

**SPENCER CITY COUNCIL MEETING
May 4, 2015
SPENCER, IOWA**

The City Council of the City of Spencer, Iowa, met on the 4th day of May, 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, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Absent: None

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

Minutes of April 20, 2015;

Approve Spencer Municipal Band Performance and Funding Agreement for 2015 Season;

Licenses: Class E Liquor License, Class B Wine Permit, Class C Beer Permit and Sunday Sales for **Walgreens**; Class E Liquor License, Class B Wine Permit and Class C Beer Permit for **Fareway**; Class B Beer Permit with Sunday Sales for **Pizza Hut**; Class C Beer Permit with Sunday Sales for **Wessels Crossroads**; Temporary Outdoor Service for Event on July 25, 2015 for **Weasy's** and Transfers for the **Clay County Regional Event Center** for Races in May & June, 2015;

Resolution No. 5397: Authorizing & Directing the Temporary Closing of Portions of East 3rd Street in the City of Spencer, as requested by Weasy's Lounge & Grille on July 25, 2015 from 5:00 P.M. to 12:00 A.M.;

Approve Playground Services Contract with the YMCA for the 2015 Season;

Approve Agreement for Spencer Aquatic Center Operation for the 2015 Season;

Approve Purchase of Tasers for Spencer Police Department from Jack's Uniform for \$26,332.75, included in the Capital Improvement Plan;

Approve Electrical Control Plan Upgrade for West 4th Street Lift Station from Pixler Electric for \$23,087.00, included in the Capital Improvement Plan;

Resolution No. 5398: Proposing the Vacation of an existing Utility Easement in the West 4.5 feet and the North 5.0 feet of lot 4, Ell-Mor Courth Addition to the City of Spencer, Clay County, Iowa, setting a public hearing, and directing the Publication of Notice;

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 City Council investigated and found that notice of the intention of the Council to conduct a public hearing on the urban renewal plan amendment had been published according to law and as directed by the Council and that this is the time and place at which the Council shall receive oral or written objections from any resident or property owner of the City. All written objections, statements, and evidence heretofore filed were reported to the Council, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

(Here list all persons presenting written or oral statements or evidence and summarize each presentation.) None

There being no further objections, comments, or evidence offered, the Mayor announced the hearing closed.

Council Member Hanson moved the adoption of a resolution entitled "Resolution to approve urban renewal plan amendment for the Spencer Consolidated Urban Renewal Areas", seconded by Council Member Moriarty. After due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Present: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Absent: None

Whereupon, the Mayor declared the resolution duly adopted and signed approval thereto.

RESOLUTION NO. 5399: RESOLUTION TO APPROVE URBAN RENEWAL PLAN AMENDMENT FOR THE SPENCER CONSOLIDATED URBAN RENEWAL AREAS.

The City Council investigated and found that notice of the intention of the Council to conduct a public hearing on a Development Agreement between the City and the Spencer Development Group, LLC had been published according to law and as directed by the Council and that this is the time and place at which the Council shall receive oral or written objections from any resident or property owner of the City. All written objections, statements, and evidence heretofore filed were reported to the Council, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

(Here list all persons presenting written or oral statements or evidence and summarize each presentation.) None

There being no further objections, comments, or evidence offered, the Mayor announced the hearing closed.

Council Member Orrison 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:

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

Whereupon, the Mayor declared the resolution duly adopted and signed approval thereto.

RESOLUTION NO. 5400: APPROVING DEVELOPMENT AGREEMENT WITH SPENCER DEVELOPMENT GROUP, LLC, AUTHORIZING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT.

The City Council investigated and found that notice of the intention of the Council to conduct a public hearing on an Amended Development Agreement between the City and Green and Yellow, LLC had been published according to law and as directed by the Council and that this is the time and place at which the Council shall receive oral or written objections from any resident or property owner of the City. All written objections, statements, and evidence heretofore filed were reported to the Council, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

(Here list all persons presenting written or oral statements or evidence and summarize each presentation.) None

There being no further objections, comments, or evidence offered, the Mayor announced the hearing closed.

