

Finance & Personnel Committee Meeting
Monday, November 20, 2017
6:00 o'clock P.M.
Conference Room, City Hall

COMMITTEE MEMBERS:

Rich Prentice, Chairman
Bill Orrison, Vice-Chair
George Moriarty
Mayor Peterson, Ex-Officio

1. Call to Order;
2. Discuss Request from Grand Avenue Community Outreach (formerly The Dream Center);
3. Items for Future Agendas;
4. Adjourn

SPENCER CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL
NOVEMBER 20, 2017, 6:30 O'CLOCK P.M.
REGULAR COUNCIL MEETING

1. Pledge of Allegiance

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

3. Consent Agenda:

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

B. Motion: Approve Class C Liquor License with Catering Privilege and Sunday Sales for **Plaza Mexico Mexican Restaurant.**; Class E Liquor License with Class B Wine Permit and Class C Beer Permit for **C's Liquor Store**; and Class B Wine Permit with Sunday Sales for **Okoboji Wine Merchants**, all subject to final approval by the Iowa Alcoholic Beverages Division;

- C. Motion: Approve Sidewalk Construction and Assessment Agreements for **Dawn Rasmussen at 301 West 11th Street** and **Robert and Pamela Haak at 1103 4th Avenue West**;
- D. Roll Call: Resolution setting the date for a Public Hearing on Proposal to Enter into a General Obligation Loan Agreement and to Borrow Money Thereunder in a Principal Amount not to Exceed \$2,000,000;
- E. Roll Call: Resolution Approving Tax Increment Financing Indebtedness Certification to County Auditor and Annual Appropriation of Certain Rebate Payments;
- F. Motion: Approve Renaissance Initiative Grants as recommended:

-Spencer Area Activity Center	\$1000.00
-Clay County Heritage Center	\$1000.00
-NW Iowa Soccer Alliance	\$3800.00
-Spencer Community Theatre	\$1500.00
-Total	\$7300.00

4. Public Hearings:

A. Public Hearing on Designation of Expanded Spencer Consolidated Urban Renewal Areas and on Proposed Urban Renewal Plan Amendment;

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

1. Roll Call: Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the Spencer Consolidated Area;

In your packet is a Resolution to Declare Necessity and Establish an Urban Renewal Area, and Approve Urban Renewal Plan Amendment to the Spencer Consolidated Area. In accordance with State Law, the city held the required consultation session

with Clay County and Spencer Schools on November 3rd. Only the County was in attendance. The area to be added to the Urban Renewal is shown on the enclosed plan. The following projects are being added to the Urban Renewal Plan: 1) The acquisitions and renovation of the NW Bank Building for use as City Hall (TIF will NOT be used for this project, only the bonding procedures of the Urban Renewal authority); 2) Warehouse Liquidators LOST TIF rebate, a development agreement will be coming in the future; 3) Engineered Seals tax rebate for expansion of manufacturing site, development agreement to come soon; 4) Great Lakes Trail Phase II project, TIF will be utilized for the City's portion of this trail; 5) Main Street Revitalization Study, to utilize LOST TIF receipts for a business leakage study to assist in attracting businesses to downtown. Planning and Zoning reviewed the proposed amendment to the Urban Renewal Area and voted to recommend approval to the Council.

I would recommend the Council approve the resolution relating to the expansion of the Urban Renewal Area and the Urban Renewal Amendment.

B. Public Hearing on Proposed Transfer of City Property, 418 2nd Avenue West, Spencer Iowa;

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

1. Roll Call: Resolution Approving the Sale of 418 2nd Avenue West to Farmers Trust and Savings Bank;

In your packet is a Resolution Approving the Sale of 418 2nd Ave West to Farmers Trust and Savings Bank. The Bank has proposed to purchase the property, including the parking lot on the east side of the building for a total price of \$445,000. The sale of the property is in conjunction with the City purchasing the NW Bank property and will be used by Farmers Bank to expand their offices at their current location. The proposed date of the exchange will be September 30, 2019.

I would recommend the Council approve the sale of 418 2nd Ave W to Farmers Trust and Savings Bank.

5. Old Business:

A. Roll Call: Ordinance Amending Title 1, Chapter 4, Section 1 of the Spencer City Code Concerning Penalties for Violations of City Ordinances, 2nd Filing;

Enclosed in your packet is the second filing of an Ordinance amending Title I, Chapter 4, Section 1 of the Spencer City Code concerning penalties for violations of the City ordinances. This ordinance was discussed at the Public Safety Committee on October 16th and essentially removes the threat of jail time for violating the city code. The reason for this change is due to recent changes from the Legislature that would require the City to pay for a court appointed attorney for any defendant who could not afford one, and that jail time was a potential outcome of a guilty verdict. The new penalty language reads “Conviction of a violation of any provision of this Code may result in the sentence of a fine; not less than sixty-five dollars (\$65) and not to exceed six hundred twenty-five dollars (\$625). Criminal penalty surcharges imposed under state law shall be added to a City fine and are not a part of any fine imposed by the City. These penalties shall apply to every Section of this Code, as if the SEction were set out in every other Section of this Code.”

I would recommend the Council adopt the proposed ordinance modifying penalties imposed for violating the City Code on the 2nd filing.

