

SPENCER CITY COUNCIL MEETING
September 8, 2015
SPENCER, IOWA

The City Council of the City of Spencer, Iowa, met on the 8th day of September, 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

Brian Dalziel, Network Manager for Iowa Lakes Corridor Presented the Iowa Lakes Corridor Angels Program;

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

Approve Minutes of August 17, 2015;

Licenses: 5-day Class C Liquor License for **Sacred Heart Church** for Fall Festival Event; subject to final approval by Iowa ABD;

Resolution No. 5423: Approving Official 2014-2015 Fiscal Year Street Finance Report;

Approve Spencer Residential Tax Abatement Applications from Robert & Mary Heintz for 1512 Kristin Drive and Kelly and Linda Manwarren, 1504 14th Ave. West;

Approve Application for Spencer Main Street Urban Revitalization Plan from Dave & Leann Jacobsen for 500 Grand Avenue;

Approve Quote from Michaels Fence and Supply for \$5070.52 for Police Impound Relocation Project; (CIP Item)

Approve Purchase of 12 Computers from Solutions for a total of \$14,768.88; (Technology CIP Item);

Motion: Approve quote from Hare Painting & Sandblasting for Painting the East Building at the Spencer Police Dept. for \$42,000; (CIP Item);

Resolution No. 5424: Approve Infringing Use Agreement with Faith Lutheran Church;

Motion: Approve MidAmerican Energy Temporary Construction Easement at the Landfill;

Motion: Approve Amendment to Sharing Agreement with Spencer Community School for School Resource Officer for 2015/16 School Year, to increase the City's Contribution from a maximum of \$10,000 to a maximum of \$12,000;

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

Ayes: Petska, Bomgaars, Swanson, Prentice, Moriarty

Nays: Hanson

Whereupon, the Mayor declared the motion carried.

Council Member Hanson moved that the proposed ordinance entitled "AN ORDINANCE AMENDING TITLE 8, CHAPTER 4, SECTION 3 OF THE SPENCER CITY CODE ADOPTING AN EXCEPTION TO THE STATE PLUMBING CODE" 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

Absent: Orrison

Whereupon, the Mayor declared the motion carried and said proposed ordinance was placed on file before the Council for the **second time**.

Council Member Moriarty moved that the proposed ordinance entitled "AN ORDINANCE CHANGING THE NAMES OF "ASH AVENUE", ELM AVENUE", AND "OAK AVENUE" IN THE CITY OF SPENCER, IOWA" be placed on file for the **second 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

Absent: Orrison

Whereupon, the Mayor declared the motion carried and said proposed ordinance was placed on file before the Council for the **second time**.

Council Member Bomgaars introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Swanson 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 said motion duly carried and the said resolution adopted, as hereinafter set out.

RESOLUTION NO. 5425: A RESOLUTION CANCELLING AMENDED DEVELOPMENT WITH GREEN & YELLOW LLC.

Council Member Hanson 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

Whereupon, the Mayor declared the said motion duly carried and the said resolution adopted, as hereinafter set out.

RESOLUTION NO. 5426: A RESOLUTION AMENDING AN OPTION TO PURCHASE REAL ESTATE GRANTED TO SOUTHERN POINT, LLLP

Council Member Petska introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Hanson 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 said motion duly carried and the said resolution adopted, as hereinafter set out.

RESOLUTION NO. 5427: A RESOLUTION AWARDDING CONTRACT FOR 2015 SPENCER SOUTHERN POINTE APARTMENTS SITE IMPROVEMENTS, GRADING AND PCC PAVING PROJECT (DELOSS CONSTRUCTION \$64,857.40)

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 said motion duly carried and the said resolution adopted, as hereinafter set out.

RESOLUTION NO. 5428: A RESOLUTION OF COMMITMENT TO THE CLAY COUNTY REGIONAL EVENTS CENTER FOR FISCAL YEAR 2016-2017 AND THEREAFTER

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, Bomgaars, Swanson, Prentice, Moriarty
Nays: None
Abstain: Hanson

Whereupon, the Mayor declared the said motion duly carried and the said resolution adopted, as hereinafter set out.