Council Member Prentice introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member Petska; 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:

Present: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Absent: None

Whereupon, the Mayor declared the resolution duly adopted and signed approval thereto.

RESOLUTION NO. 5401: APPROVING AMENDED DEVELOPMENT AGREEMENT WITH GREEN AND YELLOW, LLC, AUTHORIZING TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT.

The Mayor announced this was the time and place set for a **Public Hearing on Proposed Rezoning of Real Property Owned by IGL Construction, LLC located in the West Half of the NE Quarter of Section 24, Township 96 North, Range 37 West from the current zoning classification of "C-2" Highway Commercial to "A" Residential;**

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 placed on file an ordinance entitled, "AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF REAL PROPERTY OWNED BY IGL CONSTRUCTION, LLC LOCATED IN THE PLAT OF GATEWAY BY IGL FIRST ADDITION, AS LEGALLY DESCRIBED HEREIN AND AMENDING THE OFFICIAL ZONING MAP"

be placed on file for the first time. Council Member Bomgaars seconded the motion. The Mayor put the question on the motion and the roll being called, the vote thereon was as follows:

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

Nays: None

Absent: None

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

Council Member Swanson moved that the proposed 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”, be finally passed and adopted as Ordinance No. 784. 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

Absent: None

Whereupon, the Mayor declared the motion carried and Ordinance No. 784 duly passed and adopted and signed his approval thereto.

ORDINANCE NO. 784: 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 (FROM A RESIDENTIAL TO C-2 HIGHWAY COMMERCIAL ZONING)

New Business: None

Department Reports:

Public Works: (not present)

City Attorney:

Park & Rec.:

Golf Course:

Planning Department:

Library:

Fire Department:

Police Department:

Engineer’s Report:

City Manager’s Report: Goal Setting 11-18-2015

Mayor’s Report:

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: None

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

Reynold Peterson, Mayor

ATTEST:

Theresa E. Reardon, City Clerk

(SEAL)

End of April 2015

VENDOR	DESCRIPTION	AMOUNT
FARMERS BANK	pr taxes	\$35,523.57
ICMA RETIREMENT TRUST-457	pr deduct	\$859.23
DEPARTMENT OF HUMAN SERV	pr deduct	\$1,162.66
FARMERS BANK	bank charges	\$489.96
CLAY COUNTY SHERIFF	pr deduct	\$83.00
PETTY CASH-SPENCER MUNICIPAL GO	reimb ck book	\$5,049.65
PETTY CASH-CAMPGROUNDS	petty cash	\$100.00
DEPARTMENT OF HUMAN SERV	pr deduct	\$1,162.66
EMPLOYEE BENEFIT SYSTEMS	pr decut	\$21,332.76
FARMERS BANK	pr taxes	\$33,075.79
ICMA RETIREMENT TRUST-457	pr deduct	\$859.23
I P E R S	pr deduct	\$34,177.22
MUNICIPAL FIRE & POLICE	pr deduct	\$42,029.49
IA WORKFORCE DEVELOPMENT	unemployment	\$20,820.71
SPENCER EMPLOYEES ASSOC.	pr deduct	\$250.00
TREASURER, STATE OF IOWA	pr taxes	\$13,165.00
FARMERS BANK	bank charges	\$85.43
CLAY COUNTY SHERIFF	pr deduct	\$83.00

MAIN STREET PROGRAM	collections	\$65,323.06
AFLAC	pr deduct	\$2,595.58
COLONIAL LIFE INSURANCE	pr deduct	\$332.34
TOTAL		\$278,560.34
FUND TOTALS		
	GENERAL	\$79,650.71
	RST CASH	\$76,142.16
	SSMID	\$65,323.06
	SEWER	\$8,884.57
	AIRPORT	\$282.91
	SOLID WASTE	\$23,403.12
	LANDFILL	\$13,847.99
	REG COLL CNTR	\$640.08
	GOLF	\$10,385.74
	TOTAL	\$278,560.34

