

**SPENCER CITY COUNCIL MEETING
December 1, 2014
SPENCER, IOWA**

The City Council of the City of Spencer, Iowa, met on the 1st day of December 2014, at 6:30 o'clock P.M., in regular session in the Council Chambers, City Hall, Spencer, Iowa, pursuant to law, to adjournment and to the rules of said Council.

The meeting was called to order by Mayor Reynold Peterson, in the Chair and the roll being called, the following Council Members were present:

Present: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty
Absent: None

Dakin Schultz from IDOT spoke on projects to be completed in 2015 construction season and discussed possible future trail crossing.

It was moved by Council Member Prentice, seconded by Council Member Swanson to approve items on the consent agenda, as follows:

Minutes of November 17, 2014;

Licenses: Class C Liquor License with Sunday Sales and Catering Privilege for Prime Rib Inc.; subject to final approval by the Iowa Alcoholic Beverages Division (Pending Fire Inspection);

Approve Residential Tax Abatement Requests for:

Dean C. & Linda H. Koppen, 94 Stoneybrook Circle SW
Kyle Norris, 817 3rd Ave. W
Ira Garvis Jr., 1519 Kristin Drive
Matt & Camela Hindeldey, 1200 Michaels Court

**RESOLUTION NO. 5328: RESOLUTION ACKNOWLEDGING RECEIPT OF
CALENDAR YEAR 2014 BUDGET AMENDMENT
AND CALENDAR YEAR 2015 BUDGET OF
SPENCER MUNICIPAL UTILITIES OF THE CITY
OF SPENCER, IOWA**

The Mayor put the question upon the motion, and the roll being called, the vote thereon was as follows:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty
Nays: None

Whereupon, the Mayor declared the motion carried.

The Mayor announced this was the time and place set for hearing on Proposed Sale of Approximately 7 Acres of Unimproved City Property Located in the West Half of the Northeast Quarter of Section 24, Township 96 North, Range 37 W. of the 5th P.M., Clay County, Iowa, to Iowa Great Lakes Construction, LLC;

The Mayor declared the Public Hearing Open.

Written Comments Against:

None

Oral Comments Against:

None

Written Comments in Favor:

None

Oral Comments in Favor:

None

The Mayor declared the Public Hearing Closed.

Council Member Orrison introduced and caused to be read the following Resolution, and moved its adoption, seconded by Council Member Moriarty and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty
Nays: None

Whereupon, the Mayor declared the motion carried and said Resolution adopted as follows:

RESOLUTION NO. 5329: A RESOLUTION APPROVING AND AUTHORIZING THE SALE OF CITY REAL PROPERTY TO IGL CONSTRUCTION, LLC

Council Member Swanson introduced and caused to be read the following Resolution, and moved its adoption, seconded by Council Member Petska and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty
Nays: None

Whereupon, the Mayor declared the motion carried and said Resolution adopted as follows:

RESOLUTION NO. 5330: A RESOLUTION APPROVING A RESIDENTIAL SUBDIVISION DEVELOPMENT AGREEMENT WITH IGL CONSTRUCTION, LLC

Council Member Hanson moved that the proposed ordinance entitled "AN ORDINANCE AMENDING TITLE 9, CHAPTER 12, SECTION 4D CONCERNING PUBLIC HEARINGS HELD BY THE PLANNING AND ZONING COMMISSION" be finally passed and adopted as Ordinance No. 774. Council Member Prentice seconded the motion. The Mayor put the question upon the motion, and the roll being called, the vote thereon was as follows:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty
Nays: None

Whereupon, the Mayor declared the motion carried and Ordinance No. 774 duly passed and adopted and signed his approval thereto.

