SPENCER CITY COUNCIL MEETING MARCH 7, 2016 SPENCER, IOWA

The City Council of the City of Spencer, Iowa, met on the 7th day of March, 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Absent: Orrison

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

Approve Minutes of February 15, 2016;

Licenses: Class C Liquor License with Sunday Sales for Beer 30; and Class C Liquor License with Outdoor Service and Sunday Sales for Spencer Municipal Golf Course;

RESOLUTION NO. 5481: ACKNOWLEDGING RECEIPT OF FISCAL YEAR 2016-2017 BUDGET OF SPENCER MUNICIPAL HOSPITAL OF THE CITY OF SPENCER, IOWA

Approve Purchase of 2011 Rough Mower for \$21,000.00; 2016 Bunker and Field Rake for \$12,250.00; 2011 Turf Gas Gator for \$5,500.00; \$2011 Turf Gas Gator for \$5,000.00 and 2007 Fairway Mower for \$7,000.00, for the Golf Course Division, from Van-Wall Equipment, Inc, Urbandale, Iowa from Capital Improvement Plan;

Authorize Application to the RISE Grant Fund for an Immediate Need Project;

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 Urban Renewal Plan Amendment for the Spencer Consolidated Urban Renewal Areas**;

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 Bomgaars 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 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 resolution duly adopted and signed approval thereto.

RESOLUTION NO. 5482: RESOLUTION TO APPROVE URBAN RENEWAL PLAN AMENDMENT FOR THE SPENCER CONSOLIDATED URBAN RENEWAL AREAS

The Mayor announced this was the time and place set for a **Public Hearing on Development Agreement with William J. Muller Revocable Trust**;

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 Hanson moved the adoption of a resolution entitled "RESOLUTION APPROVING DEVELOPMENT AGREEMENT WITH WILLIAM J. MULLER REVOCABLE TRUST, AUTHORIZING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT", 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

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

RESOLUTION NO. 5483: RESOLUTION APPROVING DEVELOPMENT AGREEMENT WITH WILLIAM J. MULLER REVOCABLE TRUST, AUTHORIZING ANNUAL APPROPRIATION 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 Development Agreement with Spencer Ag Center, LLC**;

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 Swanson moved the adoption of a resolution entitled "RESOLUTION APPROVING DEVELOPMENT AGREEMENT WITH SPENCER AG CENTER, LLC, AUTHORIZING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT", seconded by Council Member Prentice. After due consideration, 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 resolution duly adopted and signed approval thereto.

RESOLUTION NO. 5484: RESOLUTION APPROVING DEVELOPMENT
AGREEMENT WITH SPENCER AG CENTER, LLC,
AUTHORIZING ANNUAL APPROPRIATION 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 Disposal of Property to Spencer Ag Center**, LLC. (Lot 2 of the Replat of Lot 8, Except the West 130 feet thereof, Green Industrial Center First Addition);

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 Moriarty moved the adoption of a resolution entitled "RESOLUTION APPROVING SALE OF REAL PROPERTY FOR REDEVELOPMENT", 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

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

RESOLUTION NO. 5485: RESOLUTION APPROVING SALE OF REAL PROPERTY FOR REDEVELOPMENT

The Mayor announced this was the time and place set for a **Public Hearing on General Obligation Street Improvement Loan Agreement**;

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 moved the adoption of a resolution entitled "RESOLUTION AUTHORIZING A LOAN AGREEMENT AND THE FUTURE ISSUANCE OF A GENERAL OBLIGATION STREET IMPROVEMENT NOTES OR BONDS AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME", 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

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

RESOLUTION NO. 5486: RESOLUTION AUTHORIZING A LOAN AGREEMENT AND THE FUTURE ISSUANCE OF A GENERAL OBLIGATION STREET IMPROVEMENT NOTES OR BONDS AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME

The Mayor announced this was the time and place set for a **Public Hearing on Fiscal Year 2016 / 2017 Budget for City of Spencer**;

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 Prentice moved the adoption of a resolution entitled "A RESOLUTION ADOPTING THE CITY OF SPENCER ANNUAL BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2017", seconded by Council Member Moriarty. After due consideration, 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 resolution duly adopted and signed approval thereto.

RESOLUTION NO. 5487: A RESOLUTION ADOPTING THE CITY OF SPENCER ANNUAL BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2017

The Mayor announced this was the time and place set for a **Public Hearing on Capital Improvement Plan for Fiscal Year 2017 through Fiscal Year 2021**;

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.

It was moved by Council Member Bomgaars, seconded by Council Member Petska to Approve City of Spencer Capital Improvement Plan for Fiscal Year 2017 through Fiscal Year 2021. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Swanson moved that the proposed ordinance entitled, "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" 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 second filing.

Council Member Prentice moved that the proposed ordinance entitled, "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 PROPERITES ABUTTING NORTH GRAND AVENUE" be placed on file for the second time. 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 second filing.

Council Member Hanson moved that the proposed ordinance entitled "AN ORDINANCE TO UPDATE THE SCHEDULE OF STREET AND SIDEWALK GRADES" 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 second filing.

Council Member Hanson moved that the proposed ordinance entitled "AN ORDINANCE AMENDING TITLE 7, CHAPTER 11 OF THE SPENCER CITY CODE CONCERNING SNOWMOBILES" be placed on file for the second time. 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 second filing.

Council Member Moriarty moved that the proposed ordinance entitled "AN ORDINANCE AMENDING TITLE 2, CHAPTER 14 TO ESTABLISH A QUORUM OF THE PLUMBERS EXAMINING BOARD" 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 second filing.

