

**SPENCER CITY COUNCIL MEETING**  
**April 06, 2015**  
**SPENCER, IOWA**

The City Council of the City of Spencer, Iowa, met on the 6th day of April, 2015, 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty  
Absent: Orrison

Presentation of the Audit for FY 2013-14 by Winther, Stave & Company was given. It was moved by Council Member Moriarty, seconded by Council Member Prentice to approve the audit. The motion was declared carried when all Council Members present voted aye on voice call vote.

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

Minutes of March 16, 2015 and March 23, 2015;

Licenses: Approve Class A Liquor License with Sunday Sales for Moose Lodge #496; subject to inspections and final approval by Iowa Alcoholic Beverages Division;

**Resolution No. 5386:** Adopting a Final Assessment Schedule for Snow Removal Costs and Confirming and Levying the Assessments;

Approve Agreement between Northwest Iowa Planning & Development Commission, and the City of Spencer, Iowa for the SHIELD Safety Program for FY 2015/2016, not to exceed \$10,789.64;

Approve renewal of Property & Liability Insurance with ICAP for 171,695.84;

**Resolution No. 5387:** Setting Date for Public Hearing on Urban Renewal Plan Amendment for May 4, 2015, 6:30 P.M. (Dollar Tree Development);

**Resolution No. 5388:** Setting Date at which it is proposed to approve a Development Agreement with Spencer Development Group, LLC, including annual appropriation Tax increment payments in an amount not to exceed \$220,000 for May 4, 2015, 6:30 P.M.;

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

Ayes: Petska, 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 a **Public Hearing on Budget Amendment for Fiscal Year 2014/2015;**

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 hearing closed.

Council Member Hanson introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member Bomgaars; and after due consideration thereof by the Council, the Mayor put the question upon the adoption of said resolution, and the roll being called, the following named Council Members voted:

Ayes: Petska, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

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

**RESOLUTION NO. 5389: RESOLUTION AMENDING THE CURRENT BUDGET FOR THE FISCAL YEAR ENDING JUNE 2015**

The Mayor announced this was the time and place set for a **Public Hearing on Proposed Rezoning of Real Property Owned by Green & Yellow LLC located at the SW Quarter of Section 24; Township 96 North; Range 37 West from the current zoning classifications of "A' Residential to "C-2" Highway Commercial;**

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 Petska introduced and caused to be placed on file an ordinance entitled, **AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF REAL PROPERTY OWNED BY GREEN & YELLOW, LLC, LOCATED ADJACENT TO HIGHWAY 71 IN SOUTHWEST SPENCER AS LEGALLY DESCRIBED HEREIN AND AMENDING THE OFFICIAL ZONING MAP;**

Council Member Swanson seconded the motion. The Mayor put the question on the motion and the roll being called, the vote thereon was as follows:

Ayes: Petska, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

Absent: Orrison

Whereupon, the Mayor declared the motion carried and said proposed ordinance was placed on **1<sup>st</sup> filing.**

Council Member Swanson moved that the proposed ordinance entitled “AN ORDINANCE AMENDING TITLE 9, CHAPTER 2 (B) (35) OF THE SPENCER CITY CODE (FOOD PROCESSING)” be finally passed and adopted as Ordinance No. 780. Council Member Moriarty seconded the motion. The Mayor put the question upon the motion, and the roll being called, the vote thereon was as follows:

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

Whereupon, the Mayor declared the motion carried and Ordinance No. 780 duly passed and adopted and signed his approval thereto.

**ORDINANCE NO. 780: AN ORDINANCE AMENDING TITLE 9, CHAPTER 2 (B) (35) OF THE SPENCER CITY CODE**

Council Member Prentice moved that the proposed ordinance entitled “AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF REAL PROPERTY OWNED BY TROY C. HUISENGA & JENNIFER M. HUISENGA LOCATED AT 515 6<sup>TH</sup> AVE. EAST, SPENCER, CLAY COUNTY, IOWA AND LEGALLY DESCRIBED HEREIN AND AMENDING THE OFFICIAL ZONING MAP” be finally passed and adopted as Ordinance No. 781. 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty  
Nays: None  
Absent: Orrison

Whereupon, the Mayor declared the motion carried and Ordinance No. 781 duly passed and adopted and signed his approval thereto.