ORDINANCE NO. 774: AN ORDINANCE AMENDING TITLE 9, CHAPTER 12, SECTION 4D CONCERNING PUBLIC HEARINGS HELD BY THE PLANNING AND ZONING COMMISSION

Council Member Moriarty moved that the proposed ordinance entitled "AN ORDINANCE AMENDING TITLE 9, CHAPTER 16 OF THE SPENCER CITY CODE (THE SPENCER ZONING CODE) TO AMEND FLOODWAY FRINGE OVERLAY DISTRICT PERFORMANCE STANDARDS REGARDING NEW AND SUBSTANTIALLY IMPROVED STRUCTURES AND SUBDIVISIONS; TO INSERT A PROVISION ON RECREATIONAL VEHICLES; TO AMEND GENERAL FLOOD PLAIN OVERLAY DISTRICT PERFORMANCE STANDARDS AND TO ADD DEFINITIONS FOR "EXISTING CONSTRUCTION", "HISTORIC STRUCTURE", "MINOR PROJECTS" "RECREATIONAL VEHICLE", "ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES", "START OF CONSTRUCTION" AND "SUBSTANTIAL DAMAGE" be finally passed and adopted as Ordinance No. 775. Council Member Petska seconded the motion. The Mayor put the question upon the motion, and the roll being called, the vote thereon was as follows:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty
Nays: None

Whereupon, the Mayor declared the motion carried and Ordinance No. 775 duly passed and adopted and signed his approval thereto.

ORDINANCE NO. 775: AN ORDINANCE AMENDING TITLE 9, CHAPTER 16 OF THE SPENCER CITY CODE (THE SPENCER ZONING CODE) TO AMEND FLOODWAY FRINGE OVERLAY DISTRICT PERFORMANCE STANDARDS REGARDING NEW AND SUBSTANTIALLY IMPROVED STRUCTURES AND SUBDIVISIONS; TO INSERT A PROVISION ON RECREATIONAL VEHICLES; TO AMEND GENERAL FLOOD PLAIN OVERLAY DISTRICT PERFORMANCE STANDARDS AND TO ADD DEFINITIONS FOR “EXISTING CONSTRUCTION”, “HISTORIC STRUCTURE”, “MINOR PROJECTS” “RECREATIONAL VEHICLE”, “ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES”, “START OF CONSTRUCTION” AND “SUBSTANTIAL DAMAGE”

It was moved by Council Member Hanson and seconded by Council Member Bomgaars to Approve Pay Estimate for 2014 Fairway Woods First Addition PCC Paving Project to Vaughn DeLoss Construction for \$80,209.35 (\$91,129.35 less liquidated damages of \$10,920). The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Orrison and seconded by Council Member Hanson to suspend the working calendar day counts for the 2014 Fairway Woods First Addition PCC Paving Project. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Prentice and seconded by Council Member Petska to Approve Waiver of City Permit and Inspection Fees for Southern Pointe, LLLP Housing Project. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Petska introduced and caused to be read the following Resolution, and moved its adoption, seconded by Council Member Orrison and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty
Nays: None

Whereupon, the Mayor declared the motion carried and said Resolution adopted as follows:

RESOLUTION NO. 5331: APPROVING CONTRACT AND PERFORMANCE BOND FOR THE RAIL AND TIE REMOVAL SALVAGE PROJECT (A & K RAILROAD MATERIALS, INC., SALT LAKE CITY, UT; CONTRACTOR PAYS CITY OF SPENCER \$45,650)

The following Reports were given:

Public Works:

City Attorney:

Parks & Recreation:

Planning Department:

Library:

Fire:

Golf:

Police:

Engineer's Report:

City Manager's Report: 411 Conference tomorrow; Home Base Iowa meeting Thursday
December 2, 2014 at 1:30 P.M. at the Corridor Office

Mayor's Report: Reported on the Austin Texas League of Cities Conference

Council/Comm. Reports: Special Council Meeting December 4, 2014 at 5:40 P.M.
Hosting NW Iowa League in October 2015

It was moved by Council Member Prentice, seconded by Council Member Swanson to approve the Bills & Claims and Funds Transfers. The motion was declared carried when all Council Members present voted aye on voice call vote.

