

SPENCER CITY COUNCIL MEETING
April 20, 2015
SPENCER, IOWA

The City Council of the City of Spencer, Iowa, met on the 20th 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, Swanson, Hanson, Prentice, Moriarty
Absent: Bomgaars, Orrison

CVB Update by Jill Toft.

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

Minutes of April 06, 2015;

Licenses:

Resolution No. 5393: Adopting a Final Assessment Schedule for Snow Removal Costs and Confirming and Levying the Assessments;

Notice: Set Public Hearing for May 4, 2015 at 6:30 P.M. on Proposed Rezoning of a Parcel of Property in the Plat of Gateway by IGL First Addition and legally described as Part of Lots 19, 20 and 21 of Gateway by IGL First Addition, located in the West Half of the NE Quarter of Section 24, Township 96 North, Range 37 West, from C-2 Highway Commercial to A Residential Zoning;

Approve Purchase of Commercial Packer Truck for the Solid Waste Division (Chasis from Westman Freightliner and Body from Mid-Iowa Solid Waste Equipment) for a total of \$151,052; included in 2015/16 Capital Improvement Plan;

Approve Purchase of an International 7400 Plow Truck with Snow Equipment for the Street Division from Fox International, Spencer, Iowa for \$145,332.00; included in 2015/16 Capital Improvement Plan;

Approve Amendment #1 to River Enhancement Community Attraction and Tourism (RECAT) Project to extend Project Completion Date to September 1, 2015;

Resolution No. 5394: Resolution to fix a date of meeting at which it is proposed to amend a Development Agreement with Green and Yellow, LLC to provide for revised tax increment payments in an aggregate amount not to exceed \$2,071,000;

Approve Renaissance Initiative Grant Applications for a total of \$9747.02;

| <u>Organization</u> | <u>Amount Recommended</u> |
|----------------------------------|---------------------------|
| Arts on Grand | \$0.00 |
| Iowa Great Lakes Lutheran School | \$3,079.00 |
| Seasons Center | \$1,144.52 |
| NW IA Soccer | \$2,773.50 |
| SCT | \$2,000.00 |
| Spencer Youth Baseball | \$0.00 |
| Upper Des Moines Opportunity | \$750.00 |
| | <hr/> |
| | \$9,747.02 |

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

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

Whereupon, the Mayor declared the motion carried.

Council Member Hanson moved that the proposed ordinance entitled, "ORDINANCE AMENDING TITLE 4, CHAPTER 5, SECTION 21 OF THE SPENCER CITY CODE CONCERNING RATES AND CHARGES FOR SOLID WASTE SERVICES", be finally passed and adopted as Ordinance No. 782. 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, Swanson, Hanson, Prentice, Moriarty
Nays: None
Absent: Bomgaars, Orrison

Whereupon, the Mayor declared the motion carried and Ordinance No. 782 duly passed and adopted and signed his approval thereto.

ORDINANCE NO. 782: ORDINANCE AMENDING TITLE 4, CHAPTER 5,
SECTION 21 OF THE SPENCER CITY CODE
CONCERNING RATES AND CHARGES FOR SOLID
WASTE SERVICES

Council Member Petska moved that the proposed 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", be finally passed and adopted as Ordinance No. 783. 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, Swanson, Hanson, Prentice, Moriarty
Nays: None
Absent: Bomgaars, Orrison

Whereupon, the Mayor declared the motion carried and Ordinance No. 783 duly passed and adopted and signed his approval thereto.

ORDINANCE NO. 783: 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 Swanson 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"

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

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

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

Council Member Hanson introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member Swanson; 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, Swanson, Hanson, Prentice, Moriarty
Nays: None

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

RESOLUTION NO. 5395: A RESOLUTION AMENDING RESOLUTION NO. 5390, ADOPTING A FINAL ASSESSMENT SCHEDULE FOR THE CITY OF SPENCER 2015 SIDEWALK CONSTRUCTION PROJECT NO. 1, AND CONFIRMING AND LEVYING ASSESSMENTS.

