

**SPENCER CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL
April 3, 2017
REGULAR COUNCIL MEETING
6:30 o'clock P.M.**

1. Pledge of Allegiance

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

3. Clay County Assessor, John Lawson: Explanation of Assessments

4. Consent Agenda:

A. Motion: Approve Minutes of March 20, 2017;

B. Motion: Approve Class C Liquor License with Sunday Sales for Weasy's, pending final approval by Iowa Alcoholic Beverage Division;

C. Motion: Approve Agreement for City of Spencer Aquatic Center Operation for 2017 with Spencer Family YMCA;

D. Motion: Approve Playground Program Services Contract for 2017 with Spencer Family YMCA;

E. Roll Call: Resolution Authorizing and Directing the Temporary Closing of Portions of City Street (2nd Avenue West) in the City of Spencer as Requested by Relay 4 Life on June 17, 2017 for Relay 4 Life Event;

F. Motion: Approve Purchase of Fire Department Alarm System from Knight Protection, Inc. for \$13,500 (CIP Item);

G. Roll Call: Resolution to Provide for a Notice of Hearing on Proposed Plans and Specifications, Form of Contract and Estimate of Cost for 2017 Sidewalk Improvement Project and the Taking of Bids Therefor; (Hearing Date April 17, 2017 and Letting Date April 27, 2017);

5. Public Hearings:

A. Public Hearing on Proposed Plans, Specifications, Form of Contract and Estimate of Cost for the 2017 Landfill Cell D1 Expansion Project;

1. Roll Call: Resolution Finally Approving and Confirming Plans, Specifications and Form of Contract for 2017 Landfill Cell D1 Expansion Project;

Enclosed in your packet information is a Resolution approving the Plans, Specs and Form of Contract for the 2017 Landfill Cell D1 Expansion Project. The project for the most part consists of landfill cell expansion as well as expanding the volume of the leachate storage pond. The Engineers estimate for the project is approximately \$763,000. This project was included in the CIP plan. The bid letting is set for April 13, 2017. **Subject to public comment, I would recommend approval.**

B. Public Hearing on Proposed Rezoning of a Portion of Two Parcels Adjacent to the South Boundary of Lot 1, Speidel First Addition;

1. Roll Call: Ordinance Amending the Zoning Classification of Two Parcels of Real Property Adjacent to the South Boundary of Lot 1, Speidel First Addition, Spencer, Clay County, Iowa and Legally Described Herein and Amending the Official Zoning Map;

The Ordinance amends the Zoning Classification of two Parcels of Property adjacent to the South Boundary of Lot 1 of Speidel First Addition. These lots are located just east of Asher Motors. This process is to match up the zoning boundary with the property boundary. **Subject to public comments at the hearing I would recommend approval of the first filing of this ordinance.**

C. Public Hearing on Action to Institute Proceedings to Enter into a Loan and Disbursement Agreement and Borrow Money Thereunder in a Principal Amount Not to Exceed \$2,000,000;

1. Roll Call: Resolution Approving and Authorizing a Loan and Disbursement Agreement and Providing for the Issuance of \$1,505,000 General Obligation Sewer Improvement Bonds and Providing for the Levy of Taxes to Pay the Same;

Enclosed in your packet information is a Resolution authorization a loan disbursement agreement and providing for the issuance of \$1,505,000 General Obligation Sewer Improvement Bonds and providing for the levy. The loan will come from the State Revolving Fund (SRF) and will be used for the 4th Ave. W Storm Sewer Phase I project. This bond will be paid for out of Sewer Revenues. **Subject to comments at the Public Hearing, I would recommend approval.**

6. Old Business:

A. Roll Call: Roll Call: Ordinance Amending Title 5, Chapter 4, Section 3B(24) of the Spencer City Code Concerning Number of Interments Permitted, 2nd 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 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. Combined cremains shall be interred contemporaneously.
- f. There are three types of columnbarium niches available at Spencer Riverside Cemetery, a single space and two types of double spaces. Only the remains of a single human being may be placed in a single niche. The remains of two human beings may be placed in either type of double niche. Combined cremains shall be interred contemporaneously.

I would recommend approval of the second filing.