April 2015 Receipts

	MTD Receipts
001-GENERAL FUND	\$1,688,073.58
040-CEMETERY RESERVE	\$28.34
041-RIVERSIDE COLUMARIUM	\$13.02
045-LIBRARY RESERVE	\$74.30
047-COMM CTR RES	\$35.23
049-DRUG EDUCATION	\$6.89
050-POLICE RESERVE	\$315.57
051-D.A.R.E.	\$0.00
052-FIRE CAP IMPR	\$515.48
053-CAPITAL IMPR	\$152,500.76
054-STR IMP RESERVE	\$1,075.39
056-PARK RESERVE	\$702.37
057-PARK/RECR RESERVE	\$0.00
058-PARK SPECIAL PRJ	\$0.00
059-GOLF CAP IMPR	\$0.00
060-RC SRTS/SIDEWALK RESERVE	\$278.80
061-ECONOMIC DEVELOPMENT	\$40,558.37
062-SHINE LOAN	\$4,195.78
063-RENAISSANCE INITIATIVE	\$24.51
064-CABLE TV	\$78.13
065-BRIDGE RESERVE	\$55.15
066-P.W. SINKING	\$39,314.35
067-AIRPORT CAPITAL RES	\$0.00
068-CITY HALL RESERVE	\$75.06
069-RENTER DEPOSIT	\$0.00
070-ST WATER DIST #1	\$1,702.82

071-ST WATER DIST#2	\$0.00
080-STORM SWR RESERVE	\$1,233.67
085-RST CASH-HOTEL/MOTEL	\$181.53
087-RST CASH-SPENCER CARES	\$79.66
089-EMERGENCY FUND	\$115.66
090-QUALITY HSG INITIATIVE	\$83.49
092-TECHNOLOGY FUND	\$114.13
110-ROAD USE TAX	\$80,713.48
112-FICA/IPERS	\$0.00
113-WORK COMP	\$53,587.41
114-UNEMPLOYMENT	-\$9,586.63
115-GROUP INSURANCE	\$254,143.40
117-CS EXPENSE	\$2,629.39
118-CS POLICE	\$101,373.41
119-POLICE SPECIAL PROCEEDS	\$10.72
120-CS FIRE	\$29,204.48
121-PASSENGER FACILITY	\$0.00
122-TREES FOREVER	\$2,244.60
124-LOCAL OPTION	\$143,889.59
125-T.I.F.	\$273,974.09
126-T.I.F. HY-VEE	\$0.00
162-SSMID	\$29,794.85
180-HOTEL/MOTEL-E.C.	\$0.00
181-HOTEL/MOTEL SOCCER	\$0.00
182-HOTEL/MOTEL RECREATION	\$0.00
183-HOTEL/MOTEL	\$0.00
200-DEBT SERVICE	\$162,829.83
300-CAPITAL IMPROVEMENT	\$870.70
500-PERPETUAL CARE	\$300.00
501-RIVERSIDE TRUST	\$16.08
502-COLUMBARIUM VAULT	\$3.06
503-NORTHLAWN PERP CARE	\$52.85
504-GRIFFIN TRUST	\$48.25
505-LEACH TRUST	\$14.55
600-ENTERPRISE CAPITAL IMPR	\$58,470.35
615-WTP RESERVE	\$1,011.05
620-SEWER	\$155,426.14
625-SAN SEWER RESERVE	\$800.41
630-CSI RESERVE	\$47,384.33
635-SEWER REV BND SKG FUND	\$454.21
660-AIRPORT ENTERPRISE	\$6,979.60
661-AIRPORT RESERVE	\$337.02
670-SOLID WASTE	\$172,432.84
671-SOLID WASTE RESERVE	\$518.54