**ORDINANCE NO. 781: AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF REAL PROPERTY OWNED BY TROY C. HUISENGA & JENNIFER M. HUISENGA LOCATED AT 515 6<sup>TH</sup> AVE. EAST, SPENCER, CLAY COUNTY, IOWA AND LEGALLY DESCRIBED HEREIN AND AMENDING THE OFFICIAL ZONING MAP**

Council Member Hanson introduced and caused to be placed on file an ordinance entitled, AN ORDINANCE AMENDING TITLE 4, CHAPTER 5, SECTION 21, SUBSECTION D OF THE SPENCER CITY CODE CONCERNING RATES AND CHARGES FOR SOLID WASTE SERVICES;

Council Member Moriarty seconded the motion. The Mayor put the question on the motion and the roll being called, the vote thereon was as follows:

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

Whereupon, the Mayor declared the motion carried and said proposed ordinance was placed on **2<sup>nd</sup> filing**.

Council Member Petska introduced and caused to be placed on file an ordinance entitled, AN ORDINANCE AMENDING TITLE 4, CHAPTER 4, SECTION 11, SUBSECTION D OF THE SPENCER CITY CODE, AMENDING WASTEWATER SERVICE CHARGES IN THE CITY OF SPENCER;

Council Member Prentice seconded the motion. The Mayor put the question on the motion and the roll being called, the vote thereon was as follows:

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

Absent: Orrison

Whereupon, the Mayor declared the motion carried and said proposed ordinance was placed on **2<sup>nd</sup> filing**.

Council Member Hanson introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Bomgaars 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty  
NAYS: None

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

**RESOLUTION NO. 5390: A RESOLUTION ADOPTING A FINAL ASSESSMENT SCHEDULE FOR THE CITY OF SPENCER 2015 SIDEWALK CONSTRUCTION PROJECT, AND CONFIRMING & LEVYING ASSESSMENT**

The Mayor announced that bids for the construction of the 2015 HMGP West Central Sewer Retrofit Project had been received, opened and read aloud at 1:00 P.M., at the Council Chambers, City Hall, on March 20, 2015, and that this was the time and place set for the consideration of such bids. It was moved by Council Member Swanson, seconded by Council Member Moriarty review the bids received. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Bomgaars 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty  
NAYS: None

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

**RESOLUTION NO. 5391: A RESOLUTION AWARDDING CONTRACT FOR THE 2015 HMGP WEST CENTRAL SEWER RETROFIT PROJECT**

Council Member Swanson introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Bomgaars 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty  
NAYS: None

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

**RESOLUTION NO. 5392: ACCEPTING WORK COVERING THE 2014 EAST 18<sup>TH</sup> STREET OVERLAY PROJECT**

**Department Reports:**

**Public Works:**

**City Attorney:**

**Park & Rec.:**

**Golf Course:**

**Planning Department:**

**Library:**

**Fire Department:**

**Police Department:**

**Finance Director: EMS Report**

**Engineer's Report:** Brian Schmidt

**City Manager's Report:** Bob Fagen - Staff will discuss sidewalk program with a committee meeting; tree and leaf site is for Spencer Residents only; storm water project (IFA Grant) will be discussed at a Public Works Committee Meeting.

**Mayor's Report:** It was moved by Council Member Swanson, seconded by Council Member Petska to approve Eric Stuckey to the Spencer Municipal Golf Course Board, term expires 6-30-2016. The motion was declared carried when all Council Members present voted aye on voice call vote.

**Council/Comm. Reports:**

It was moved by Council Member Prentice, seconded by Council Member Swanson to approve the Bills and 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 Petska seconded by Council Member Moriarty to adjourn the meeting of the Spencer City Council at 7:19 P.M. The motion was declared carried when all Council Members present voted aye on voice call vote.

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Reynold Peterson, Mayor

ATTEST:

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Theresa E. Reardon, City Clerk

(SEAL)

April 6, 2015 Claims

VENDOR	DESCRIPTION	AMOUNT
EMPLOYEE BENEFIT SYSTEMS	premiums	96703.82
CLAY COUNTY SHERIFF	pr deduct	373.59
ALLIANT ENERGY	utilities	298.72
A & M INC.	services	148.00
AM.PUBLIC WORKS ASSOC.	dues	600.00
BLACK HILLS ENERGY	utilities	4215.94
ARNOLD MOTOR SUPPLY	repairs	751.93
ANIMAL MEDICAL CENTERS, P.C.	services	988.00
ARGUS LEADER	subscription	307.80
ATCO INTERNATIONAL	maintenance	240.80
BAKER & TAYLOR CO.	books	64.37

