

**SPENCER CITY COUNCIL MEETING
JANUARY 18, 2016
SPENCER, IOWA**

The City Council of the City of Spencer, Iowa, met on the 18th day of January, 2016, 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:

Approve Minutes of January 4, 2016;

Licenses: Class C Liquor License with Sunday Sales for Monterrey Mexican Restaurant; and Class B Beer Permit with Sunday Sales for Godfathers Pizza;

Approve Residential Tax Abatement for Ruth L. Van Berkum-Hansen at 1304 West 16th Street;

Motion to Set Public Hearing for February 15, 2016, 6:30 o'clock P.M. for An Ordinance Amending Title 9, Chapter 3, Section 3(D) and Title 9, Chapter 4A, Section 3 (D) to Provide for Maintenance of Historic Front Yard Setback Distances for Residential Properties Abutting North Grand Avenue;

Motion to Set Public Hearing for February 15, 2016, 6:30 o'clock P.M. for An Ordinance Amending Title 9, Chapter 9, Section 2A of the Spencer City Code to Permit "Indoor Sports and Recreation" as a Special Exception Use in the "E" Heavy Industrial Zoning District;

Approve Purchase of 5 Car Computers for the Police Department for \$16,634.95 from Karl Chevrolet from CIP & Police Operations;

Approve Sewer Refunds for Bill Caskey at 317 West 18th Street for \$435.67 and 411 South Grand Avenue for \$627.24;

Approve Recyclable Cardboard and Electronic Waste Disposal Ban Feasibility Study for Northern Plains Regional Landfill Planning Area with Barker Lemar Engineering Consultants for \$19,500.00 from EMS Fund;

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.

Council Member Swanson moved that the proposed ordinance entitled "AN ORDINANCE AMENDING TITLE 7, CHAPTER 14 OF THE SPENCER CITY CODE TO PERMIT THE OPERATION OF ALL TERRAIN VEHICLES ON CITY STREETS" be finally passed and adopted as Ordinance No. 795. 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: Orrison, Swanson, Hanson, Moriarty

Nays: Petska, Bomgaars, Prentice

Absent: None

Whereupon, the Mayor declared the motion carried and Ordinance No. 795 duly passed and adopted and signed his approval thereto.

ORDINANCE NO. 795: AN ORDINANCE AMENDING TITLE 7, CHAPTER 14 OF THE SPENCER CITY CODE TO PERMIT THE OPERATION OF ALL TERRAIN VEHICLES ON CITY STREETS

Council Member Orrison moved the adoption of a resolution entitled "A RESOLUTION AMENDING THE PROTECTIVE AND RESTRICTIVE COVENANTS IN THE PLAT OF GREEN INDUSTRIAL CENTER FIRST ADDITION", seconded by Council Member Hanson. After due consideration, 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 resolution duly adopted and signed approval thereto.

RESOLUTION NO. 5465: A RESOLUTION AMENDING THE PROTECTIVE AND RESTRICTIVE COVENANTS IN THE PLAT OF GREEN INDUSTRIAL CENTER FIRST ADDITION

Council Member Hanson moved the adoption of a resolution entitled "PRELIMINARY RESOLUTION PURSUANT TO SECTION 384.42 OF THE IOWA CODE COVERING THE 2016 FAIRWAY WOODS SECOND ADDITION PCC PAVING PROJECT", seconded by

Council Member Bomgaars. After due consideration, 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 resolution duly adopted and signed approval thereto.

RESOLUTION NO. 5466: PRELIMINARY RESOLUTION PURSUANT TO SECTION 384.42 OF THE IOWA CODE COVERING THE 2016 FAIRWAY WOODS SECOND ADDITION PCC PAVING PROJECT

The City Clerk stated that the Project Engineers had completed and filed the plat. The City Council reviewed the proposed valuation of each lot within the assessment district and confirmed that such valuations should be included on the schedule to be filed.

The City Clerk stated that the Project Engineers had prepared and filed preliminary plans and specifications, an estimated total cost of the work and the plat and schedule, as directed in the preliminary resolution just adopted.