672-SW TRNS ST CLOSURE	\$13.02
673-LANDFILL	\$216,357.27
674-LANDFILL	
IMPR/EQUIPMENT	\$712.33
675-LANDFILL BOND SKG	\$0.00
676-LANDFILL BOND RESERVE	\$0.00
677-LF-COMP PLANNING	\$115.66
678-LF ENVT PROTECTION	\$98.81
679-LF POST CLOSURE	\$1,125.94
685-LANDFILL CELL CONST RES.	\$248.17
690-LF REGIONAL COLLECTION CN	\$121.34
680-LANDFILL CLOSURE FUND	\$494.03
682-LANDFILL ENV MGMNT	\$74.30
745-GOLF COURSE ENTERPRISE	\$92,242.92
746-GOLF COURSE RESERVE	\$43.66
950-FUEL EQUIPMENT	\$170.04
951-HOEPNER TRUST	\$316.34
952-IGL DRUG TASK FORCE	\$0.00
953-ROSE RETAIL LOAN FUND	\$0.00
TOTALS	\$3,813,494.47

MAY 4, 2015 CLAIMS

VENDOR	DESCRIPTION	AMOUNT
A & M INC.	services	\$117.40
ALPHA EXCAVATING	sidewalk	\$3,445.00
ALL AMERICAN TURF BEAUTY INC	maintenance	\$217.85
BLACK HILLS ENERGY	utilities	\$1,136.84
ARNOLD MOTOR SUPPLY	repairs	\$88.15
ANIMAL MEDICAL CENTERS, P.C.	contract	\$1,199.00
APWA/ISOSWO	mtg expense	\$185.00
ATLAS STAMP & SEAL CO.	supplies	\$23.50
BAKER & TAYLOR CO.	books	\$368.44
BARGAIN BYTES	supplies	\$4,363.52
BARCO MUN. PRODUCTS	misc	\$162.47
BEE KLEEN LINEN & UNIFORM SERV	services	\$37.51
BLACKBURN MFG. CO.	supplies	\$117.33
BLACKTOP SERVICES CO.	maintenance	\$922.50
BOYER TRUCK	repairs	\$173.03
THE BOULDER COMPANY	supplies	\$41.80
PAULA BROWN	mileage	\$33.92
CANON FINACIAL SERVICES	contract	\$111.55
CARROLL CONSTRUCTION SUPPLY	maintenance	\$35.68
CARTRIDGE CONNECTION	supplies	\$273.90
CLAY COUNTY TREASURER	maintenance	\$195.76
THE DOOR DOCTOR	maintenance	\$135.00