7. New Business:

- A. Motion: Authorize Purchase of Canon C5235A Copier/Printer and Lexmark M3150 Monochrome Printer for City Hall for a total of \$8496 from Advanced Systems of Spencer, Iowa from City Hall Reserve;**

As part of the City Hall remodel process, it was determined that the City needed to replace our outdated equipment with a C5235A Copier/Printer and Lexmark M3150 Monochrome Printer. The total cost for the equipment is \$8,496 and will be paid from City Hall Reserves. **I would recommend approval.**

B. Motion: Authorize Purchase of Vertical Storage Cabinet System for Public Works Drawing Files for \$11,564.00 from Spencer Office Supply of Spencer, Iowa from Sewer Reserve;

Enclosed in your packet is a memo from Public Works requesting approval to purchase twelve vertical storage cabinets and hanging clamps to replace the old out dated wooden cabinets that were previously in the conference room. The total cost for the purchase is \$11,564.00, which includes delivery and set up from Spencer Office Supply. **I would recommend approval.**

C. Roll Call: Resolution Authorizing and Approving a Loan Agreement and Providing for the Issuance of a \$76,000 General Obligation Street Improvement Note;

Enclosed in your packet information is a Resolution approving a loan agreement for the issuance of a \$76,000 General Obligation for the Fairway Woods Second Addition Street Improvement Project. **I would recommend approval.**

D. Trail Easement Agreements:

Enclosed in your packet information are trail easements needed for the North Park Trail and the Iowa Great Lakes Trail. The Council has the option to take action on each one individually or could do them all at the same time. **I would recommend approval of the trail easements below.**

1. Motion: Approve Easement Agreement with Bill Caskey and Blue Water Investments LLC (North School Park Trail – West 18th Street);
2. Motion: Approve Easement Agreement with Black Hills/Iowa Gas Utility Company, LLC (North School Park Trail – West 18th Street);
3. Motion: Approve Easement Agreement with Robert and Martha Graham (North School Park Trail – West 18th Street);
4. Motion: Approve Easement Agreement with Velma Ortendahl and Nannette Ortendahl (Iowa Great Lakes Trail – 4th Avenue West);

E. Motion: Approve Real Estate Contracts with Rebecca Van Ness, Barbara Van Ness, Margaret Van Ness and Julie Van Ness for a purchase of a parcel of farm property of 2.328 acres for appraised value of \$22,000 (2017 South Spencer Drainage Improvements Project);

Enclosed in your packet information is a Real Estate Contract with Van Ness Family for an approximately 2.328 parcel of land for a purchase price of \$22,000. This parcel of land is located just east of the Municipal Golf Course and part of the South Spencer Drainage Improvement Project. This purchase is will be paid out of our Water Quality Grant. **I would recommend approval.**

F. Motion: Approve Easement Agreement and Temporary Construction Easement with M.W. Hart, Inc. and Hart Family Hotels, Inc. (2017 South Spencer Drainage Improvements Project);

Enclosed in your packet information is an Easement Agreement with M.W. Hart Inc. and Hart Family Hotels, Inc. This easement is needed to allow the City to permit excavation, construction installation, maintenance, operation, and repair of a drainage bio-swale. This is part of the South Spencer Drainage Improvements Project. **I would recommend approval.**

G. Roll Call: Resolution Approving the Plat of Elk Run First Addition, a Subdivision of the City of Spencer, Clay County, Iowa; and Approving a Subdivision Development Agreement with the Developers;

Enclosed in your packet information is a Resolution approving the Plat for Elk Run First Addition and Development Agreement. The plat, consists 2 lots and 1 outlot. We have also enclosed a copy of the Development Agreement. P&Z has review the Final Plat and recommended approval. **I would recommend approval.**

H. Roll Call: Resolution Awarding Quotation for 2017 PCC Patching & HMA Crack Sealing Project to Rens Concrete Inc., of Sioux Center, Iowa;

Enclosed in your packet information is a Resolution awarding a quote of the 2017 PCC Patching and HMA Crack Sealing Project to Rens Concrete Inc. for \$70,051.00. The Engineers Estimate for the project was \$76,061.00. **I would recommend approval.**

I. Roll Call: Resolution Awarding Quotation for 2017 Spencer Seal Coat Project to The Road Guy of Yankton, South Dakota;

Enclosed in your packet information is a Resolution awarding the Quote for the 2017 Spencer Seal Coat Project to The Road Guy for a price of \$64,529.85. The Engineers Estimate for the project was \$75,213.60. **I would recommend approval.**

J. Roll Call: Resolution Providing for Prepayment of General Obligation Sewer Improvement Bond, Series 2007A;

Enclosed in your packet information is the proceedings to prepay the General Obligation Sewer Improvement Bond, Series 2007A. This action pays off the land purchased around the Wastewater Treatment Plant. I would recommend approval.

K. Roll Call: Resolution Providing for Prepayment of General Obligation Landfill Closure Bond, Series 2009;

Enclosed in your packet information is the proceedings to prepay the balance on the General Obligation Closure Bond, Series 2009. The final debt on the landfill will be paid off in F/Y 2018. **I would recommend approval.**

8. Department Head Reports:

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

9. Engineer's Report:

10. City Manager's Report:

11. 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 April 1, 2021;

12. Council/Comm. Reports:

13. City Clerk's Report:

- Bills and Claims
- Funds Transfers

14. Other Business/Opportunity to Address the Council

15. Adjourn