

Finance & Personnel Committee Meeting
Monday, December 4, 2017
5:45 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 Employee Handbook Policy on Criminal Charges;
3. Discuss Interim Agreement with Amanda Mack;
4. Items for Future Agendas;
5. Adjourn

SPENCER CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL
DECEMBER 4, 2017, 6:30 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 20, 2017
 - B. Licenses:
 - C. Motion: Approve Residential Tax Abatement Applications for **Lance & Casey Baker** at 808 3rd Ave. S.E., **John & Kellie Beneke** at 2012 22nd Ave. W., **Douglas and Barbara Benjamin** at 1202 St Lukes Drive, **Mark & Susanne Hallett** at 2122 22nd Ave. W., **Lynn and Nancy Heideman** at 1315 9th Ave. E., **IGL Construction** at 1302 8th Ave. S.W., **IGL Construction** at 1310 8th Ave. S.W.,

IGL Construction at 1314 8th Ave. S.W., **IGL Construction** at 1412 8th Ave., S.W., **IGL Construction** at 1301 8th Ave. S.W., **IGL Construction** at 1305 8th Ave. S.W., **IGL Construction** at 1403 8th Ave. S.W., **IGL Construction** at 1407 8th Ave. S.W., **IGL Construction** at 805 15th St. S.W., **IGL Construction** at 1504 9th Ave. S.W., **Mark and Heather Kahley** at 205 Southmoor Drive, **Douglas Marske** at 2005 22nd Ave. W., **Keith and Debra Peterson** at 1306 W. 6th St., **Ronald and Evon Struthers** at 903 5th Ave. S.W., **James Thiesse** at 2205 22nd Ave. W., **Blaine and Judy Thurston**, 1516 Kristin Drive, **Mei lu Wang and Zi Bei Pan**, 809 15th St. S.W., and **Christopher Wies** at 815 15th St. S.W.;

- D. Roll Call: Resolution Adopting a Final Assessment Schedule for the City of Spencer 2017 Sidewalk Construction Project, and Confirming and Levying the Assessments;
- E. Roll Call: Resolution Acknowledging Receipt of Calendar Year 2018 Budget for Spencer Municipal Utilities of the City of Spencer, Iowa;

4. Public Hearings:

A. Public Hearing on Proposal to Enter into a Loan Agreement and to Borrow Money in a Principal Amount Not to Exceed \$2,000,000;

- 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 Taking Additional Action on Proposal to Enter into a General Obligation Urban Renewal Loan Agreement;

Enclosed in your packet is a resolution regarding the future issuance of up to \$2,000,000 in General Obligation bonds. The proceeds from the sale of these bonds will finance the acquisition and remodel of the Northwest Bank building for use as City Hall. State Law requires that the City hold a public hearing on the issuance of debt. Even though we will not issue these bonds until closer to the project date, our purchase agreement with Northwest Bank requires us to go through all of the requirements of the sale now. When the time comes to actually sell these bonds, the City will only sell what is actually needed to complete the project. With the proposed

sale of the current City Hall building to Farmer's Bank, those proceeds will lower the amount needed to borrow. The selling of this debt will not increase our tax rate as we have allowed for this issuance within our planning for future debt sales.

I would recommend that the Council approve the resolution.

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, Final Filing;

Enclosed in your packet is the final 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 final filing.

6. New Business:

- A. Motion: Approve Interim Agreement with Amanda Mack;

This item will be discussed at the Committee meeting prior to the Council meeting.

- B. Motion: Approve \$15,000 for Grand Avenue Community Outreach Window Project from Hotel/Motel Tax;

The Finance & Personnel Committee met in November to discuss the request from the Grand Avenue Community Outreach organization for assistance in installing new windows in their facility. The Finance & Personnel Committee is recommending to the Council that they approve a donation of \$15,000 to be used towards the window project. The funds would come from Hotel/Motel tax receipts.

I would recommend that the Council approve the donation of \$15,000 to Grand Avenue Community Outreach for the installation of new windows.

C. Motion: Approve Election to Participate and Release in the distribution ordered pursuant to consent order entered into by the Iowa Insurance Division and Mutual Med Insurance;

Enclosed in your packet is a Participation and Release agreement forwarded to the City of Spencer by the Iowa Insurance Division. This agreement is related to the situation earlier with Two Rivers Insurance and the City's participation in IGHCP (our health insurance pool). This agreement covers actions taken by Mutual Med and their role in the previous investigation. As a result of the City agreeing to this settlement, we will receive a payment of \$5,000, which is our portion of the settlement. The proceeds of the settlement will be deposited into the City's Group Insurance Fund.

I would recommend that the Council approve the Participation and Release agreement with the Iowa Insurance Division.

D. Motion: Approve Change Order #1 on 2017 South Spencer Drainage Project for Golf Cart Bridge for an increase of \$7640;

Enclosed in your packet is a Change Order related to the South Spencer Water Quality Improvements. Jim mentioned this at the last Council meeting under his report. The purpose of the Change Order is to rehabilitate the existing golf cart path bridge located just downstream from the 2nd Avenue SE culverts on the Spencer Municipal Golf Course. The existing foundations are not adequate and frost action has caused the bridge to shift. To restore the integrity of the structure, the existing bridge deck and shallow foundation piers shall be removed. New 24" diameter, 6' deep piers shall be installed and the existing deck reset and welded to weld plates on the new piers. New 6" PCC approach panels shall be installed to connect the path to the relocated bridge. In addition, the outlet of the existing 15" clay tile shall be extended with 18" CMP to discharge into the riprap under the bridge. Also as part of this project, the Contractor shall repair a tile "blow-out" caused by 2 broken field tiles located north of the No. 12 green. This Change Order will increase the cost of the project by \$7,640. This additional cost will be borne by the project as the initial project was under budget.

I would recommend the Council approve the Change Order.

7. Department Head Reports:

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

8. Engineer's Report:

9. City Manager's Report:

10. Mayor's Report:

11. Council/Comm. Reports: City Council Goal Setting, Tuesday, December 5, 5:00 P.M. at Spencer Muni. Golf Course

12. City Clerk's Report:

-Bills and Claims

-Funds Transfers

13. Other Business/Opportunity to Address the Council;

14. Hearing requested by Marcia Nemmers, per Iowa Code Section 372.15;

15. Adjourn