

REGULAR SPENCER CITY COUNCIL MEETING

May 7, 2018

6:30 P.M.

COUNCIL CHAMBERS, CITY HALL

1. Pledge of Allegiance

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

3. Consent Agenda:

A. Motion: Approve Minutes of April 16, 2018;

B. Licenses; Approve Class E Liquor License, Class B Native Wine Permit, Class C Beer Permit and Sunday Sales for **Crossroads of Spencer**; Class E Liquor License, Class B Wine Permit and Class C Beer Permit for **Fareway Store #788**; Premise Update for **Pizza Hut**; and Class E Liquor License, Class B Wine Permit, Class C Beer Permit and Sunday Sales for **Walgreens #11153**, all subject to final approval by Iowa Alcoholic Beverages Division;

C. Roll Call: Resolution Adopting Final Assessment Schedule for Snow Removal Costs and Mowing Costs and Confirming and Levying the Assessments;

D. Motion: Set Hearing Date for May 21, 2018 at 6:30 o'clock P.M. for Budget Amendment for Fiscal Year 2017/18 Budget;

E. Roll Call: Resolution to Fix a Date for a Public Hearing to Enter in to a General Obligation Sewer Improvement Loan and Disbursement Agreement and to Borrow Money Thereunder in a Principal Amount Not to Exceed \$1,550,000;

F. Motion: Approve Subcontractors for 2018 4th Avenue West CDBG Sewer Project, Phase II (DeLoss Construction, Magnussen Bros. Inc, Traffic Solutions, Inc., and Van Holland Lawn Service);

G. Motion: Approve Sewer Refund Request from Bill Caskey for Trailer Court at 317 West 18th Street for \$1259.03;

H. Motion: Approve Household Hazardous Waste Collection Satellite Service Agreement with Pocahontas County Solid Waste Commission ;

4. Public Hearing:

A. **Public Hearing on Proposed Annexation of a tract of land in the South Half of the Northeast Quarter of Section 25, Township 96 North, Range 37 of the Fifth Principal Meridian, Clay County, Iowa as requested by Green & Yellow 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 the Voluntary Annexation of a Tract in the South Half of the Northeast Quarter (S ½ NE ¼) of Section Twenty-Five 25, Township Ninety-Six (96) North, Range Thirty-Seven (37) West of the Fifth Principal Meridian, Clay County, Iowa, to the City of Spencer, Iowa;

Green & Yellow LLC (Noteboom Implement) has requested a voluntary annexation into Spencer City limits. The appropriate process has been applied to facilitate this request, including a presentation of information to the Clay County Supervisors.

Recommendation: I recommend approval of the voluntary annexation request

5. Old Business:

- A. Roll Call: Ordinance Amending Title 4, Chapter 5, Section 21 of the Spencer City Code Concerning Solid Waste Rates & Charges, Final Filing;

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

Recommendation: I recommend final approval of the Ordinance Amending Title 4, Chapter 5, Section 21 of The Spencer City Code.

- B. 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, Final Filing;

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

Recommendation: I recommend final approval of the Ordinance Amending Title 4, Chapter 4, Section 11, Subsection D of the Spencer City Code.

6. New Business:

- A. Roll Call: An Ordinance Amending Title 8, Chapter 3, Section 4 of the Spencer City Code to Amend Electrical Code Requirements, 1st Filing;

Enclosed in your packet is an ordinance recommending amendments to the Spencer City Electrical Code Requirements. These recommendations are: eliminating the requirement that a neutral or grounded conductor must be the same size as the related ungrounded conductors and to remove the provision against metal-clad cable (MC). The Spencer Electrical Board met on February 2, 2018 and approved these recommendations.

Recommendation: I recommend approval of the first filing of an Ordinance Amending Title 8, Chapter 3, Section 4 of the Spencer City Code.