It was moved by Council Member Prentice, seconded by Council Member Moriarty to Approve Renewal of City of Spencer Group Health Insurance, effective July 1, 2015 with IGHCP for a total Annual Cost of \$1,157,448 (an increase of 4.05%). The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Swanson 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:

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

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

RESOLUTION NO. 5396: RESOLUTION APPROVING A CONTRACT AND PERFORMANCE AND/OR PAYMENT BOND FOR THE 2015 HMGP WEST CENTRAL SEWER RETROFIT PROJECT. (Vander Pol Excavating \$3,312,235.91)

It was moved by Council Member Moriarty, seconded by Council Member Hanson to Approve Cory Juergens Construction, Ellingson Companies, and MLS Landscaping as subcontractors for the 2015 HMGP West Central Sewer Retrofit Project. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Hanson, seconded by Council Member Swanson to Approve 2015 Clay County Fair Sponsorship Agreement for Recycling for \$5000; from Landfill EMS Account. The motion was declared carried when all Council Members present voted aye on voice call vote.

Engineer's Report:

City Manager's Report: Bob Fagen – comments on bottle & can redemption; tree site.

Mayor's Report:

Council/Comm. Reports:

Update on Westview Memorial Park Art Project, Del Bredehoeft, Park & Rec. Supt.

It was moved by Council Member Prentice, seconded by Council Member Swanson to approve the claims as presented for payment. The motion was declared carried when all Council Members present voted aye on voice call vote.

Other Business:

It was moved by Council Member Hanson, seconded by Council Member Petska to go into closed session under Iowa Code Section 21.5 (c) to discuss strategy in imminent litigation when open discussion might prejudice the City. The roll call vote thereon was as follows:

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

The Mayor declared the motion duly carried.

Closed Session began at 7:12 p.m.

The City Council Meeting returned to open session at 7:38 o'clock P.M.

It was moved by Council Member Petska seconded by Council Member Moriarty to adjourn the meeting of the Spencer City Council at 7:39 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)

| April 20th Claims | | |
|---------------------------------|--------------|-------------|
| VENDOR | DESCRIPTION | AMOUNT |
| IA WORKFORCE DEVELOPMENT | benefits | \$20,820.71 |
| CLAY COUNTY AUDITOR | contract | \$6,250.00 |
| CLAY COUNTY TREASURER | westbeltway | \$1,060.00 |
| ALLIANT ENERGY | utilities | \$294.87 |
| A & M INC. | services | \$350.65 |
| BLACK HILLS ENERGY | utilities | \$861.63 |
| ARNOLD MOTOR SUPPLY | repairs | \$448.48 |
| AUDIO EDITIONS | books | \$213.85 |
| BAKER & TAYLOR CO. | books | \$377.09 |
| BARCO MUN. PRODUCTS | safety | \$43.15 |
| BEACON ATHLETICS | supplies | \$521.15 |
| BECK ENGINEERING, INC. | services | \$975.00 |
| NORTHERN LIGHTS DISTRIBUTING | food | \$831.40 |
| BRODART COMPANY | contract | \$630.00 |
| BRIDGESTONE GOLF, INC. | equipment | \$1,982.11 |
| BUDS SERVICE | towing | \$375.00 |
| CARROLL CONSTRUCTION SUPPLY | supplies | \$109.82 |
| VERIZON WIRELESS | phones | \$100.61 |
| CENTER POINT PUBLISHING | books | \$253.80 |
| ISU EXTENSION CLAY COUNTY | meeting | \$35.00 |
| CLAY COUNTY | local option | \$14,378.54 |
| CLARION DISTRIBUTING | supplies | \$245.00 |
| CLAY COUNTY RECORDER | recording | \$121.00 |
| THE DOOR DOCTOR | maintenance | \$258.86 |
| ALPHA WIRELESS COMMUNICATIONS | repairs | \$257.00 |
| CONNELLY INDUSTRIAL ELECTRONICS | maintenance | \$337.14 |
| CONSUMER LUMBER COMPANY INC. | supplies | \$2.79 |
| CONTINENTAL RESEARCH CORP | maintenance | \$950.15 |
| CENGAGE LEARNING | books | \$116.25 |
| CENTRAL IOWA DISTRIBUTING INC. | maintenance | \$86.60 |
| CULLIGAN | supplies | \$7.00 |
| DELS GARDEN CENTER | maintenance | \$29.99 |
| DEMCO | supplies | \$316.32 |
| DYNO OIL CO. #32 | supplies | \$1,017.00 |
| ELLIOTT EQUIPMENT | repairs | \$1,468.85 |
| ECOLAB PEST ELIMINATION DIV. | maintenance | \$113.00 |
| FAREWAY STORES #788 | supplies | \$49.42 |
| THE ANDERSON'S, INC. | fue | \$1,720.17 |
| FASTENAL COMPANY | supplies | \$154.27 |
| FELD FIRE | uniform | \$320.00 |
| FLEETPRIDE | repairs | \$971.93 |

