

**SPENCER CITY COUNCIL MEETING  
COUNCIL CHAMBERS, CITY HALL  
MARCH 20, 2017  
REGULAR COUNCIL MEETING  
6:30 PM**

**1. Pledge of Allegiance**

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

**3. Oath of Office for Leann Jacobsen, Ward 4 Council Member;**

**4. Consent Agenda:**

A. Motion: Approve Minutes of March 6, 2017;

B. Motion: Approve Class B Native Wine Permit for Salon M Spa LLC, 509 Grand Avenue and Class C Liquor License with Sunday Sales for Napolis Italian Restaurant, both pending final approval by Iowa ABD;

C. Roll Call: Resolution Adopting a Final Assessment Schedule for Snow Removal Costs and Confirming and Levying the Assessments;

D. Motion: Approve DeLoss Construction, Iowa Trenchless and Van Holland Lawn Service as Subcontractors for 2017 4<sup>th</sup> Avenue West CDBG Storm Sewer Project;

E. Roll Call: Resolution Authorizing and Directing the Temporary Closing of Portions of City Street (1<sup>st</sup> Avenue S.W. from 5<sup>th</sup> Street SW to 7<sup>th</sup> Street SW) in the City of Spencer as Requested by Arnold Motor Supply and The Merrill Company on April 22, 2017;

F. Motion: Approve Quote for Replacement of Roof on the Office/Maintenance Building at Riverside Cemetery from H & S Roofing Co., Inc. for \$20,884.00, CIP Item;

G. Motion: Approve Purchase of John Deere Mower from Noteboom Equipment for the Park & Recreation Department for \$49,350.00, CIP Item;

H. Motion: Set Public Hearing for April 3, 2017, at 6:30 P.M. on Proposed Rezoning of a portion Two Parcels Adjacent to the South Boundary of Lot 1, Speidel First Addition;

I. Roll Call: Resolution to fix a date of public hearing for April 3, 2017 on a Proposal to enter into a General Obligation Sewer Improvement Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$2,000,000;

**5. Public Hearings:**

**A. Public Hearing on Proposed Vacation of Existing Utility Easement in the North 30 Feet of the South 93 Feet of Lot 7, Block 2, Subdivision 2, Corn Belt Industrial Park, requested by Mauer Manufacturing;**

**1. Roll Call: Resolution Vacating a Utility Easement Located in the North 30 Feet of the South 93 Feet of Lot 7, Block 2, Subdivision 2, Corn Belt Industrial Park to the City of Spencer, Clay County, Iowa;**

Enclosed in your packet information is a Resolution Vacating a Utility Easement that was requested by Maurer Manufacturing legally described above. The proper notifications were given to each of utility providers in that area. Subject to any comments in the Public Hearing, **I would recommend approval.**

**B. Public Hearing on Proposal to Enter into a General Obligation General Purpose Loan in the Principal Amount Not to Exceed \$700,000 for the Purpose of Installing New Ball Field Lighting at Pederson Park;**

This Public Hearing concerns the proposed future issuance of up to \$700,000 for the purpose of paying costs associated with installing new ballfield lights at Pederson Park. As part of our State Budget Certification, we included debt associated with this project. (Action to be taken under Item C 1).

**C. Public Hearing on Proposal to Enter into a General Obligation Essential Purpose Loan Agreement in the Principal Amount Not to Exceed \$800,000 for the Purpose of Constructing Street, Sidewalk, Storm Water Drainage and Sewer System Improvements;**

This Public Hearing concerns the proposed future issuance of up to \$800,000 for the purpose of paying costs associated with constructing street, sidewalk, storm water drainage and sewer system improvements. As part of our State Budget Certification, we included debt associated with this project. (Action to be taken under Item C 1).

**1. Roll Call: Resolution authorizing and combining Loan Agreements, approving the future issuance of General Obligation Corporate Purpose Bonds or Notes and providing of the levy of taxes to pay the same.**

Enclosed in your Packet Information is action related to the two previous Public Hearings. Two Hearings were required because the two projects are of different types of General Obligation debt. The lights were subject to a reverse referendum while the street project is not. This resolution authorizes that both debts be combined into one debt issuance and also provides for a pre-levy of the debt that was included in the FY 18 adopted budget. **I would recommend approval.**

**6. Old Business:**

**A. Roll Call: Ordinance Amending Title 3, Chapter 3, the “Commercial Passenger Vehicle Code”, as Required by House File 2414, Adopted by the 86<sup>th</sup> General Assembly, Final 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 final filing.**

**7. New Business:**

**A. Roll Call: Ordinance Amending Title 5, Chapter 4, Section 3B(24) of the Spencer City Code Concerning Number of Interments Permitted, 1<sup>st</sup> Filing;**

Enclosed in your packet information is an Ordinance that amends the Spencer City Code Concerning the number of interments permitted in a single grave site. Staff felt that this amendment was needed to more clarify this section. The amended language is as follows:

5-4-3B(24): INTERMENTS PERMITTED. In any single grave site, the following interments are permitted:

- a. A typical interment of the remains of one (1) human being with a casket and vault.
- b. Two (2) infants or a parent and infant; contemporaneous interments in a single casket. The term infant shall be a human being not more than six (6) months in age.
- c. The cremains of no more than two (2) human beings in separate containers and vaults; contemporaneously interred.
- d. Cremains may be interred in combination with the remains or cremains of another human being. The combined cremains interred shall be considered two (2) burials; no other burial in the gravesite will be permitted. Any disinterment shall be a mutual disinterment of the combined cremains.
- e. The cremains of two (2) human beings in separate containers are permitted in a mausoleum space or columbarium niche."

**I would recommend approval.**

**B. Roll Call: Resolution Approving the Plat Final Plat of Hallett's Country Acres Second Addition; A Subdivision of the City of Spencer, Clay County Iowa;**

Enclosed in your packet information is a Final Plat of Hallett's Country Acres 2<sup>nd</sup> Addition. The plan calls for a two lot "Suburban Type" subdivision with septic tanks and drain fields. The plat is located on the City's western City limits on the south side of West 4<sup>th</sup> Street. Planning & Zoning voted to recommend approval. **I would recommend approval.**

**C. Roll Call: Resolution Approving Renewal of Property and Liability Insurance with Iowa Communities Assurance Pool for 4/1/2017-3/31/2018 for \$180,146.84 and Approving Member Proxy Statement;**

Enclosed in your packet information is a renewal of the City's Property and Liability Insurance with ICAP. The renewal calls for a premium of \$180,146.84, which is an approximate \$2,100.00 increase over last year. **I would recommend approval.**

**8. Engineer's Report:**

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

**10. Mayor's Report:**

- A. Announce openings on Board of Adjustment, Library Board and Renaissance Initiative Committee;
- B. Announce of intention to appoint Kevin Robinson to the Civil Service Commission, term expires 04-01-2021;
- C. Announce appointment of Council Member Leann Jacobsen to the Public Safety and Progress & Development Committees;

**11. Council/Comm. Reports:**

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

- Bill and Claims
- Funds Transfers

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

**15. Adjourn**