Thereupon, Council Member Orrison proposed the adoption of the resolution approving and adopting the said preliminary plans and specifications, and plat and schedule and estimate of cost pertaining to such Project. The motion was seconded by Council Member Prentice and passed with record vote, as follows:

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

Nays: None

Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out.

RESOLUTION NO. 5467: RESOLUTION APPROVING AND ADOPTING PRELIMINARY PLANS AND SPECIFICATIONS, ESTIMATE OF COST AND PLAT AND SCHEDULE (2016 FAIRWAY WOODS SECOND ADDITION PCC PAVING PROJECT)

The Mayor then declared that a motion would be in order for adoption of the Resolution of Necessity.

It was moved by Council Member Swanson and seconded by Council Member Moriarty that the Resolution of Necessity for the 2016 Fairway Woods Second Addition PCC Paving Project be adopted in the form hereinafter set out.

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 said motion duly carried and the Resolution of Necessity was finally adopted.

RESOLUTION NO. 5468: RESOLUTION OF NECESSITY (2016 FAIRWAY WOODS SECOND ADDITION PCC PAVING PROJECT)

It was moved by Council Member Bomgaars and seconded by Council Member Petska that the City Clerk be directed to file certified copies of the Resolution of Necessity and Preliminary Plat and Schedule of Assessments with the County Treasurer of Clay County, and that the resolution hereinafter set out ordering the preparation of the detailed plans and specifications and the preparation of the notice of hearing and notice to bidders and form of contract covering the 2016 Fairway Woods Second Addition PCC Paving Project be adopted.

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

RESOLUTION NO. 5469: ORDERING PREPARATION OF DETAILED PLANS, SPECIFICATIONS, NOTICE OF HEARING, NOTICE TO BIDDERS AND FORM OF CONTRACT (2016 FAIRWAY WOODS SECOND ADDITION PCC PAVING PROJECT)

Council Member Moriarty moved the adoption of a resolution entitled "ORDERING PREPARATION OF DETAILED PLANS, SPECIFICATIONS, NOTICE OF HEARING, NOTICE TO BIDDERS AND FORM OF CONTRACT", seconded by Council Member Bomgaars. After due consideration, 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 resolution duly adopted and signed approval thereto.

RESOLUTION NO. 5470: ORDERING PREPARATION OF DETAILED PLANS, SPECIFICATIONS, NOTICE OF HEARING, NOTICE

**TO BIDDERS AND FORM OF CONTRACT (2016
FAIRWAY WOODS SECOND ADDITION PCC
PAVING PROJECT)**

Council Member Prentice moved the adoption of a resolution entitled "RESOLUTION EXPRESSING INTENT TO ENTER INTO A DEVELOPMENT AGREEMENT AND TO PROVIDE ECONOMIC DEVELOPMENT SUPPORT TO SPENCER AG CENTER, LLC", seconded by Council Member Petska. After due consideration, 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 resolution duly adopted and signed approval thereto.

RESOLUTION NO. 5471: RESOLUTION EXPRESSING INTENT TO ENTER INTO A DEVELOPMENT AGREEMENT AND TO PROVIDE ECONOMIC DEVELOPMENT SUPPORT TO SPENCER AG CENTER, LLC

Engineer's Report:

City Manager's Report:

Mayor's Report:

NW Iowa League Meeting January 21, 2016 at Lake View
NW Iowa League Meeting February 18, 2016 at Spencer
Employee Appreciation Event February 5, 2016 at Event
Center 5:30 o'clock P.M. registration, 6:30 o'clock P.M.
dinner
Start time for 2/01/16 Council Meeting will be 5:00 P.M.

Council/Comm. Reports:

Progress & Development & Public Safety Meeting, January
19, 2016, 6:00 o'clock P.M.
Finance & Personnel Meeting, January 25, 2016, 6:00
o'clock P.M. (followed by MLA Session)

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 and seconded by Council Member Moriarty to adjourn the meeting of the Spencer City Council at 7:06 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)

