdoor Service for Spencer Municipal Golf Course, subject to final approval by Iowa Alcoholic Beverages Division;
- C. Roll Call: Resolution Authorizing and Directing the Temporary Closing of Portions of City Streets for the 2017 Flagfest Celebration;
- D. Roll Call: Resolution Adopting a Final Assessment Schedule for Snow Removal Costs and Confirming and Levying the Assessments;
- E. Roll Call: Resolution Adopting a Final Assessment Schedule for Nuisance Abatement and Confirming and Levying the Assessments (Tree Trimming);
- F. Roll Call: Resolution Adopting Final Assessment Schedule for Nuisance Abatement and Confirming and Levying the Assessments (Fall, 2016 Mowing);
- G. Roll Call: Resolution Setting the Date for Public Hearings on Proposals to Enter into General Obligation Loan Agreements and to Borrow Money Thereunder, 3/20/2017, 6:30 o'clock P.M.;
- H. Motion Approve Shield Agreement with Northwest Iowa Planning & Development Commission for July 1, 2017 through June 30, 2018;
- I. Motion: Setting Public Hearing for City of Spencer Budget and Capital Improvement Plan for Fiscal Year 2017/2018;
- J. Motion: Approve Certificate of Completion and Final Acceptance of Agreement Work for Safe Routes to Schools Grant;

4. New Business:

- A. Roll Call: Resolution Awarding Quote for Concrete and Traffic Control Portion of 2017 Grand Avenue Bridge Monument and Plaza Restoration to Diamond Concrete for \$52,425.00;

- B. Motion: Approve hiring Winther Stave & Co. for Fiscal Year 2016/2017 Audit, for not to exceed \$21,500.00, including Single Audit Requirements;**

Staff is requesting authorization to hire Winther Stave & Co. for the Fiscal Year 2016/17 City of Spencer for a price not to exceed \$21,500.00. **I would recommend approval.**

- C. Motion: Approve Engineering Contract for Iowa Great Lakes Trail, Phase II, Engineering Agreement with McClure Engineering (West 18th Street to 310th Street);**

Enclosed in your packet information is an engineering agreement with McClure Engineering for the Iowa Great Lakes Trail, Phase II Trail (West 18th Street to 310th Street). This project was included in the Capital Improvement Plan. The cost for their services is \$185,750.00. The total estimated cost for the project including construction, engineering, construction phase services, and legal is \$1,514,000.00. The Park Board met on this item and voted to recommend approval. **I would recommend approval.**

- D. Motion: Approve Pederson Park Lighting Project Engineering Contract with Bolton & Menk;**

Enclosed in your packet information is an Engineering Agreement with Bolton and Menk for the Pederson Park Lighting Project. This project was included in the Capital Improvement Plan. The cost for their services is \$129,380.00. The total cost for the project that includes construction, contingency, engineering design phase and bidding and construction phase as well as work by others is \$1,284,312.80. The Park Board met on this item and voted to recommend approval. **I would recommend approval.**

- E. Roll Call: Resolution to Award Contract for 2017 South Spencer Drainage Improvement Project (bids received 2/15/17 at 3:00 o'clock P.M.);**

Or

Motion: Table Action on Awarding Contract for 2017 South Spencer Drainage Improvement Project;

Enclosed in your packet is the bid tabulation from the bid opening that occurred this week for this project. As you may recall, this project will start to address the water issues in south Spencer. Due to the nature of the work, this project was broken into two contracts and four separate projects. The projects include improvements to the Wal-Mart drainage basin on 4th Avenue SW, the creations of a new basin on 2nd Avenue SE across from the Golf Course, ditch improvements along 2nd Avenue SE near the Days Inn and the drainage ditch behind the Days Inn and adjacent to DeLoss property. The majority of these projects will be paid for by the City's Water Quality grant and the remainder will come from Storm Sewer reserves. **I would recommend approval of the contract to DeLoss Construction as the low bidder.**

- F. Motion: Approve Forgivable Loan Extension Agreement with Veridian Limited;**