Other Business:

It was moved by Council Member Moriarty, seconded by Council Member Orrison to adjourn the meeting of the Spencer City Council at 7:28 o'clock P.M. The motion was declared carried when all Council Members present voted aye on voice call vote.

Reynold Peterson, Mayor

ATTEST:

Theresa Reardon, City Clerk
(SEAL)

End of November, 2014 Claims:

VENDOR	DESCRIPTION	AMOUNT
PETTY CASH-SMGC	reimburse	2528.62
DEPT HUMAN SERV	pr deduct	1155.96
ICMA	pr deduct	859.23
FARMERS BANK	pr taxes	34698.67
EMPL BENEFIT	premiums	19615.96
IPERS	pr deduct	34790.00
MUNI FIRE/POL	pr deduct	38038.86
TREAS,ST IA	pr taxes	13991.00
SPENCER EMPL	pr deduct	250.00
BANKERS TRUST	interest	37541.25
FARMERS BANK	fees	112.50
IA FINANCE AUTH	interest	127785.00
FARMERS BANK	interest	10587.67
AFLAC	pr deduct	2589.34
COLONIAL LIFE	pr deduct	332.34
TOTAL		324876.40
	FUND TOTALS	
	GENERAL	61372.84
	RST CASH	46874.37
	DEBT SERVICE	53378.92
	SEWER	6755.18
	SWR REV BND	122535.00
	AIRPORT	440.94
	SOLID WASTE	17540.13
	LANDFILL	9428.01
	REG COLL	
	CNTR	364.52
	GOLF	6186.49

TOTAL	324876.40	
December 1, 2014 Claims:		
VENDOR	DESCRIPTION	AMOUNT
ARNOLD MOTOR SUPPLY	repairs	88.66
ANIMAL MEDICAL CENTER	services	924.50
SAFELITE FULFILLMENT, INC -	repairs	346.85
KEN BORTH AUTO BODY LTD.	repairs	448.39
CANAMER SERVICES INC	maintenance	727.30
CAREYS ELECTRONICS	ssmid refund	411.35
CARROLL CONSTRUCTION SUPPLY	maintenance	898.52
CARTRIDGE CONNECTION	supplies	60.00
VERIZON WIRELESS	cameras	76.02
COFFMAN'S LOCKSMITH SHOP	maintenance	324.37
COMMUNITY INSURANCE	fees	2691.90
COTTON GRAVE	ssmid refund	182.13
CRESCENT ELECTRIC	maintenance	162.64
CORY JUERGENS CONSTRUCTION	pay estimate	5962.36
COOPERATIVE ENERGY COMPANY	fuel	23470.43
CULLIGAN	supplies	49.95
DIAMOND VOGEL	maintenance	177.34
DORSEY & WHITNEY	fees	11445.00
DYNO OIL CO. #32	supplies	942.30
DES MOINES REGISTER	subscription	20.00
ELLIOTT EQUIPMENT	repairs	115.04
E.M.S. AUTO PARTS	repairs	38.99
FAIRCHILD MFG. INC.	repairs	1966.64
FAREWAY STORES #788	supplies	77.78
FAREWAY STORES #849-EMBG	supplies	17.98
THE ANDERSON'S, INC.	fuel	3830.74
FELD FIRE	maintenance	24.75
FOX INTERNATIONAL, INC.	repairs	166.29
FREMONT TIRE INC./T-W TIRE	repairs	4.50
FIRE PROOF PLUS, INC.	maintenance	573.60
LINDSEY GETHMANN	uniform	312.23
GALLS, LLC	uniform	101.58
ZIEGLER	repairs	1033.15
GALEN'S PRO-MOW	repairs	105.60
GRAHAM TIRE CO.	repairs	1987.30
HARDWARE HANK	supplies	6.49
HEIMAN INC.	equipment	169.65
HELEN'S LAUNDRY	services	181.55
I STATE TRUCK CENTER	repairs	35.26
IOWA ONE CALL	fees	377.10
IOWA PRISON INDUSTRIES	supplies	505.90
AIRGAS NORTH CENTRAL	repairs	142.12
INTERSTATE POWER SYSTEMS	equipment	87.78
KATEC INCORPORATED	supplies	44.32
KEYSTONE LABORATORIES INC.	testing	5923.09
KRUSE, CATE & NELSON	fees	673.20
LARUE COFFEE	supplies	27.50
HANSON PLUMBING & HEATING d	maintenance	75.00
McNEILUS TRUCK & MANUFACTUR	repairs	82.59
MENARDS-SPENCER	maintenance	306.83
MID-IA.SOL.WASTE EQUIP.	repairs	237.49
VEOLIA WATER NORTH AMERICA	contract	62869.78
MUNICIPAL EMERGENCY SERVICE	equipment	37.97
MURPHY TRACTOR/POWER PLAN	repairs	565.58
NAPA AUTO PARTS	supplies	212.13
NIELSEN'S TIRE CO.	repairs	623.68
NORGAARD SAND & GRAVEL	snow removal	420.00

