

**Urban Forestry Management Plan Public Open House
Council Chambers, City Hall
July 17, 2017, 6:00 o'clock P.M.**

**Jason Walker, Iowa Department of Natural Resources will present the Urban Forestry Management Plan
(Tree Inventory)**

**SPENCER CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL
July 17, 2017
REGULAR COUNCIL MEETING
6:30 o'clock P.M.**

1. Pledge of Allegiance

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

3. Presentation of Urban Forestry Management Plan by Jason Walter, IDNR;

4. Consent Agenda:

A. Motion: Approve Minutes of July 3, 2017

B. Motion: Approve Dyno's #31 & Dynos #32; both subject to final approval by Iowa Alcoholic Beverage Division;

C. Motion: Approve Spencer Care's Request #24 for City Mandated Tree Trimming, as recommended by the Spencer Care's Committee;

D. Motion: Change start time of August 7, 2017 City Council Meeting to 6:00 o'clock P.M.;

E. Motion: Approve Purchase of Flatbed Trailer for the Park Department from Performance Care & Truck of Spencer for \$6,980.52 (CIP Item);

F. Roll Call: Resolution to approve Street Closing, 2nd Avenue West from 4th to 5th Street, as requested by Spencer Chamber of Commerce and Clay County Fair Centennial Committee on Thursday, September 7, 2017 from 3:00-8:00 o'clock P.M.;

5. Public Hearings:

A. Public Hearing on Zoning Ordinance Text Amendments to the City of Spencer Zoning Code to Amend Provisions of Title 9-11-11D Concerning Minimum Requirements for Residential Structures; Exterior Wall and Roof Material;

- Mayor Declares the Public Hearing Open
 - Written Comments Against

- Oral Comments Against
- Written Comments in Favor of
- Oral Comments in Favor of
- Mayor Declares the Public Hearing Closed

1. **Roll Call: Ordinance to Amend Provisions of Title 9-11-11D of the Spencer City Code, Concerning Minimum Requirements for Residential Structures; Exterior Wall and Roof Material, 1st Filing;**

Enclosed In your packet is an ordinance that will amend Title 9-11-11D of the Spencer City Code regarding the minimum requirements for residential structures; exterior wall and roof material. The ordinance clarifies the material that is acceptable to be used regarding metal roof materials. Several months ago, the Zoning Board of Adjustment heard an administrative appeal of the current interpretation of the acceptable material. The current ordinance allows for standing seam metal roofs while prohibiting corrugated metal. The ordinance does not mention ribbed panels that have been marketed by the building industry for use on dwellings in other jurisdictions. The amendment would clarify the difference between these two building systems, and would prohibit its use on dwellings. An individual appealed the decision by Kirby that would prohibit his use of the metal roof with visible screw heads. His claim was that that type of roof was commonly used as residential roofing. The Board of Adjustment denied the request and suggested that the Planning and Zoning Commission review the requirements. The Planning Commission has reviewed the intent of the original ordinance to prohibit visible screws on metal roofs for the main residential structure and recommends the attached changes be adopted that will clarify the issue.

I would recommend the Council approve the 1st reading of the proposed ordinance.

B. **Public Hearing on Proposed Exchange of City Property with Property of Robert Ginger;**

- Mayor Declares the Public Hearing Open
 - Written Comments Against
 - Oral Comments Against
 - Written Comments in Favor of
 - Oral Comments in Favor of
- Mayor Declares the Public Hearing Closed

1. **Roll Call: Resolution Approving and Authorizing the Exchange of City Property with Robert Ginger;**

Enclosed in your packet is a resolution that will convey a portion of land on the north side of the Ginger property in exchange for a portion of land owned by the City (currently land used as the transfer station exit). The reason for the exchange is to allow better alignment for the scale installation at the Transfer Station. The new alignment will allow better traffic flow in and out of the scale area around the transfer station. The location of each parcel is outlined on the enclosed map.

I would recommend approval of the resolution exchanging property with Mr. Ginger.