RESOLUTION NO. 5429: A RESOLUTION APPROVING AND AUTHORIZING A PURCHASE AGREEMENT WITH ROD HANSON FOR THE PURCHASE OF CITY REAL PROPERTY LEGALLY DESCRIBED AS LOT 8, BLOCK 4 SECOND RAILROAD ADDITION TO THE CITY OF SPENCER, CLAY COUNTY

Council Member Petska moved that the proposed ordinance entitled "AN ORDINANCE AMENDING TITLE 5, CHAPTER 4 SECTION 3, PARAGRAPH "B" OF THE SPENCER CITY CODE CONCERNING PRIVATE COLUMBARIUMS AND INTERMENT OF CREMAINS" be placed on file for the **first time**. 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 file before the Council for the **first time**.

It was moved by Council Member Hanson, seconded by Council Member Bomgaars to Authorize Staff to Solicit Quotes for Recommended Repairs for Grand Avenue Bridge Monuments Stabilization Project. The motion was declared carried when all Council Members present voted aye on voice call vote.

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 said motion duly carried and the said resolution adopted, as hereinafter set out.

RESOLUTION NO. 5430: A RESOLUTION EXPRESSING INTENT TO ENTER INTO A DEVELOPMENT AGREEMENT AND TO PROVIDE ECONOMIC DEVELOPMENT SUPPORT TO QUALIFY REFRIGERATED SERVICES INC.

It was moved by Council Member Prentice, seconded by Council Member Petska to Approve Creation of a Tier II Employee in the Park & Recreation Department. The motion was declared carried when all Council Members present voted aye on voice call vote.

Department Reports:

City Attorney:

Park & Recreation:

Golf Course:

Planning Department:

Library:

Fire Department:

Police Department:

Public Works:

Engineer's Report:

City Manager's Report: Robert Fagen - Appreciation Event for Boards and Commissions to be held October 14, 2015

Mayor's Report: City Week - October 5-9, 2015

Council/Comm. Reports: ATV Petition: Public Safety will be upcoming

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 Moriarty, 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

The Mayor declared the motion duly carried.

Closed Session began at 7:37 o'clock P.M.

The City Council Meeting returned to open session at 8:07 o'clock P.M.

Council Member Hanson left the meeting.

Council Member Moriarty 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, Prentice, Moriarty

Nays: None

Whereupon, the Mayor declared the said motion duly carried and the said resolution adopted, as hereinafter set out.

RESOLUTION NO. 5431: A RESOLUTION PROPOSING THE SALE OF CITY REAL PROPERTY, A PORTION OF FORMER SOO LINE RAILROAD RIGHT-OF-WAY CONSISTING OF APPROXIMATELY 40,000 SQUARE FEET; SCHEDULING A PUBLIC HEARING FOR SEPTEMBER 21, 2015; AND DIRECTING THE PUBLICATION OF NOTICE

It was moved by Council Member Petska and seconded by Council Member Moriarty to adjourn the meeting of the Spencer City Council at 8:08 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 E. Reardon, City Clerk

(SEAL)

END OF AUGUST 2015

VENDOR	DESCRIPTION	AMOUNT
EMPLOYEE BENEFIT	premiums/flex	\$21,075.
FARMERS BANK	taxes	\$37,521.
ICMA	pr deduct	\$935.
IPERS	pr deduct	\$33,676.
MUNI FIRE/POL RETIRE	pr deduct	\$38,608.
P CASH-GOLF COURSE	replenish ck book	\$2,825.
TREAS, ST OF IA	pr taxes	\$14,215.

SP EMPLOYEE ASSOCIATION	pr deduct	\$250.
DEPT HUMAN SERVICES	pr deduct	\$1,134.
FARMERS BANK	fees	\$22.
CANADIAN PACIFIC RW	fees	\$750.
AFLAC	premiums	\$2,665.
COLONIAL LIFE	premiums	\$332.
NW IA ELECT ASSOCIATION	dues	\$120.
TOTAL		\$154,132.
	FUND TOTALS	
	GENERAL	\$62,234.
	SP REVENUE	\$45,975.
	ENT CAP PRJ	\$750.
	SEWER	\$7,077.
	AIRPORT	\$343.
	SOLID WASTE	\$18,283.
	LANDFILL	\$11,617.
	REG COLL CNTR	\$474.
	GOLF	\$7,375.
	TOTAL	\$154,132.