Enclosed in your packet information is a Forgivable Loan Extension Agreement with Veridian Limited. You might recall that the City entered into agreement with Veridian Limited on April 24, 2014 to help incentivize a new product that emphasizes a green product (reusable produce bag). The incentive was based on 21 new production jobs that would be no less than \$13.00 per hour. The agreement was to expire on April 24, 2017. The company is requesting an additional year, May 1, 2018, to allow more time to meet the job requirement. In the event the company does not meet the job number requirements at that time, they would be required to pay back the prorated share of jobs not created on the 21 employee threshold. **I would recommend approval.**

G. Motion: Approve Amendment and Extension to Contract for Sanitary Landfill Services;

Enclosed in your packet information is an amendment to the Contract for Sanitary Landfill Services with the Clay County Board of Supervisors for the unincorporated Clay County area. The amended agreement extends the contract to June 30, 2018. The amendment also increases the monthly fee for this service by 3.5%, which equates to \$7,765.00. **I would recommend approval.**

H. Roll Call: Ordinance Amending Title 3, Chapter 3, the "Commercial Passenger Vehicle Code", as Required by House File 2414, Adopted by the 86th General Assembly, 1st Filing;

Enclosed in your packet is an ordinance that will update the City's current ordinance dealing with Taxis. This change is necessitated by a change in State Law approved by the Legislature in 2016. These changes reflect the changes made by the State and will bring our ordinance in line. **I would recommend approval of the 1st filing.**

I. Motion: Approve Contribution of \$25,000.00 to Spencer Main Street for Main Street Initiative, from Economic Development;

As you may recall under my last report, I updated the Council on a program that is being put together under the umbrella of Main Street to put more focus on some of the empty storefronts on Main Street. A committee has been working on this over the last several months made up of representatives from SMU, Area Banks, Main Street, Spencer Chamber and the City of Spencer. The program being developed would provide loans and/or grants that meet the criteria in the plan. The goal is to raise approximately \$250,000.00 from the group referenced above. The City's share of the incentive is \$25,000.00 which would come from our economic development fund. **I would recommend that the city contribute \$25,000.00 to Main Street for the Main Street Initiative Program.**

J. Roll Call: Resolution to Award Contract for 2017 4th Avenue West CDBG Storm Sewer Project (bids received 2/2/17 at 3:00 o'clock P.M.);

Enclosed in your packet information is a Resolution awarding the Contract for the 2017 4th Avenue West CDBG Storm Sewer Project. You may recall the Engineer had presented

the results of the bid for this project at the last Council Meeting that included a bid alternate for Cobb's Court. The City received seven (7) bids with Vander Pol Excavating being the apparent low bidder with a bid price of \$2,003,737.06, which is approximately \$91,368.44 less than the Engineer's estimate.

At that meeting I had requested that the Council table the decision due to the Public Works Director being out of town as well as time to study if it would prudent to put the alternate (Cobb's Court) off a few years, to see if we would want to pave this area.

Since that time, Staff along with the Project Engineers (KCN), met on this item and determined that it was in the best interest of the community to move forward with the alternate at this time. The bid for Cobb's Court was approximately \$26,000.00 under the Engineer's Estimate of \$98,000.00 or 26%. The Mayor along with the Chair of Public Works, Councilman Bomgaars, were also present at the meeting. A great deal of discussion from the Elective Officials, to the Engineer's, as to their opinion on whether they felt that the Contractor could complete the project in the appropriate time set out in the bid documents. Other comments revolved around how the Cobb's Court area would be served by the Fire Department. The Fire Chief as well as the Public Works Director met in this item. The Fire Chief has informed me that he has put a plan together for Cobb's Court should an emergency arise.

A portion of the project included a water main. The SMU Board has met on the bid and voted to recommend Vander Pol for the water main portion. The Engineer has provided a letter recommending that the Council award the bid to Vander Pol as well as the Public Works Director. **I would recommend approval.**

5. Engineer's Report:

6. City Manager's Report:

7. Mayor's Report:

A. Announce openings on Board of Adjustment, Library Board and Renaissance Initiative Committee;

8. Council/Comm. Reports: Finance & Personnel Committee, March 13, 2017, 5:30 o'clock P.M.

9. City Clerk's Report:

-Bill and Claims
-Funds Transfers

14. Other Business/Opportunity to Address the Council

15. Adjourn

***Some Members may attend the meeting over the telephone**