C. Public Hearing on Proposed Exchange of City Property with Property of Jacobsen Homes Corp.;

- Mayor Declares the Public Hearing Open
 - Written Comments Against
 - Oral Comments Against
 - Written Comments in Favor of
 - Oral Comments in Favor of
- Mayor Declares the Public Hearing Closed

1. Roll Call: Resolution Approving and Authorizing the Exchange of City Property with Jacobsen Homes Corp.;

Enclosed in your packet is a resolution exchanging certain real estate with Jacobsen Homes Corp and grating a trail easement to the City for the current recreational trail. Currently, the rock border wall, constructed by Jacobsen's is located on City property (Parcel Q on the enclosed map), as well as our recreational trail. Just to the east of the rock border wall, Jacobsen's own a small slice of property (Parcel R) on the south side of our trail. The exchange agreement will swap these two parcels of land between Jacobsen and the City as well as then grant to the City a permanent and perpetual easement for the existing trail. One reason for this boundary adjustment is that the Jacobsen's want to extend their outdoor service area for The Bear and cannot do so on land not owned by them. The other reason for this agreement is that the City does not want the liability of owning their rock wall.

I would recommend the Council approve the resolution exchanging property and granting a trail easement with Jacobsen Homes Corp.

D. Public Hearing on Proposed Grant of an Access Easement over the Little Sioux River Recreational Trail to John and Marie Thomas;

- Mayor Declares the Public Hearing Open
 - Written Comments Against
 - Oral Comments Against
 - Written Comments in Favor of
 - Oral Comments in Favor of
- Mayor Declares the Public Hearing Closed

1. Roll Call: Resolution Approving the Grant of an Access Easement over the Little Sioux River Recreational Trail to John and Marie Thomas.;

Enclosed in your packet is a resolution granting an access easement over the Little Sioux Trail to John and Marie Thomas. The purpose of the access easement is to allow Mr. and Mrs. Thomas to access property they own. At any time that the Thomas's dispose of the property, the access easement will cease.

I would recommend the Council approve the access easement with Mr. and Mrs. Thomas.

E. Public Hearing on Proposed Plans, Specifications, Form of Contract and Estimate of Cost for the 2017 Pederson Park Electrical and Lighting Improvements;

- Mayor Declares the Public Hearing Open
 - Written Comments Against
 - Oral Comments Against
 - Written Comments in Favor of
 - Oral Comments in Favor of
- Mayor Declares the Public Hearing Closed

1. Roll Call: Resolution Approving and Confirming Plans, Specifications and Form of Contract for 2017 Pederson Park Electrical and Lighting Improvements;

Enclosed in your packet is a resolution approving and confirming Plans, Specifications and Form of Contract for the 2017 Pederson Park Electrical and Lighting Improvements. As previously discussed, the current electrical and lighting system in Pederson Park is out of date and poses potential safety issues for those utilizing the ball fields. The lighting project is part of the FY 2018 Capital Improvement Plan. The estimated cost is approximately \$1,277,000.00. The City has pledged \$1,000,000.00 towards the project and has set aside \$300,000.00 from Hotel/Motel Tax receipts and the Council has previously approved the future issuance of \$700,000.00 in general obligation bonds that will be sold next year. The remaining amount of the project will be contributed by the Youth League. The City plans to open bids on July 27th for this project and the Council will consider an award of contract at the August 7th meeting.

I would recommend the Council approve the Plans, Specification and Form of Contract for the 2017 Pederson Park Lighting Project.

F. Public Hearing on Proposed Plans, Specifications, Form of Contract and Estimate of Cost for the 2017 North Park Trail Project (Iowa D.O.T. TAP Program);

- Mayor Declares the Public Hearing Open
 - Written Comments Against
 - Oral Comments Against
 - Written Comments in Favor of
 - Oral Comments in Favor of
- Mayor Declares the Public Hearing Closed

1. Roll Call: Resolution Approving and Confirming Plans, Specifications and Form of Contract for 2017 North Park Trail Project (Iowa D.O.T. TAP Program);

Enclosed in your packet is a resolution approving and confirming the Plans, Specifications and Form of Contract for the 2017 North Park Trail Project. This project will construct a multi-purpose recreational trail from West 10th Street to West 18th Street following the abandoned RR right-of-way and then continue along the north side of West 18th Street to the intersection at 4th Ave West. Since a portion of this project is being funded by the Transportation Alternatives Program, the project is being let by the Iowa Department of Transportation. Currently, the project is scheduled to be let on July 18th with an award by the Council at the August 7th meeting. The remaining portion of this project is being funded by Park Reserves. This trail will connect to the next phase of the Iowa Great Lakes Trail connection which is expected to be constructed next spring.

I would recommend the Council approve the Plans, Specifications and Form of Contract for the 2017 North Park Trail Project.