- B. Motion: Approve Contribution to Northwest Iowa Soccer Club of \$25,000 from Hotel Motel Tax for Phase IV of Improvements to the Soccer Facility. Payment will be made after July 1, 2018;

The Progress and Development Committee met April 24, 2018 to discuss the Northwest Iowa Soccer Club request of \$50,000 for improvements to the Soccer Facility. The P&D Committee is recommending to the Council approval of a \$25,000 contribution. Funds will be dispersed from the Hotel/Motel Tax fund and will be available after July 1, 2018.

Recommendation: I recommend Council approve a \$25,000 contribution to the Northwest Iowa Soccer Club for improvements to the Soccer Facility.

- C. Motion: Approve Agreement with Ziegler, Inc. to accept proposal of \$37,949 for Generator for FEMA Backup Generator Project DR4234-0012-IA, as required by FEMA;

The council approved this purchase on November 6, 2017, however, in order to meet FEMA guidelines for the project, a FEMA approved agreement must be approved by the Council as well.

Recommendation: I recommend Council approve the Ziegler, Inc. agreement in the amount of \$37,949 for FEMA Backup Generator Project DR4234-0012-IA.

- D. Motion: Approve Agreement with Ziegler, Inc. to accept proposal of \$170,869 for Five Generators for FEMA Backup Generator Project DR4234-007-IA, as required by FEMA;

The Council approved this purchase on November 6, 2017, however, in order to meet FEMA guidelines for this project, a FEMA approved agreement must be approved by the Council as well.

Recommendation: I recommend Council approve the Ziegler, Inc. agreement in the amount of \$170,869 for FEMA Backup Generator Project DR4234-007-IA.

- E. Roll Call: Resolution Approving Contract and Performance Bond for 2018 HMA Overlay Project #1 with OMNI Engineering;

Enclosed in your packet is the resolution approving the contract with OMNI Engineering for the 2018 HMA Overlay Project #1. OMNI Engineering has been awarded the bid in the amount of \$449,471.97.

Recommendation: I recommend Council approve the resolution approving the contract and performance bond for the 2018 HMA Overlay Project #1 with OMNI Engineering.

- F. Roll Call: Resolution Awarding Contract for 2018 PCC Patching Project (quotes were received 4/27/2018);

Quotes were received for this project on April 27, 2018. The low quote was from Cory Juergens Construction, LLC out of Estherville, IA in the amount of \$47,744.75. The Engineer's estimate for this project was \$50,757.00.

Recommendation: I recommend Council award the Contract for 2018 PCC Patching Project to Cory Juergens Construction, LLC.

- G. Roll Call: Resolution Approving Contract and Performance Bond for 2018 PCC Patching Project with Cory Juergens Construction, LLC;

Enclosed in your packet are contract and performance bond documents for the 2018 PCC Patching Project with Cory Juergens Construction, LLC.

Recommendation: I recommend Council approve the Contract and Performance Bond for the 2018 PCC Patching Project with Cory Juergens Construction, LLC.

- H. Roll Call: Resolution Awarding Contract for 2018 Intake Replacement Project (quotes were received 4/20/2018);

Quotes for this project were received on April 20, 2018. The low quote was from Cory Juergens Construction, LLC in the amount of \$44,978.00. The Engineer's estimate for this project was \$51,100.00.

Recommendation: I recommend Council award the Contract for 2018 Intake Replacement Project to Cory Juergens Construction, LLC.

- I. Roll Call: Resolution Approving Contract and Performance Bond for 2018 Intake Replacement Project with Cory Juergens Construction, LLC;

Enclosed in your packet are contract and performance bond documents for the 2018 Intake Replacement Project with Cory Juergens Construction, LLC.

Recommendation: I recommend Council approve the Contract and Performance Bond for the 2018 Intake Replacement Project with Cory Juergens Construction, LLC.

