

REGULAR SPENCER CITY COUNCIL MEETING
APRIL 2, 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 Arts on Grand by Director, Ryan Odor

4. Consent Agenda:

A. Motion: [Approve Minutes](#) of March 19, 2018;

B. Licenses; Class A Liquor License for **Loyal Order of Moose Lodge** No. 496; Class C Liquor License with Sunday Sales for **Weasy's Lounge & Grille** ; Premises Update for **Clay County Fairgrounds** for Event April 7, 2018; Premise Update for **The Bear Coffeehouse and Wine Bar and Gary's on the River** to add upper level of building; and New Class C Liquor License with Sunday Sales for **Prime Rib**;

C. Motion: Approve Renewal [Agreement](#) with Northwest Iowa Planning & Development Commission for the SHIELD Workplace Safety & Compliance Program;

D. Motion: Approve MLS Landscape & Design, Inc. and Dakota Traffic Services. LLC as Subcontractors, under OEL Construction, for Iowa Great Lakes Trail, Phase II (18th Street Portion);

E. Roll Call: Resolution Authorizing and Directing the Temporary Closing of Portions of City Street (2nd Ave. West) in the City of Spencer, as requested by [Relay for Life](#) on June 23, 2018;

F. Roll Call: Resolution Authorizing and Directing the Temporary Closing of Portions of City Streets in the City of Spencer for the 2018 Flagfest Celebration

G. Motion: Approve Revised Quote from ICAP for Property & Liability Insurance, effective April 1, 2018, for an increase of \$621.51;

H. Motion: [Approve Quote from Pixler Electric for \\$23,850](#) for electrical panel and pump upgrades at three lift stations, included in CIP Plan;

I. Roll Call: Resolution Setting a Public Hearing and Directing the Publication of Notice of the Voluntary [Annexation of a Parcel of Real Property for Green & Yellow LLC](#) (Hearing Date May 7, 2018, 6:30 P.M.)

5. Public Hearings:

A. Public Hearing on Proposed Development Agreement with William J. Muller Revocable Trust;

- 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 Development Agreement with the William J. Muller Revocable Trust, Authorizing Annual Appropriation Local Option Sales and Services Tax Increment Payments and Pledging Certain Local Option Sales and Services Tax Increment Revenues to the Payment of the Agreement;

The Pine Tree Plaza project has qualified for a Local Option Sales Tax Rebate. The rebate consists of a maximum of \$750,000 over a ten year period rebated to the William J. Muller Revocable Trust. The supporting documents are enclosed in your packet.

Recommendation: I recommend the Council approve the Proposed Development agreement with William J. Muller Revocable Trust.

B. Public Hearing on Proposed Development Agreement with ESC, LLC;

- 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 [Development Agreement with ESC, LLC](#), Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement;

Engineered Seals Components has completed a \$1 million + expansion of their existing facility. The agreement included in your packet provides for a TIF rebate not to exceed \$300,000 over a ten year period.

Recommendation: I recommend the Council approve the proposed development agreement with ESC, LLC.

6. New Business:

- A. Roll Call: [Resolution Approving the Replat of Lot 27](#), Spencer Utilities Addition as a Subdivision of the City of Spencer, Clay County, Iowa;

Spencer Municipal Utilities has requested a replat of Lot 27 in the Spencer Municipal Utilities addition. The Planning and Zoning Commission has approved and accepted the waiver to the stormwater management plan.

Recommendation: I recommend approval of the Replat request

- B. Motion: Approve Grant of Permanent Sanitary Sewer Easement and Temporary Construction Easement with Gary Toft;

Enclosed in your packet is an easement agreement with Gary Toft. 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 \$5,000 for the granting of this easement.

Recommendation: I recommend the Council approve the easement agreement with Gary Toft and authorize payment as provided.

- C. Motion: Approve Grant of Permanent Sanitary Sewer Easement and Temporary Construction Easement with H & J Holdings, LLC;

Enclosed in your packet is an easement agreement with H&J Holdings, LLC. 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 \$12,300 for the granting of this easement.

Recommendation: I recommend the Council approve the easement agreement with H&J Holdings, LLC and authorize payment as provided.

- D. Motion: Approve Grant of Permanent Sanitary Sewer Easement and Temporary Construction Easement with Randy & Linda Nieman;

Enclosed in your packet is an easement agreement with Randy & Linda Nieman. 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 \$1,765 for the granting of this easement.

Recommendation: I recommend the Council approve the easement agreement with Randy & Linda Nieman and authorize payment as provided.

- E. Roll Call: Resolution Awarding [Contract for 2018 4th Avenue West CDBG Project, Phase II](#);

A public bid letting was held on March 22, 2018. Four bids were received and the low bid was submitted by Hulstein Excavating, Inc. of Edgerton, MN. The total bid was in the amount of \$2,128,615.10, which was 85.1% of the Engineer's Estimate.

Recommendation: I recommend approval of the resolution awarding the 2018 4th Avenue West CDBG project contract to Hulstein Excavating, Inc.

- F. Roll Call: Ordinance Amending Title 4, Chapter 5, Section 21 of the Spencer City Code Concerning [Solid Waste Rates & Charges](#), 1st Filing;

Enclosed in your packet is an ordinance recommending a 3% increase in solid waste rates for one year.

Recommendation: I recommend Council approve the first filing of the Ordinance Amending Title 4, Chapter 5, Section 21 of The Spencer City Code.

- G. Roll Call: Ordinance Amending Title 4, Chapter 4, Section 11, Subsection D of the Spencer City Code, Amending Wastewater Service Charges in the City of Spencer, 1st Filing;

Enclosed in your packet is an ordinance recommending a 4% annual increase to the wastewater service charges for a three year period.

Recommendation: I recommend Council approve the first filing of the Ordinance Amending Title 4, Chapter 4, Section 11, Subsection D of the Spencer City Code.

- H. Roll Call: Resolution providing for [prepayment of General Obligation Landfill Facility Refunding Bonds, Series 2010A](#);

Enclosed in your packet is a resolution providing for the early payment of the City's General Obligation Landfill Facility Refunding Bonds. This will allow the City to retire the debt on the Landfill one year earlier than originally projected.

Recommendation: I recommend approval of the Resolution providing for prepayment of General Obligation Landfill Facility Refunding Bonds, Series 2010A.

- I. Motion: Approve Grant of Temporary Construction Easement with Interstate Power and Light Company, d/b/a Alliant Energy;

Enclosed in your packet is a Temporary Construction Easement agreement with Interstate Power and Light Company d/b/a Alliant Energy for the construction of a sanitary sewer line.

Recommendation: I recommend approval of the Temporary Construction Easement agreement with Interstate Power and Light Company d/b/a Alliant Energy.

7. Dept. Head Reports

8. Department Head Reports:

- A. Planning Department
- B. Fire
- C. Police
- D. Public Works
- E. Golf
- F. City Attorney

9. Engineer's Report:

10. City Manager's Report:

11. Mayor's Report:

12. Council/Comm. Reports: Upcoming Events:

-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;

13. City Clerk's Report:

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

14. Other Business/Opportunity to Address the Council;

15. Adjourn