BEE KLEEN LINEN & UNIFORM SERV	services	38.50
BUDS SERVICE	towing	40.00
MARVIN BURK PHOTOGRAPHY	misc	275.00
CANON FINACIAL SERVICES	contract	111.55
VERIZON WIRELESS	phones	80.02
ISU EXTENSION CLAY COUNTY	registration	35.00
CLAY COUNTY ABSTRACT	abstract	1106.00
CLAY COUNTY AUDITOR	wbeltway	7310.00
CLAY CO. REGIONAL EVENT CENTER	hotel/motel	22500.00
COFFMAN'S LOCKSMITH SHOP	supplies	214.02
CRESCENT ELECTRIC	maintenance	383.21
COOPERATIVE ENERGY COMPANY	fuel	13705.83
CENGAGE LEARNING	books	158.54
CREATIVE PRODUCT SOURCING INC	supplies	12.40
CULLIGAN	supplies	55.20
DIAMOND VOGEL	repairs	159.70
DYNO OIL CO. #32	fuel	3691.79
DES MOINES REGISTER	subscription	20.00
ELM USA, INC	services	70.00
ELLIOTT EQUIPMENT	repairs	248.72
E-PRIDE OFFICE PRODUCTS	supplies	135.93
FAIRCHILD MFG. INC.	repairs	1260.00
FAREWAY STORES #788	supplies	209.90
THE ANDERSON'S, INC.	fuel	17350.43
FASTENAL COMPANY	supplies	81.69
FELD FIRE	equipment	272.00
FLEETPRIDE	repairs	755.08
FOX INTERNATIONAL, INC.	repairs	1124.01
FOTO PROS	supplies	50.00
FIRE PROOF PLUS, INC.	maintenance	215.00
FISHER SCIENTIFIC	supplies	325.71
GALLS, LLC	uniform	283.89
GLOBAL EQUIPMENT COMPANY	supplies	779.66
GRADY'S UPHOLSTERY	repairs	15.00
GRAHAM TIRE CO.	repairs	291.44
HARDWARE HANK	maintenance	126.93
HEMPHILL LAW OFFICE P.L.C.	fees	8211.37
HOLMES LOCK & SAFE CO.	supplies	50.00
HY-VEE FOOD STORES	supplies	27.38
ICAP	premiums	171695.84
IOWA ONE CALL	contract	24.30
IOWA PRISON INDUSTRIES	supplies	1351.60
INGRAM LIBRARY SERVICES	books	1254.79
IOWA SPORTS FOUNDATION	misc	200.00
INTERNL ASSOC ARSON		
INVESTIGATO	dues	100.00
ADVANCE SERVICES INC.	contract	338.98
JANITORS CLOSET	supplies	255.99
JERICO SERVICES INC.	snow removal	8002.50
KELLY'S BLUE BOOK	books	98.00
KIMBALL MIDWEST	supplies	340.04
KELTEK INC.	misc	1721.84
KAPCO POSTAL PACK & SHIP	misc	9.96
KNIGHT PROTECTION, INC.	supplies	8700.00
LANDFILL OF NORTH IOWA	training	75.00
LUBRICATION TECHNOLOGIES INC.	fees	55.00
THE LIBRARY STORE	supplies	86.66
MAR-LIN BUSINESS SUPPLY	supplies	152.50
MCCLURE ENGINEERING CO.	services	18648.75