ALPHA WIRELESS COMMUNICATIONS	repairs	\$22.75
CRESCENT ELECTRIC	maintenance	\$75.95
CORNBELT POWER COOP	misc	\$1,191.67
IOWA LAKES CORRIDOR	mtg expense	\$83.31
COOPERATIVE ENERGY COMPANY	fuel	\$14,644.46
CENGAGE LEARNING	books	\$1,629.63
CULLIGAN	supplies	\$56.95
VAUGHN DELOSS CONSTR.	pay estimate	\$8,656.65
DIAMOND VOGEL	maintenance	\$2,917.50
DYNO OIL CO. #32	fuel	\$703.61
CHUCK DUHN	mtg expense	\$221.76
DES MOINES REGISTER	subscription	\$20.00
E-PRIDE OFFICE PRODUCTS	supplies	\$124.98
ELECTRIC PUMP	repairs	\$22,864.53
FAREWAY STORES #788	supplies	\$34.76
FAREWAY STORES #849-EMBG	supplies	\$15.98
THE ANDERSON'S, INC.	fuel	\$1,737.97
FASTENAL COMPANY	supplies	\$125.61
FOX INTERNATIONAL, INC.	repairs	\$310.14
GALLS, LLC	uniform	\$103.47
ZIEGLER	repairs	\$550.85
GALEN'S PRO-MOW	repairs	\$33.33
HARDWARE HANK	supplies	\$57.64
HALLETT MATERIALS	maintenance	\$1,103.45
HI-WAY TRUCK EQUIPMENT	repairs	\$894.82
HOLIDAY INN/CON. CENTER	mtg expense	\$429.84
PETE HOWE INDUSTRIAL INC.	supplies	\$3,292.00
IOWA DEPT NATURAL RESOURCES	fees	\$13,847.23
IOWA ONE CALL	calls	\$185.40
INGRAM LIBRARY SERVICES	books	\$1,039.38
JANITORS CLOSET	supplies	\$100.63
JACK'S UNIFORMS & EQUIP	uniform	\$475.39
JOHNSTON AUTOSTORES	repairs	\$216.66
KEYSTONE LABORATORIES INC.	testings	\$9,904.32
KNIGHT PROTECTION, INC.	maintenance	\$1,124.00
HANSON PLUMBING & HEATING dba L	maintenance	\$1,363.62
MAR-LIN BUSINESS SUPPLY	supplies	\$1,032.04
MENARDS-SPENCER	maintenance	\$179.90
MID-IA.SOL.WASTE EQUIP.	repairs	\$304.95
VEOLIA WATER NORTH AMERICA	contract	\$62,869.78
NAPA AUTO PARTS	repairs	\$85.93
NICCA	mtg expense	\$25.00
NORTHWEST GLASS CO. INC.	maintenance	\$49.00
RITA NUEBEL	mileage	\$27.02

OFFICE SYSTEMS COMPANY	contract	\$230.00
PETTY CASH-LANDFILL	supplies	\$9.18
PIXLER ELECTRIC	repairs	\$195.00
PLUMBING & HEATING WHOLESALE	maintenance	\$54.33
UNITED STATES POSTAL SERV	supplies	\$800.00
QUAIL CONSTRUCTION	maintenance	\$480.00
SCHOENEMAN BROS. CO.	supplies	\$24.79
BOMGAARS	supplies	\$499.56
CARL ZEISS VISION SIOUXLAND	safety	\$253.09
SPENCER AUTO PARTS	repairs	\$313.14
SPENCER MUNI. UTILITIES	utilities	\$2,265.95
SPENCER OFFICE SUPPLIES	supplies	\$477.82
STAPLES CREDIT PLAN	supplies	\$353.13
STREICHERS	uniform	\$83.97
TESTAMERICA ANALYTICAL TESTING	testings	\$2,304.00
TRACSYSTEMS INC	contract	\$1,819.00
TRANS IOWA EQUIPMENT, INC.	repairs	\$411.40
TREASURER'S OFFICE	mtg expense	\$50.00
ULTRAMAX	training	\$586.00
UNITED PARCEL SERVICE	misc	\$12.80
USA BLUE BOOK	repairs	\$73.98
U.S. CELLULAR	cards	\$298.21
THE WATER CONNECTION	supplies	\$27.50
VISA	mtg expense	\$2,376.02
WALLACE'S WATER CONDITIONING	supplies	\$45.00
KYLE VANOTTERLOO	reimbursement	\$20.00
FAMILY TABLE	mtg expense	\$105.16
WESLEY SCHULTES	misc	\$30.00
LARRY WERNER	ssmid refund	\$229.19
MARY ELLEN JONES	misc	\$363.80
TOTAL		\$182,911.03
	FUND TOTALS	
	GENERAL	\$43,935.83
	RST CASH	\$2,209.89
	SSMID	\$229.19
	CAPITAL PRJ	\$11,259.25
	SEWER	\$69,184.31
	WTP RES	\$22,864.53
	AIRPORT	\$259.51
	SOLID WASTE	\$5,959.99
	LANDFILL	\$26,754.96
	REG COLL CNTR	\$51.22
	GOLF	\$202.35
	TOTAL	\$182,911.03

Minutes are subject to approval by the Spencer City Council.