NOTEBOOM IMPLEMENT LLC	repairs	381.96
NORTHWEST BANK	ssmid refund	2233.60
NORTHWEST GLASS CO. INC.	repairs	58.25
N.W. IA LEAGUE	dues	75.00
NORTHERN SAFETY & INDUSTRIA	supplies	221.02
RAY O'HERRON CO., INC	misc	97.20
PETROLEUM MARKETERS MUTUAL	premiums	1052.00
UNITED STATES POSTAL SERV	postage	800.00
RED'S RADIATOR REPAIRS	repairs	145.00
THE P RAIRIE FLOWER GREENHO	improvements	1570.00
THE RETROFIT COMPANIES	demanufact	1021.36
SCHOENEMAN BROS. CO.	maintenance	21.95
BOMGAARS	maintenance	511.54
SMEAL FIRE APPARATUS CO.	equipment	181360.00
SPENCER AUTO PARTS	repairs	349.33
SPENCER OFFICE SUPPLIES	supplies	515.42
STALLS	supplies	17.99
TITAN MACHINERY	repairs	260.00
TOYNES IA FIRE TK SERVICE	equipment	161.75
TRI STATE PAVING	maintenance	1213.80
TREASURER'S OFFICE	training exp	45.00
TYLER TECHNOLOGIES	fees	8750.52
ULINE	supplies	54.45
VISA	mtg expenses	3162.37
DENNY KLATT	mtg expenses	134.35
CLAY MUTUAL INSURANCE	ssmid refund	91.34
BOB FAGEN	mtg expenses	84.00
MARK CAREY	ssmid refund	81.49
C & P PROPERTIES	ssmid refund	81.78
DM HOLDINGS LLC	ssmid refund	166.38
TRACY & JENNIFER SMALL	ssmid refund	132.78
MICAH VAN OTTERLOO	misc	182.08
CHRIS BJORNSTAD	ssmid refund	389.04
BARKERLEMAR	studies	2350.00
KUNZIE, LLC	ssmid refund	506.58
GARY HALVERSON	ssmid refund	29.14
MICHAEL HEFFERNEN	ssmid refund	97.52
LOWELL D BARNES	ssmid refund	86.42
JOEL MCNEILL C/O MARINA MC	ssmid refund	79.68
U.S. BANK	ssmid refund	352.04
MULLIGAN PROPERTIES LLC	ssmid refund	294.36
FAMILY TABLE	mtg expenses	123.59
KLAAS GROEN	ssmid refund	70.61
TOTAL		342783.88
	FUND TOTALS	
	GENERAL	51605.74
	RST CASH	181360.00
	SP REVENUE	14136.90
	SSMID	5286.24
	CAP PRJ	7532.36
	SEWER	65223.34
	AIRPORT	1076.00
	SOLID WASTE	4899.18
	LANDFILL	9181.35
	LF COMP PLAN	2350.00
	REG COLL CNTR	98.77
	GOLF	34.00
	TOTAL	342783.88

Minutes are subject to approval by the Spencer City Council.