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| FOX INTERNATIONAL, INC. | repairs | \$1,309.38 |
| FIRE PROOF PLUS, INC. | maintenance | \$883.65 |
| GALLS, LLC | uniform | \$231.32 |
| GLOBAL MEDICAL SOLUTIONS | supplies | \$779.66 |
| GALEN'S PRO-MOW | repairs | \$154.34 |
| GRAHAM TIRE CO. | repairs | \$463.77 |
| STEVE GRIMMIUS | membership | \$30.00 |
| H & N CHEV-BUICK | repairs | \$261.65 |
| HARDWARE HANK | maintenance | \$36.99 |
| HEARTLAND AG-BUSINESS GROUP | books | \$20.00 |
| HI-WAY TRUCK EQUIPMENT | repairs | \$130.20 |
| HOLM'S/AMERICAN RADIATOR LLC | repairs | \$1,863.00 |
| IA COMMUNICATIONS NETWORK | telephone | \$4.26 |
| IOWA LAKES ELECTRIC COOP | utilities | \$1,028.65 |
| IOWA LIBRARY SERVICES- CENTRAL | meeting | \$190.00 |
| INSURANCE ASSOCIATES | dram shop | \$1,086.00 |
| IOWA UTILITY ASSOCIATION | mtg expense | \$65.00 |
| INGRAM LIBRARY SERVICES | books | \$483.09 |
| IOWA DIVISION OF LABOR | fees | \$95.00 |
| JANITORS CLOSET | supplies | \$239.87 |
| JACK'S UNIFORMS & EQUIP | uniform | \$227.74 |
| JOHNSTON AUTOSTORES | repairs | \$275.34 |
| KOENIG PORTABLE TOILETS | services | \$200.00 |
| KRUSE, CATE & NELSON | fees | \$26,316.23 |
| KUSTOM SIGNALS, INC. | repairs | \$149.00 |
| LEADING EDGE AVIATION | contract | \$2,916.67 |
| LUBRICATION TECHNOLOGIES INC. | fees | \$55.00 |
| MAR-LIN BUSINESS SUPPLY | supplies | \$54.37 |
| McDONALD SUPPLY CO | maintenance | \$28.09 |
| MCCLURE ENGINEERING CO. | services | \$18,453.75 |
| MENARDS-SPENCER | maintenance | \$255.29 |
| MICHAELSON INC. | maintenance | \$310.02 |
| MID-IOWA SALES CO. | supplies | \$34.24 |
| MID-IA.SOL.WASTE EQUIP. | repairs | \$6,167.58 |
| MIDWEST TURF & IRRIGATION | repairs | \$42.74 |
| EXHAUST PROS/LUBE MASTER | repairs | \$302.95 |
| WILLIAM MULLER REVOCABLE TRUST | annual payment | \$5,598.55 |
| NAPA AUTO PARTS | repairs | \$626.19 |
| NARTEC, INC. | supplies | \$185.84 |
| NEW YORK TIMES | subscription | \$447.20 |
| NIELSEN'S TIRE CO. | repairs | \$549.47 |
| N.W IA PLANNING & DEVELOP | services | \$1,154.16 |
| HELLER ENTERPRISES LLC DBA NORT | maintenance | \$523.72 |
| NORTHWEST PRINTING CO. | supplies | \$157.00 |
| NORTHERN SAFETY & INDUSTRIAL | safety | \$34.67 |
| PEOPLE FOR PETS | agreement | \$400.00 |
| PETTY CASH-POLICE DEPT. | supplies | \$272.88 |
| PETTY CASH-MANDIE ROBERTS | supplies | \$45.37 |
| PIXLER ELECTRIC | maintenance | \$472.96 |
| R.D.G. PLANNING AND DESIGN | services | \$2,516.22 |
| ROCK RIVER ARMS INC. | supplies | \$441.00 |
| SCHOENEMAN BROS. CO. | supplies | \$293.16 |
| SHINE BROS. CORP | annual payment | \$10,187.48 |
| STATE STEEL | maintenance | \$970.89 |
| BOMGAARS | supplies | \$558.65 |
| SIEH FARM DRAINAGE INC. | maintenance | \$583.80 |
| SEBCO BOOKS | books | \$740.10 |
| CARL ZEISS VISION SIOUXLAND | safety | \$176.13 |
| SPENCER AUTO PARTS | repairs | \$495.33 |

