

**Neighborhood Public Informational Meeting for Iowa Great Lakes Trail, Phase II will be held March 19, 2018 at 6:00 P.M. in the City Council Chambers.

**REGULAR SPENCER CITY COUNCIL MEETING
MARCH 19, 2018
6:30 P.M.
COUNCIL CHAMBERS, CITY HALL**

1. Pledge of Allegiance

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

3. Update on Iowa Great Lakes Trail, Phase II by McClure Engineering;

4. Consent Agenda:

A. Motion: Approve Minutes of March 5, 2018;

B. Licenses; Class C Liquor with Sunday Sales for Beer 30 & Class C Liquor with Sunday Sales and Outdoor Service for Spencer Golf & Country Club;

C. Roll Call: Resolution Setting Date of Meeting at which it is Proposed to Approve a Development Agreement with the William J. Muller Revocable Trust, Including Annual Appropriation Local Option Sales and Services Tax Increment Payments (4/2/2018, 6:30 P.M.) ;

D. Roll Call: Resolution Setting Date of meeting at which it if Proposed to Approve a Development Agreement with ESC, LLC, Including Annual Appropriation Tax Increment Payments (4/2/2018, 6:30 P.M.);

E. Motion: Approve purchase of Dry Prime Pump Equipment for Waste Treatment Plant from Water Management Systems, Minnetonka, Minnesota for \$14,848.00 (CIP Item);

F. Roll Call: Resolution to Provide for Notice of Hearing on Proposed Plans and Specifications, Form of Contract and Estimate of Cost for 2018 HMA Overlay Project #1 and the Taking of Bids Therefor (Hearing Date 4/16/18 and Letting Date 4/13/18)

5. New Business:

A. Roll Call: Resolution Approving Contract for 2018 11th Avenue S.W. Sewer Extension Project with Hulstein Excavation;

At the last Council meeting, the Council awarded the contract for the 2018 11th Ave SW Sewer extension project to Hulstein Excavation. The contracts have been received back from Hulstein and need to be approved by the Council.

I would recommend the Council approve the contract with Hulstein for the project.

B. Motion: Approve Grant of Permanent Sanitary Sewer Easement and Temporary Construction Easement with Green and Yellow LLC;

Enclosed in your packet is an easement agreement with Green and Yellow (Noteboom) that allows the City to construct the sanitary sewer main on their west portion of their property through the use of an easement. This is necessary for the 2018 11th Ave SW sewer main project.

I would recommend that the Council approve the easement agreement with Green and Yellow, LLC.

C. Motion: Approve Grant of Permanent Sanitary Sewer Easement and Temporary Construction Easement with Hoover-Warntjes, Inc.;

Enclosed in your packet is an easement agreement with Hoover-Warntjes, Inc. This is the open farm field behind the residential properties along 25th Street SW. The easement includes a strip of property between 40' and 73' in width as a permanent easement and a 50' wide temporary construction easement. The city will pay the property owner \$1,200 for the permanent easement and \$700 per acre for the temporary construction easement if the city damages any crops within that area or if the temporary easement area is deemed unsuitable for planting during the term of the easement.

I would recommend the Council approve the easement agreement with Hoover-Warntjes, Inc. and authorize payment as provided.

D. Motion: Approve Grant of Permanent Sanitary Sewer Easement and Temporary Construction Easement with Shawn L. Morton and Sara A. Morton;

Enclosed in your packet is an easement agreement with Shawn and Sara Morton. This easement is located across the S&S Collision property. The easement includes a strip of property 20' wide for a permanent easement and an additional 15' strip of property as a temporary construction easement. The City has negotiated a price of \$8,000 for the granting of this easement.

I would recommend that the Council approve the easement agreement with Shawn & Sara Morton and authorize payment as provided.