6. New Business:

A. Discussion/Possible Action: Regarding the establishment of a Sewer Connection Fee for the 2004 Menard's Sewer project;

When the Menards store was constructed several years ago, the City obtained an easement to construct a sanitary sewer main across the Johnson property to access the Menards property. The location of this easement goes around the Iowa Department of Transportation maintenance shed. At the time, the City did not establish a fee to connect to the sanitary sewer main. The City's policy is to assess a fee for any connection to a public sewer main. Also, the normal policy of the City is to assess only for the cost of constructing an 8" sewer main at normal depth. The Menards sewer main was oversized and is extremely deep. The proposed connection fee was determined by taking the estimated construction cost of an 8" sewer main 10 years ago and deducts the costs for oversizing the sewer main and to allow for the increased depth. KCN has calculated a fee of \$16.40 per linear foot. There has also been discussion as to whether or not there was an agreement that would prohibit the City from implementing these connection fees. Don Hemphill has reviewed all relevant documents and found no such language. It appears that after the construction project, the creation of the connection fee slipped through the cracks and was never formally adopted for this area. Now that this land has been put up for sale, the City has been contacted by individuals that may have an interest in purchasing the parcel and developing it, but needs to know whether or not the City will implement a connection fee and the amount of such fee. If the Council approves the motion to establish the Connection Fee, this will be done by Ordinance and the first filing would be presented at the August 7th meeting.

I would recommend that the Council establish the sewer connection fee at the recommended rate of \$16.40 per side.

B. Motion: Approve Information Services Agreement with Solutions;

During the last Council Goal Setting Session it was discussed whether or not the City needed to consider the hiring of a full time IT person. At the time, staff had recommended that the City was not expending enough money on an annual basis for IT services to justify a full time IT person. Since that time, staff has explored other alternatives for providing IT services in a manner that would provide better oversight of the City's computer systems. Solutions, Inc., the City's long time IT provider, has a service called Managed Services. As part of this service, Solutions would monitor all of the City's networks, servers, printers, individual computers and wireless networks, for issues that could lead to failure, etc. The City explored other options, such as sharing IT services with the County or the School. The County currently uses the Solutions Managed Services program and Bob had discussion with the school several months ago. My recollection of Bob's conversation with the school was that a sharing arrangement may not be feasible given the limited school staff dedicated to IT and their needs. We had Solutions run a trail of the Managed Services program for the last two months to enable them to survey the current condition of our system. The estimated cost of the Managed Services program is approximately \$22,000.00. In addition, there is approximately 150 hours worth of work needed to bring our current network into compliance before the Managed Services program would take effect. This cost is approximately \$16,500.00. The Technology Committee met on Thursday and heard a presentation about the program and concluded that this would be a beneficial service to the City. The costs associated with this service will be funded out of the Technology budget.

I would recommend the Council approve the Managed Services program with Solutions, Inc.

C. Roll Call: Resolution to Accept Work on 2016 11th Street SE Culvert Removal Project;

Last fall, the Council approved a quote to remove the culvert near 11th Street SE, adjacent to Asher Motors. The removal of the culvert would aide in improving the flow of stormwater through the ditch on the south side of Highway 18. This work was completed this spring and now the work performed is ready to be accepted.

I would recommend the Council approve the resolution to accept the work on the 2016 11th Street SE Culvert Removal Project.

D. Motion: Award Quote for Removal and Replacement of East Parking Lot at the Wastewater Treatment Plant to DeLoss Construction for \$24,178.26;

As you may recall, the Council approved a change order related to the Wastewater Treatment Plant Project several meeting that deducted \$12,500.00 from the contract to allow for the pavement of the full parking lot at the Treatment Plant. As originally proposed in the project, only the portion of the parking lot to be replaced was where the contractor was replacing piping and valves. However, upon further evaluation by staff, the entire parking lot is in need of replacement. Staff solicited quotes from three contractors for the replacement of the concrete and the low quote was from DeLoss Construction. the excess funds will come from the Treatment Plant reserve funds.

I would recommend that the Council accept the quote from DeLoss Construction for the replacement of the parking lot at the Wastewater Treatment Plant.

7. Engineer's Report;

8. City Manager's Report;

9. Mayor's Report;

10. Council/Committee Reports

11. City Clerk's Report:

-Bills & Claims

-Funds Transfers

12. Other Business/Opportunity to Address the Council

13. Adjourn