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| SPENCER COMM SCHOOLS | local option | \$35,946.36 |
| SPENCER DAILY REPORTER | publications | \$2,007.94 |
| SPENCER MUNI HOSPITAL | drug testing | \$704.00 |
| SPENCER MUNI. UTILITIES | utilities | \$32,603.95 |
| SPENCER OFFICE SUPPLIES | supplies | \$77.99 |
| STAPLES CREDIT PLAN | supplies | \$439.89 |
| UNITYPOINT CLINIC-OCCUPATIONAL | testings | \$814.00 |
| SWEeper PARTS SALES | repairs | \$114.10 |
| TRANS IOWA EQUIPMENT, INC. | repairs | \$408.26 |
| TREASURER'S OFFICE | mtg expense | \$50.00 |
| TURFNET | dues | \$195.00 |
| TYLER TECHNOLOGIES | maintenance | \$431.61 |
| THE WATER CONNECTION | supplies | \$187.40 |
| VISA | mtg expense | \$4,885.10 |
| WHITE GLOVE JANITORIAL SERVICE | supplies | \$52.34 |
| WINTHER, STAVE & CO. | audit | \$2,500.00 |
| WOODMAN CONTROLS COMPANY | repairs | \$597.16 |
| WRIGHT EXPRESS FSC | fuel | \$59.41 |
| ZIMCO SUPPLY | chemicals | \$4,797.30 |
| DOUGLAS DUNCAN | mtg expense | \$293.44 |
| BOB FAGEN | mtg expense | \$57.81 |
| MARK WHITE | mtg expense | \$195.50 |
| DAN HOLLANDER | reimbursement | \$6.00 |
| MICAH VAN OTTERLOO | uniform | \$40.00 |
| BARKERLEMAR | mtg expense | \$235.00 |
| RITA PIERSON | equipment | \$1,700.00 |
| SPENCER MUNI LIBRARY TRUST | ren grant | \$1,675.00 |
| JOYCE TEWES | refund | \$95.00 |
| TOTAL | | \$243,200.77 |

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| FUND TOTALS | |
| GENERAL | \$60,965.02 |
| RST CASH | \$3,857.62 |
| SP REVENUE | \$86,931.64 |
| CAP PRJ | \$14,573.66 |
| ENTERPRISE CAP PRJ | \$32,458.96 |
| SEWER | \$4,065.79 |
| AIRPORT | \$6,425.36 |
| SOLID WASTE | \$13,749.59 |
| LANDFILL | \$5,463.61 |
| LF COMP PLAN | \$235.00 |
| RG COLL CENTER | \$677.08 |
| GOLF | \$12,097.44 |
| GOLF RESERVE | \$1,700.00 |
| TOTAL | \$243,200.77 |

Minutes are subject to approval by the Spencer City Council.