E. Motion: Approve Grant of Permanent Sanitary Sewer Easement and Temporary Construction Easement with Christopher E. Seversen;

Enclosed in your packet is an easement agreement with Christopher Seversen. This easement is located across the Severson Construction property. The easement includes a strip of property 20' wide for a permanent easement and an additional 15' strip of property as a temporary construction easement. The City has negotiated a price of \$2,150 for the granting of this easement.

I would recommend the Council approve the easement agreement with Christopher Seversen and authorize payment as provided.

F. Motion: Approve Property & Casualty Insurance Renewal with ICAP, effective 4/1/2018 for \$182,596.63 and authorize signature of Member Proxy;

It is time for the City's annual renewal of the Property and Casualty Insurance coverage. The City is part of the Iowa Communities Assurance Pool (ICAP) for our coverage. On Wednesday, March 14th, Mark White, Jeff Bohnenkamp, Don Hemphill and Brian met to discuss the renewal of the City's policy. At that time, it was decided to recommend that the Council increase the excess liability component of the coverage from \$1,000,000 to \$4,00,000. This would give the City total coverage of \$6,000,000. The premium renewal price, including the increased liability limit, is \$182,596.63. The increased limit was an additional \$6,464.15. The City had budgeted \$192,224 for the renewal. The proposed premium is within the budgeted amount.

I would recommend that the Council approve the renewal of the Property & Casualty Insurance effective 4/1/2018.

G. Motion: Approve Covenants Estoppel Certificate for Lot 1 in Re Plat of Lot 8 and Out Lot C, Green Industrial Center, First Addition, Leased to Pioneer;

Enclosed in your packet is an agreement for the Pioneer Warehouse lot in the Green Industrial Park. Pioneer leases the facility, and the current owners of the facility have entered into a sale/purchase agreement to sell it. The Estoppel Certificate that is in front of the Council states in essence that there are no code violations as to the property, no covenant violations and that the City doesn't desire to purchase the project. This does not change the current operations of the facility.

I would recommend the Council approve the Covenants Estoppel Certificate.

H. Motion: Approving Preliminary Plat for the Replat of Lot 27, Spencer Municipal Utilities Addition;

Enclosed in your packet is the Preliminary Plat for the Replat of Lot 27, Spencer Municipal Utilities Addition. SMU has entered into a purchase agreement to sell their old warehouse located west of Pederson Park/Cardinal Field. In order to sell the building, they need to split off the parcel that will consist of the building as they intend to retain ownership of the remainder of the property. The Planning & Zoning Commission met on Wednesday, March 14th and recommend approval of the Preliminary and Final Plat subject to a waiver of stormwater management requirements, vehicle access easement on lot 28 and resolution of access to Hospital owned building.

I would recommend the Council approve the Preliminary and Final Plat with the conditions recommended by the Planning & Zoning Commission.

I. Motion: Approve License Agreement with Wal-Mart to accommodate placement of public glass & recycling containers;

Enclosed in your packet is an agreement with Wal-Mart for the placement of public glass & recycling containers. As the Council may recall, the City purchased these containers last fall with the intention of placing them in the parking lot at Wal-Mart for access by the public to recycle glass and other recycling materials. Pictures of the

containers are at the back of the attached agreement. This project is part of the City's EMS program.

I would recommend the Council approve the agreement with Wal-Mart for the placement of these two containers.

6. Engineer's Report:

7. City Manager's Report:

8. Mayor's Report:

9. Council/Comm. Reports: Upcoming Events:

-Committee of the Whole, 3/26/2018, 5:30 P.M. for Goals Discussion (at the Event Center);

-Committee of the Whole, 4/9/2018, 5:30 P.M. for City Manager On-Boarding & Evaluation (Closed Session);

-Progress & Development Committee, 4/24/2018, 6:00 P.M. for Riverfront Discussion & Electrical Board recommendations;

10. City Clerk's Report:

A. Motion: Approve Bills and Claims and Funds Transfers;

11. Other Business/Opportunity to Address the Council;

12. Adjourn