MENARDS-SPENCER	maintenance	279.14
MICHAELSON INC.	maintenance	2501.97
MID-IA.SOL.WASTE EQUIP.	repairs	259.82
MIDWEST WHEEL COMPANY	repairs	817.08
L-3 COMMUNICATIONS MOBILE-VISIO	maintenance	255.15
MOVIE LICENSING USA	contract	471.00
MODERN MARKETING INC.	supplies	253.37
VEOLIA WATER NORTH AMERICA	contract	62869.78
KRISTAT AUTO PARTS LLC.	repairs	549.78
NAPA AUTO PARTS	repairs	246.03
NORGAARD SAND & GRAVEL	snow removal	79.44
NOTEBOOM IMPLEMENT LLC	repairs	32.00
NORTHWEST GLASS CO. INC.	maintenance	442.00
NORTHERN SAFETY & INDUSTRIAL	safety	55.20
OMG MIDWEST INC D/B/A TRI STAT	pay estimates	11155.00
ORIENTAL TRADING COMPANY	supplies	94.82
DON PIERSON FORD	repairs	55.88
PIONEER HI-BRED INTERNT'L C/O C	agreement	162223.56
PIXLER ELECTRIC	maintenance	472.96
PLUMBING & HEATING WHOLESALE	safety	452.97
RADIO SHACK	misc	14.98
RAMAKER & ASSOCIATES, INC.	software	4317.50
RIVER BEND PUBLISHING	telephone	70.92
RICK'S PEST CONTROL	maintenance	80.00
SIoux CITY JOURNAL COMMUNICATIO	books	309.40
SCOTT TELEPHONE & TELECOM	maintenance	159.25
SECRETARY OF STATE	supplies	60.00
STATE STEEL	maintenance	400.45
BOMGAARS	maintenance	340.88
CARL ZEISS VISION SIOUXLAND	supplies	139.07
SOLUTIONS INC	maintenance	487.22
SPEED PRINTERS	supplies	83.75
SPENCER CHAMBER OF COMMERCE	sponsorship	2500.00
SMOKE EATER	publications	273.00
SPENCER AUTO PARTS	repairs	459.68
SPENCER COMMUNITY THEATRE PRODUCTIVITY PLUS	ren grant	3300.00
ACCOUNT/SPENC	repairs	195.00
SPENCER INDUSTRIES FOUND.	mtg expense	37.50
SPENCER MUNI. UTILITIES	telephone	2835.18
SPENCER OFFICE SUPPLIES	supplies	462.97
SPENCER SIGNS	supplies	119.06
STAPLES CREDIT PLAN	supplies	684.83
STALLS	repairs	56.85
STATE AUDITOR	misc	625.00
STREICHERS	uniform	117.98
TREASURER'S OFFICE	mtg expense	150.00
TYLER TECHNOLOGIES	tech	1420.00
U.S. CELLULAR	cards	783.51
THE WATER CONNECTION	supplies	27.50
VANDEBERG SCALES	maintenance	2740.01
VISA	mtg expense	713.42
WALLACE'S WATER CONDITIONING	supplies	34.50
WALL STREET JOURNAL	subscription	413.40
WOODMAN CONTROLS COMPANY	maintenance	1075.00
WRIGHT EXPRESS FSC	fuel	90.83
DENNY KLATT	misc	24.99
BOB FAGEN	mtg expense	625.60

KYLE VANOTTERLOO	supplies	34.19
MICAH VAN OTTERLOO	uniform	192.60
ESRI	misc	250.00
STEVEN OLESON	misc	220.00
TOTAL		670078.59

FUND TOTALS		
GENERAL		250946.68
RST CASH		32591.28
SP REVENUE		261427.38
CAP PRJ		13070.00
ENT CAP PRJ		18681.25
SEWER		63782.36
AIRPORT		868.99
SANITATION		15553.89
LANDFILL		12756.88
REG COLL CNTR		230.04
GOLF		169.84
TOTAL		670078.59

End of March Claims

VENDOR	DESCRIPTION	AMOUNT
USPCA REGION 21	mtg expenses	50.00
TREASURER, STATE OF IOWA	sales tax	6079.56
IOWA ALCOHOLIC BEVERAGES	license	1352.00
EMPLOYEE BENEFIT SYSTEMS	premiums	20415.02
FARMERS BANK	pr taxes	31985.55
ICMA RETIREMENT TRUST-457	pr deduct	859.23
MUNICIPAL FIRE & POLICE	pr deduct	40849.59
SPENCER EMPLOYEES ASSOC.	pr deduct	250.00
TREASURER, STATE OF IOWA	pr taxes	12598.00
DEPARTMENT OF HUMAN SERV	pr deduct	1162.66
FARMERS BANK	fees	7.99
I P E R S	pr deduct	31990.88
IOWA DEPT NATURAL RESOURCES	permits	350.00
IOWA DEPT NATURAL RESOURCES	permits	100.00
CANADIAN PACIFIC RAILWAY	permits	500.00
DAN KAERCHER	programming	225.00
IOWA DEPT NATURAL RESOURCES	permits	175.00
CLAY COUNTY SHERIFF	pr deduct	397.57
IMFOA	mtg expenses	210.00
AFLAC	pr deduct	2595.58
COLONIAL LIFE INSURANCE	pr deduct	332.34
H&S ROOFING CO., INC	retainer	2342.84
TOTAL		154828.81