9-8-2015 CLAIMS

VENDOR	DESCRIPTION	AMOUNT
ADVANCED DOOR SYSTEM	maintenance	\$68.
A & M INC.	maintenance	\$193.
ALL AMERICAN TURF BEAUTY INC	maintenance	\$332.
BLACK HILLS ENERGY	utilities	\$3,172.
ARNOLD MOTOR SUPPLY	repairs	\$828.
ANIMAL MEDICAL CENTERS, P.C.	services	\$1,625.
AUDIO EDITIONS	books	\$199.
AUDIO VIDEO CONNECTION	supplies	\$145.
BAKER & TAYLOR CO.	books	\$469.
BEAR GRAPHICS	supplies	\$1,028.
NORTHERN LIGHTS DISTRIBUTING	food	\$612.
BOOK LOOK	books	\$99.
SHANE BREIDINGER	mowing	\$240.
BROWNELLS INC.	equipment	\$1,404.
CANON FINACIAL SERVICES	contract	\$111.
CAREYS ELECTRONICS	maintenance	\$70.
CARROLL CONSTRUCTION SUPPLY	maintenance	\$975.
THE CARTRIDGE CONNECTION	supplies	\$424.
VERIZON WIRELESS	phones	\$200.
CHRISTIANS SHEET METAL WORKS I	maintenance	\$384.
CLAY COUNTY	local option	\$16,389.
CLAY COUNTY TREASURER	taxes	\$1,426.
CRESCENT ELECTRIC	maintenance	\$39.

COREY'S AUTO DETAILING	misc	\$100.
COPPER COTTAGE	maintenance	\$98.
COOPERATIVE ENERGY COMPANY	fuel	\$13,847.
CENGAGE LEARNING	books	\$104.
CULLIGAN	supplies	\$63.
VAUGHN DELOSS CONSTR.	pay estimates	\$12,884.
DIAMOND VOGEL	maintenance	\$20.
DES MOINES REGISTER	subscription	\$20.
ELM USA, INC	contract	\$70.
E-PRIDE OFFICE PRODUCTS	supplies	\$6.
E.M.S. AUTO PARTS	repairs	\$566.
FAIRCHILD MFG. INC.	repairs	\$660.
FAREWAY STORES #788	supplies	\$162.
FARM EQUIPMENT GUIDE	supplies	\$20.
THE ANDERSON'S, INC.	fuel	\$4,671.
FOX INTERNATIONAL, INC.	repairs	\$1,119.
FORT DODGE TRANSMISSION INC.	repairs	\$1,354.
JOE FROILAND PLBG & HTG	maintenance	\$55.
GALLS, LLC	uniforms	\$319.
ZIEGLER	repairs	\$244.
GOOGLE, INC	fees	\$425.
GALEN'S PRO-MOW	repairs	\$149.
GRAHAM TIRE CO.	repairs	\$117.
GRAINGER	supplies	\$33.
H & N CHEV-BUICK	repairs	\$11.
ROLAND HAMRICK	mowing	\$80.
JUSTIN HENNINGSSEN	reimbursement	\$49.
HODGIN'S MFG.	repairs	\$100.
G.W. PETE HOWE SANITATION INC.	maintenance	\$125.
IA COMMUNICATIONS NETWORK	phones	\$13.
IA DEPT OF AGRICULTURE	testing	\$30.
IA DEPT OF PUBLIC SAFETY	supplies	\$2,802.
IOWA LIBRARY SERVICES- CENTRAL	fees	\$65.
IOWA ONE CALL	fees	\$447.
IOWA PRISON INDUSTRIES	supplies	\$168.
IOWA INFORMATION PUB.	advertising	\$75.
INGRAM LIBRARY SERVICES	books	\$1,296.
AIRGAS NORTH CENTRAL	supplies	\$177.
IOWA ASSOC OF PROFESS. FIRE CH	dues	\$70.
IRA/ISOSWO CONFERENCE	misc	\$225.
I WIRELESS	phones	\$43.
ADVANCED SYSTEMS INC.	maintenance	\$319.
JANITORS CLOSET	supplies	\$708.
JACK'S UNIFORMS & EQUIP	uniforms	\$440.
JOHNSTON AUTOSTORES	repairs	\$490.