January 18, 2016

VENDOR	DESCRIPTION	AMOUNT
FARMERS BANK	taxes	37,944.34
DEPARTMENT OF HUMAN SERV	deduction	1,117.96
ICMA RETIREMENT TRUST-457	deduction	975.00
IOWA DEPT NATURAL RESOURCES	fees	260.00
WESTMAN FREIGHTLINER	equipment	85,893.00
ALLIANT ENERGY	utilities	251.60
A & M INC.	services	342.65
BLACK HILLS ENERGY	utilities	2,862.73
ARNOLD MOTOR SUPPLY	repairs	281.59
APWA/ISOSWO	registration	185.00
ARTS ON GRAND	grant	1,000.00
BAKER & TAYLOR CO.	books	60.09
BECK ENGINEERING, INC.	fees	2,375.00
BEE KLEEN	services	37.25
SHANE BREIDINGER	snow removal	370.00
KEN BORTH AUTO BODY	repairs	1,237.09
BUDS SERVICE	towing	1,375.00
THE BOULDER COMPANY	supplies	133.88
BURKE ENGINEERING SALES	fees	1,523.00
THE CARTRIDGE CONNECTION	supplies	84.95
VERIZON WIRELESS	services	114.27
CENTER POINT PUBLISHING	books	41.94
CHRISTIANS SHEET METAL WORKS	maintenance	260.75
ISU EXTENSION CLAY COUNTY	meeting	35.00
CLAY COUNTY	local option	16,310.47
THE DOOR DOCTOR	maintenance	548.84
COMMUNITY INSURANCE	fees	3,924.00
ALPHA WIRELESS COMMUNICATIONS	repairs	77.60
CRESCENT ELECTRIC	maintenance	347.99

CORNBELT POWER COOP	maintenance	356.67
COPPER COTTAGE	maintenance	590.93
COOPERATIVE ENERGY COMPANY	fuel	1,047.49
CENGAGE LEARNING	books	240.70
CULLIGAN	supplies	8.75
DE LOSS CONSTRUCTION	snow removal	1,940.00
DELS GARDEN CENTER	cemetery trust	375.00
DEMCO	supplies	149.58
DYNO OIL CO. #32	fuel	772.20
EMMETSBURG LUMBER & SUPPLY, INC.	maintenance	146.25
EMAGINE	supplies	76.45
E-PRIDE OFFICE PRODUCTS	supplies	42.69
ECOLAB PEST ELIMINATION DIV.	maintenance	116.96
STEVE DEPAUW /ELEVEN ELEVEN	snow removal	750.00
FAREWAY STORES #788	supplies	51.48
THE ANDERSON'S, INC.	fuel	1,873.18
FASTENAL COMPANY	supplies	73.54
FOX INTERNATIONAL, INC.	repairs	1,114.48
FIRE PROOF PLUS, INC.	maintenance	216.00
GENERAL TRAFFIC CONTROLS	maintenance	1,844.58
GAMETIME	equipment	851.90
GOOGLE, INC	fees	429.16
GALEN'S PRO-MOW	repairs	4.40
GCS TECH, INC.	equipment	125.00
H & N CHEV-BUICK	repairs	11.95
HARDWARE HANK	maintenance	28.47
HANNA TRUCKING	snow removal	1,170.00
HEMPHILL LAW OFFICE P.L.C.	fees	4,258.41
HI-WAY TRUCK EQUIPMENT	repairs	41.50
I STATE TRUCK CENTER	repairs	72.67
HY-VEE FOOD STORES	supplies	92.44
IOWA GREAT LAKES LUTHERAN SCHOOL	grant	3,079.00
IOWA STATE POLICE ASSOCIATION	dues	540.00
INGRAM LIBRARY SERVICES	books	552.76
AIRGAS NORTH CENTRAL	supplies	33.51
IOWA PARK & REC. ASSN.	dues	1,220.00
ADVANCED SYSTEMS INC.	maintenance	56.00
JANITORS CLOSET	supplies	547.90
JOHNSTON AUTOSTORES	repairs	632.99
KAPCO POSTAL PACK & SHIP	supplies	25.70
KNIGHT PROTECTION, INC.	maintenance	458.50
KODIAK AMERICA LL	repairs	133.40