6. New Business:

A. Roll Call: Resolution Approving the Final Plat of Shine’s Fourth Addition, as a Subdivision of the City of Spencer, Clay County, Iowa;

Enclosed in your packet is a Resolution Approving the Final Plat of Shine’s Fourth Addition to the City of Spencer. Barry DeLoss is in the process of purchasing additional land to expand their operations on E 4th Street, north of the City’s Wastewater Treatment Plant. Because the owner is creating one large lot by adding this to Lot 1 of Shine’ Second Addition, he has requested that the Planning and Zoning and Council waive the requirement for a Preliminary Plat. Planning and Zoning met on November 8 to review the Plat and approved it with the following conditions: 1) a fire hydrant must be added to the NW corner of the new addition, 2) sanitary sewer must be extended to the west property line of the new addition when needed, 3) a stormwater management plan must be drawn up and submitted by a licensed engineer.

I would recommend the Council approve the Final Plat of Shine’s Fourth Addition with the above stated conditions being addressed.

B. Motion: Approve Preliminary Plat for Plasier First Addition as a Subdivision of the City of Spencer, Clay County, Iowa;

Enclosed in your packet is the Preliminary Plat for Plasier First Addition to the City of Spencer. The plat is subdividing the land owned by Leroy and Audrey Plasier into two lots. The land is located at the intersection of Highway 71 and Highway 18 in the southwest corner of the intersection. Planning and Zoning met and approved the Preliminary Plat on the condition that a stormwater management plan for lots 1 & 2 be developed.

I would recommend the Council approve the Preliminary Plat of Plasier First Addition to the City of Spencer with the above stated condition.

C. Motion: Approve Contract Amendment #2 with Iowa Economic Development Authority and Spencer NF, Inc. and Shine Bros. Corp. to extend the completion date;

Enclosed in your packet is Contract Amendment #2 with the Iowa Economic Development Authority and Spencer NF and Shine Brothers Corp and the City of Spencer to extend the completion date. Both Spencer NF and Shine Brothers received a grant through the Iowa Economic Development Authority for recent projects. Spencer NF and Shine Brothers has requested an extension to complete the Job Obligations section of the grant agreement to November 30, 2018. Since the City is a party to the grant agreement, we must also approve the grant extension. The Iowa Economic Development Authority has already approved the extension request.

I would recommend the Council approve Contract Amendment #2 with Iowa Economic Development Authority and Spencer NF and Shine Brothers.

D. Motion: Approve Agreement for Professional Services for Miscellaneous Consultant Work with Bolton & Menk, Inc.

Several years ago the Council had approved a rate schedule with Bolton & Menk for Professional Services, if needed, that were beyond the scope of a project. That original agreement has expired and enclosed is a new agreement. The City has utilized the services of Bolton & Menk several times when other options were not readily available.

I would recommend the Council approve the agreement for Professional Services with Bolton & Menk.

E. Motion: Approve Agreement for Acceptance of Recycling Materials with City of West Okoboji and Van's Sanitation, Inc.;

Enclosed in your packet is an agreement between the City of Spencer and the City of West Okoboji and Van's Sanitation. West Okoboji has been bringing their recycling to the City of Spencer for the past few years for disposal with Van's Sanitation. That agreement has run out and needs to be renewed. The new agreement calls for the City of West Okoboji to reimburse the City of Spencer at the same rate we are paying to Van's Sanitation, therefore there will be no increased cost to the City of Spencer.

I would recommend the Council approve the agreement with the City of West Okoboji and Van's Sanitation.

F. Roll Call: Resolution Authorizing Internal Advance for Funding of Urban Renewal Project;

The City of Spencer is anticipating the issuance of general obligation bonds, repayable with TIF revenues for the construction of the Great Lakes Trail Phase II. These bonds will not be issued until late 2018 and in the meantime will need to pay for initial engineering and other TIF related costs. This resolution authorizes the City to loan itself money to cover these initial costs until the time that the City sells permanent financing. The loan will come from the Capital Improvement Reserves. The amount of the internal loan is \$258,000.

I would recommend the Council approve the Resolution Authorizing Internal Advance for Funding of Urban Renewal Projects.

G. Motion: Approve Professional Services Contract with Kruse, Cate & Nelson, P.C. for Services in Connection with 2018 11th Avenue S.W. Sewer Extension;

Enclosed in your packet is a Professional Services Contract with Kruse, Cate and Nelson to extend the sanitary sewer along 25th Street SW and 11th Avenue SW. This request is being made on behalf of a company that is in the process of purchasing and platting land for a new business opportunity. Staff is in the process of securing a commitment from the company prior to incurring large expenses in case this project would fall through at the last minute. The agreement would have the company reimburse the City for any costs incurred to date. We would be looking at a project letting shortly after the start of the year and construction this spring.

I would recommend the Council approve the Professional Services Contract with Kruse, Cate and Nelson to the 2018 11th Ave SW Sewer Extension.

H. Motion: Approve Combined Sewer Overflow, Long Term Control Plan as prepared by McClure Engineering;

Enclosed in your packet is the updated Combined Sewer Overflow, Long Term Control Plan. This was part of our revised settlement agreement with the EPA and a condition of getting our consent order removed.

I would recommend the Council approve the Combined Sewer Overflow, Long Term Control plan as prepared by McClure Engineering.

7. Engineer's Report:

8. City Manager's Report:

9. Mayor's Report:

10. Council/Comm. Reports: Committee of the Whole (CIP Plan) 11/27/2017, 5:30 P.M.

Finance & Personnel 12/4/2017, 5:45 P.M., (Employee Handbook Policy on Criminal Charges)

11. City Clerk's Report:

-Bills and Claims

-Funds Transfers

12. Other Business/Opportunity to Address the Council;

13. Adjourn