KAPCO POSTAL PACK & SHIP	supplies	\$10.
KNIGHT PROTECTION, INC.	maintenance	\$123.
KOENIG PORTABLE TOILETS	services	\$400.
HANSON PLUMBING & HEATING dba	maintenance	\$198.
MAR-LIN BUSINESS SUPPLY	supplies	\$299.
MCCLURE ENGINEERING CO.	services	\$21,050.
MENARDS-SPENCER	maintenance	\$470.
MICHAELSON INC.	maintenance	\$297.
MUDDY CREEK CONTRACTING	maintenance	\$175.
MONTAGE ENTERPRISES INC	repairs	\$199.
VEOLIA WATER NORTH AMERICA	contract	\$62,869.
KRISTAT AUTO PARTS LLC.	repairs	\$12.
NAPA AUTO PARTS	repairs	\$346.
NIELSEN'S TIRE CO.	repairs	\$30.
NO LIMITS OUTDOORS	equipment	\$3,075.
NOTEBOOM IMPLEMENT LLC	repairs	\$13.
RITA NUEBEL	mileage	\$74.
OLD DUTCH FOODS, INC.	food	\$103.
PAPER FREE TECHNOLOGY INC	maintenance	\$1,063.
PETTY CASH-MANDIE ROBERTS	supplies	\$2.
DON PIERSON FORD	repairs	\$51.
UNITED STATES POSTAL SERV	postage	\$800.
DANIEL PULLEN	testing	\$25.
PUBLIC SAFETY TRAINING CONSULT	registration	\$676.
QUILL CORPORATION	supplies	\$227.
RIVER VALLEY TELECOMMUNICATION	telephone	\$73.
MANDIE ROBERTS	mileage	\$217.
RDJ SPECIALTIES INC	supplies	\$141.
RICK'S PEST CONTROL	maintenance	\$80.
R&R PRODUCTS INC	maintenance	\$546.
SQUIRE SHOPPE	shirts	\$963.
BEV RUTTER	sidewalk	\$280.
SCHOENEMAN BROS. CO.	maintenance	\$97.
STATE STEEL	supplies	\$635.
BOMGAARS	maintenance	\$739.
SEBCO BOOKS	books	\$1,105.
SIouxLAND COMMUNITY FOUNDATION	hoepfner funds	\$65,000.
SOLUTIONS INC	maintenance	\$487.
SPENCER AUTO PARTS	repairs	\$945.
SPENCER AVIONICS	rebate	\$6,451.
SPENCER COMM SCHOOLS	local option	\$40,973.
SAGA COMMUNICATIONS OF IOWA, L	advertising	\$500.
SPENCER DAILY REPORTER	publications	\$297.
SPENCER FAMILY YMCA	local option	\$6,427.
AVERA MEDICAL GROUP SPENCER	misc	\$91.

SPENCER MUNI HOSPITAL	testing	\$660.
SPENCER MUNI. UTILITIES	utilities	\$45,600.
SPENCER OFFICE SUPPLIES	supplies	\$1,999.
SPORT VIDEOS	books	\$31.
STL LOGISTICS	misc	\$225.
SPENCER SIGNS	misc	\$30.
STAPLES CREDIT PLAN	supplies	\$221.
SULLIVAN CONCRETE	sidewalk	\$6,450.
SURELIGHT USA	supplies	\$99.
TRUCK EQUIPMENT INC. `	repairs	\$2,373.
TOOL DEPOT	misc	\$1,333.
TYLER TECHNOLOGIES	maintenance	\$1,136.
U.S. CELLULAR	cards	\$940.
THE WATER CONNECTION	supplies	\$161.
VACUUM CLEANER CENTER	maintenance	\$139.
VANDER POL EXCAVATING LLC	pay estimates	\$503,680.
VISA	mtg expenses	\$6,038.
WALLACE'S WATER CONDITIONING	supplies	\$46.
WHITE GLOVE JANITORIAL SERVICE	supplies	\$52.
WOODMAN CONTROLS COMPANY	maintenance	\$1,075.
WRIGHT EXPRESS FSC	fuel	\$80.
DOUGLAS DUNCAN	uniforms	\$75.
KYLE VANOTTERLOO	uniforms	\$32.
GCSA OF SD	dues	\$40.
TODD HAMRICK CONSTRUCTION	sidewalk	\$3,682.
TOM JOHNSON	sidewalk	\$1,663.
JOSEPH ENDERLIN	sidewalk	\$86.
STEVEN OLESON	sidewalk	\$205.
TOTAL		\$872,103.

FUND TOTALS

GENERAL	\$69,817.
RST CASH	\$12,269.
SP REVENUE	\$70,357.
CAP PRJ	\$92,860.
ENT CAP PRJ	\$452,615.
SEWER	\$69,118.
AIRPORT	\$3,364.
SOLID WASTE	\$7,389.
SW RES	\$476.
LANDFILL	\$6,543.
LF ENV MNGMN	\$2,545.
LF REG COLL CNTR	\$264.
GOLF	\$7,460.
CENTRAL GARAGE	\$495.

FUEL EXP	\$11,525.
HOEPPNER TRUST	\$65,000.
TOTAL	\$872,103.

Minutes are subject to approval by the Spencer City Council.