FUND TOTALS		
GENERAL		59445.95
RST CASH		2342.84
SP REVENUE		46986.44
CAP PRJ		175.00
CAP PRJ-		
ENTERP		950.00
SEWER		10640.37
AIRPORT		135.32
SANITATION		20046.68
LANDFILL		9990.10
REG COLL CNTR		137.49
GOLF COURSE		3978.62
TOTAL		154828.81

MARCH 2015 RECEIPTS	MTD Receipts
001-GENERAL FUND	297,875.36
040-CEMETERY RESERVE	27.04
041-RIVERSIDE COLUMARIUM	11.21
045-LIBRARY RESERVE	63.98
047-COMM CTR RES	30.34
049-DRUG EDUCATION	6.6
050-POLICE RESERVE	271.75
051-D.A.R.E.	0
052-FIRE CAP IMPR	510.51
053-CAPITAL IMPR	73,082.63
054-STR IMP RESERVE	2,175.76
056-PARK RESERVE	605.51
057-PARK/RECR RESERVE	0
058-PARK SPECIAL PRJ	0
059-GOLF CAP IMPR	0
060-RC SRTS/SIDEWALK RESERVE	241.41
061-ECONOMIC DEVELOPMENT	481.51
062-SHINE LOAN	4,190.42
063-RENAISSANCE INITIATIVE	21.77
064-CABLE TV	66.62
065-BRIDGE RESERVE	46.83
066-P.W. SINKING	592.98
067-AIRPORT CAPITAL RES	0
068-CITY HALL RESERVE	65.96
069-RENTER DEPOSIT	0
070-ST WATER DIST #1	1,603.65
071-ST WATER DIST#2	0
080-STORM SWR RESERVE	699.83
085-RST CASH-HOTEL/MOTEL	50,803.21
087-RST CASH-SPENCER CARES	68.6
089-EMERGENCY FUND	99.6
090-QUALITY HSG INITIATIVE	71.9
092-TECHNOLOGY FUND	99.6
110-ROAD USE TAX	102,361.45
112-FICA/IPERS	0
113-WORK COMP	6,220.10
114-UNEMPLOYMENT	1,303.98
115-GROUP INSURANCE	65,749.68
117-CS EXPENSE	309.21
118-CS POLICE	11,851.19
119-POLICE SPECIAL PROCEEDS	9.23
120-CS FIRE	3,400.98
121-PASSENGER FACILITY	0
122-TREES FOREVER	3.96
124-LOCAL OPTION	143,861.27
125-T.I.F.	13,705.36
126-T.I.F. HY-VEE	0
162-SSMID	799.01
180-HOTEL/MOTEL-E.C.	0
181-HOTEL/MOTEL SOCCER	0
182-HOTEL/MOTEL RECREATION	0
183-HOTEL/MOTEL	0
200-DEBT SERVICE	19,059.88
300-CAPITAL IMPROVEMENT	2,990.24
500-PERPETUAL CARE	400
501-RIVERSIDE TRUST	13.85

502-COLUMBARIUM VAULT	2.64
503-NORTHLAWN PERP CARE	45.51
504-GRIFFIN TRUST	41.55
505-LEACH TRUST	12.53
600-ENTERPRISE CAPITAL IMPR	44,375.91
615-WTP RESERVE	870.01
620-SEWER	152,192.31
625-SAN SEWER RESERVE	689.28
630-CSI RESERVE	47,604.74
635-SEWER REV BND SKG FUND	391.14
660-AIRPORT ENTERPRISE	7,086.35
661-AIRPORT RESERVE	290.22
670-SOLID WASTE	165,223.75
671-SOLID WASTE RESERVE	445.89
672-SW TRNS ST CLOSURE	11.21
673-LANDFILL	186,884.45
674-LANDFILL IMPR/EQUIPMENT	613.43
675-LANDFILL BOND SKG	0
676-LANDFILL BOND RESERVE	0
677-LF-COMP PLANNING	99.6
678-LF ENVT PROTECTION	85.09
679-LF POST CLOSURE	968.95
685-LANDFILL CELL CONST RES.	213.71
690-LF REGIONAL COLLECTION CN	1,101.16
680-LANDFILL CLOSURE FUND	424.78
682-LANDFILL ENV MGMNT	63.98
745-GOLF COURSE ENTERPRISE	45,992.95
746-GOLF COURSE RESERVE	1,836.28
950-FUEL EQUIPMENT	146.43
951-HOEPNER TRUST	272.41
952-IGL DRUG TASK FORCE	0
953-ROSE RETAIL LOAN FUND	0
TOTALS	1,463,840.23

Minutes are subject to approval by the Spencer City Council.