- J. Roll Call: Resolution Awarding Contract for 2018 Crack and Joint Sealing Project (quotes were received 5/1/2018);

Quotes were received on May 1, 2018 for this project. The low quote was from Sioux Commercial Sweeping, Inc., from Sioux Center, IA in the amount of \$50,380.00. The Engineer's estimate for this project was \$50,656.00.

Recommendation: I recommend Council award the 2018 Crack and Joint Sealing Project contract to Sioux Commercial Sweeping, Inc.

- K. Motion: Approve 2018 18th Avenue West Storm Sewer Extension Engineering Contract with Kruse, Cate & Nelson, PC;

Enclosed in your packet is an Engineering Contract with Kruse, Cate & Nelson, PC for the design of the 18th Avenue West Storm Sewer Extension Project. The fees for these services are not to exceed the total fee per Municipal Fee Limit.

Recommendation: I recommend Council approve the 18th Avenue West Storm Sewer Extension engineering contract with Kruse, Cate & Nelson, PC.

- L. Motion: Approve 2018 Transfer Station Scale Project Engineering Contract with Kruse, Cate & Nelson, PC;

Enclosed in your packet is an Engineering Contract with Kruse, Cate & Nelson, PC for the 2018 Transfer Station Scale Project. The fees for this project will be charged at the standard hourly rates.

Recommendation: I recommend Council approve the 2018 Transfer Station Scale Project engineering agreement with Kruse, Cate & Nelson, PC.

- M. Roll Call: Resolution to Provide for a Notice of Hearing & Bid Letting on Proposed Plans and Specifications, Form of Contract and Estimate of Cost for 2018 Transfer Station Scale Project; (Hearing Date May 21, 2018, 6:30 P.M. and Bid Letting May 24, 2018, 3:00 P.M.)

Enclosed in your packet is a Resolution providing for Notification of Hearing and Bid Letting on the proposed plans and specifications, form of contract and estimate of cost for the 2018 Transfer Station Scale Project. The hearing will be held on May 21, 2018 at 6:30PM and Bid Letting will occur on May 24, 2018 at 3:00PM.

Recommendation: I recommend Council approve this resolution.

- N. Motion: Approve Change Order #1 on 2018 CDBG 4th Avenue West Storm Sewer Project – Phase II for an increase of \$190,216.75;

The contractor on the above referenced project shall remove and replace the street pavement and sanitary sewer on W 12th Street from 4th Avenue West to the Railroad Trail. The contractor shall also eliminate the connection to the Clay County Fair water system new West 16th Street, construct infill sidewalk on the east side of 4th Avenue West between 1 16th Street and W 18th Street and remove the existing fire hydrant at the southeast corner of W 13th Street and 3rd Avenue W and install a new fire hydrant on the proposed 6" water main. The change order will allow the City to utilize remaining CDBG Grant Funds.

Recommendation: I recommend Council approve Change Order #1 on the 2018 CDBG 4th Avenue West Storm Sewer Project--Phase II.

- O. Motion: Approve Proposal for Audit Services with Winther/Stave & Company for FY 2017/2018 through FY 2019/2020;

Finance Director Weuve issued a Request for Proposals for auditing services for the Fiscal Years 2018, 2019 & 2020. Proposals were received from Winther Stave & Co, LLP and Williams & Co, CPA, PC. The lowest proposal came from Winther Stave & Co., LLP \$21,250/year.

Recommendation: I recommend Council approve Proposal for Audit Services with Winther Stave & Co., LLP.

7. Department Head Reports:

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

8. Engineer's Report:

9. City Manager's Report:

10. Mayor's Report:

-Northwest Iowa League of Cities Meeting 5/17/18, Sac City

11. Council/Comm. Reports:

Committee of the Whole, 5/8/18, 5:30 P.M. at Clay County Administration Building;
Committee of the Whole, 5/22/18, 5:30 P.M.

12. City Clerk's Report:

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

13. Other Business/Opportunity to Address the Council;

14. Adjourn