KOENIG PORTABLE TOILETS	maintenance	700.00
KRUSE, CATE & NELSON	fees	24,686.45
LEADING EDGE AVIATION	contract	2,916.67
L.P. GILL, INC.	disposal	1,392.79
MAR-LIN BUSINESS SUPPLY	supplies	180.82
MCCLURE ENGINEERING CO.	fees	5,829.40
MENARDS-SPENCER	maintenance	963.00
MEYER HOME IMPROVEMENT	refund	216.00
MICHAEL TODD & CO.	repairs	1,712.03
MID-IA.SOL.WASTE EQUIP.	equipment	65,159.00
MIDSTATES ORGANIZED CRIME	dues	150.00
MURPHY TRACTOR/POWER PLAN	repairs	265.91
NORTHWEST IOWA SOCCER	grant	2,773.50
NAPA AUTO PARTS	repairs	108.90
NIELSEN'S TIRE CO.	repairs	3,444.29
NORGAARD SAND & GRAVEL	snow removal	1,929.68
NOTEBOOM IMPLEMENT LLC	repairs	3,723.22
N.W IA PLANNING & DEVELOPEMENT	administration	1,061.13
NATIONAL PEN	supplies	682.90
PEOPLE FOR PETS	agreement	400.00
PETTY CASH-POLICE DEPTARTMENT	supplies	120.56
PETTY CASH-MANDIE ROBERTS	supplies	63.89
PETROLEUM MARKETERS MUTUAL INS	premium	1,521.00
PIXLER ELECTRIC	maintenance	3,064.42
PLUMBING & HEATING WHOLESALE	maintenance	645.21
RIVER VALLEY TELECOMMUNICATION	phone	70.58
RICK'S PEST CONTROL	maintenance	80.00
SANDERS INC	sand	3,334.98
SCOTT TELEPHONE & TELECOM	phone system	32,553.00
SHERWIN WILLIAMS	maintenance	24.37
STATE STEEL	maintenance	20.75
BOMGAARS	maintenance	664.36
SIEH FARM DRAINAGE INC.	snow removal	6,965.05
CARL ZEISS VISION SIOUXLAND	equipment	152.07
SOLUTIONS INC	fees	750.22
SPENCER AUTO PARTS	repairs	1,007.41
SPENCER COMM SCHOOLS	local option	40,776.18
SAGA COMMUNICATIONS OF IA	advertising	340.00
SPENCER DAILY REPORTER	publications	1,445.93
PRODUCTIVITY PLUS ACCOUNT	repairs	212.50
SPENCER INDUSTRIES FOUND.	meals	37.50
SPENCER MUNI HOSPITAL	testing	201.60

SPENCER MUNI. UTILITIES	utilities	33,009.76
SPENCER OFFICE SUPPLIES	supplies	315.07
SPENCER READY MIX	maintenance	1,234.00
UNITYPOINT CLINIC-OCCUPATIONAL	testing	111.00
JERRY'S WELL SERVICE INC.	repairs	172.88
STALLS	maintenance	44.33
TRADEBE ENVIRONMENTAL SERVICES	disposal	9,759.67
TYLER BUSINESS FORMS	supplies	82.31
VANDER POL EXCAVATING LLC	pay estimate	89,037.32
VISA	mtg expenses	1,047.37
WALLACE'S WATER CONDITIONING	supplies	34.50
WEST BEND JOURNAL	publications	28.00
WRIGHT EXPRESS FSC	fuel	306.33
ZIMCO SUPPLY	supplies	72.00
BARKERLEMAR	mtg expenses	450.00
LAWRENCE SMITH	overpayment	14.50
CRAIG DUDNICK	fees	200.00
MARC CLARK	sidewalk grant	21.60
JEREMY THIESEN	sidewalk grant	367.20
TOTAL		534,778.69
	FUND TOTALS	
	GENERAL	95,050.90
	RST CASH	45,606.15
	SP REVENUE	67,853.55
	ENT CAP PRJ	17,410.20
	RSIDE CEME TR	375.00
	ENT CAP PRJ	104,898.10
	SEWER	5,366.77
	AIRPORT	9,644.32
	SOLID WASTE	15,956.45
	SW RES	151,052.00
	LANDFILL	6,920.08
	LF ENV MNGM	66.88
	REG COLL CNTR	10,220.79
	GOLF	2,837.82
	CENT GARAGE	1,437.18
	CG	82.50
	TOTAL	534,778.69

Minutes are subject to approval by the Spencer City Council.