Council Member Swanson moved the adoption of a resolution entitled "A RESOLUTION APPOINTING SCOTT A. JOHNSON AS ASSISTANT CITY ATTORNEY FOR THE CITY OF SPENCER, IOWA", 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, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

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

RESOLUTION NO. 5488: A RESOLUTION APPOINTING SCOTT A. JOHNSON AS ASSISTANT CITY ATTORNEY FOR THE CITY OF SPENCER, IOWA

It was moved by Council Member Petska, seconded by Council Member Bomgaars to Authorize Application of MAP-21 Funding for 4th Avenue Southwest Trail – Phase II. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Prentice introduced and caused to be placed on file an ordinance entitled, "AN ORDINANCE AMENDING PROVISIONS OF TITLE 2, CHAPTER 13, AMENDING TITLE 1, CHAPTER 7, SECTION 3G, AND AMENDING TITLE 8, CHAPTER 3, SECTION 15, CONCERNING THE ELECTRICAL EXAMINERS BOARD". 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

City Attorney:

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

J J	
Parks & Recreation:	
Golf Course:	
Planning Department:	
Library:	
Fire:	
Police:	
Public Works:	
Engineer's Report:	
City Mananger's Report:	

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:

- Bob Rose: Introduced Nancy Naeve as new Main Street Director
- April 8, 2016 (4:00 7:00 o'clock P.M.) reception for Bob Rose at Municipal Golf Course

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

ATTEST:	Reynold Peterson, Mayor
Theresa E. Reardon, City Clerk	
(SEAL)	
SCEIPTS FEBRUARY 2016	MTD RECEIPTS

RECEIPTS FEBRUARY 2016	MTD RECEIPTS
001-GENERAL FUND	334,702.98
020-PROPERTY INSURANCE	963.70
040-CEMETERY RESERVE	24.71
041-RIVERSIDE COLUMARIUM	13.13
045-LIBRARY RESERVE	91.14
047-COMM CTR RES	35.53
049-DRUG EDUCATION	8.50
050-POLICE RESERVE	581.21
051-D.A.R.E.	0.00
052-FIRE CAP IMPROVEMENT	4,169.69
053-CAPITAL IMPROVEMENT	83,616.52
054-STR IMP RESERVE	489.66
056-PARK RESERVE	446.41
057-PARK/RECR RESERVE	0.00
058-PARK SPECIAL PROJECT	0.00

CLE WIED DECEDIE	1 100 74
615-WTP RESERVE	1,123.74
620-SEWER	163,858.09
625-SAN SEWER RESERVE	770.02
630-CSI RESERVE	54,122.73
635-SEWER REV BND SKG FUND	242.51
660-AIRPORT ENTERPRISE	7,274.92
661-AIRPORT RESERVE	407.02
670-SOLID WASTE	163,385.51
671-SOLID WASTE RESERVE	529.05
672-SW TRNS ST CLOSURE	13.13
673-LANDFILL	209,058.83
674-LANDFILL IMPR/EQUIPMENT	834.12
675-LANDFILL BOND SKG	0.00
676-LANDFILL BOND RESERVE	0.00
677-LF-COMP PLANNING	147.52
678-LF ENVT PROTECTION	113.53
679-LF POST CLOSURE	1,162.36
685-LANDFILL CELL CONST RES.	443.32
690-LF REGIONAL COLLECTION CN	36.58
680-LANDFILL CLOSURE FUND	569.98
682-LANDFILL ENV MGMNT(EMS)	134.39
745-GOLF COURSE ENTERPRISE	807.57
746-GOLF COURSE RESERVE	21.63
949-CENTRAL GRAGE	0.00
950-FUEL EQUIPMENT	5,408.23
951-HOEPPNER TRUST	159.87
952-IGL DRUG TASK FORCE	0.00
953-ROSE RETAIL LOAN FUND	0.00
TOTALS	1,422,478.91

End of February 2016

VENDOR	DESCRIPTION	AMOUNT
FARMERS BANK	pr taxes	33,776.57
SP EMPLOYEES ASSOCIATION	pr deduct	265.00
TREASURER, STATE OF IOWA	pr taxes	13,372.83
MUNI POL/FIRE	pr deduct	38,023.43
IPERS	pr deduct	34,211.96
EMPLOYEE BENEFIT	pr deduct	21,392.98
DEPARTMENT OF HUMAN SERVICES	pr deduct	1,117.96
ICMA	pr deduct	975.00
AFLAC	pr deduct	2,542.14
COLONIAL LIFE	pr deduct	332.34
TOTAL		146,010.21
	FUND TOTAL	
	GENERAL	62,043.44
	SP REVENUE	45,823.03
	SEWER	6,328.09

AIRPORT	1,259.31
SOLID WASTE	17,776.92
LANDFILL	10,442.58
GOLF	2,336.84
TOTAL	146,010.21

fuel

subscription

contract

equipment

supplies

nuisance

repairs

supplies

supplies

repairs

repairs

repairs

uniform

repairs

services

repairs

fuel

repairs

475.39

20.00

140.00

115.64

11.39

450.00

85.23

88.31

3,206.02

9,028.80

1,857.30

926.52

116.95 57.94

190.73

429.16

124.50

3,000.00

March 7, 2016 Claims		
VENDOR	DESCRIPTION	AMOUNT
EMPLOYEE BENEFIT SYSTEMS	premiums	98,829.49
A & M INC.	services	130.40
ALEX AIR APPARATUS, INC.	equipment	40,016.91
AED SUPERSTORE	supplies	115.50
BLACK HILLS ENERGY	utilities	3,407.86
ARNOLD MOTOR SUPPLY	repairs	586.53
ANIMAL MEDICAL CENTERS, P.C.	services	872.94
BAKER & TAYLOR CO.	books	87.76
BATTERY PRODUCTS INC.	supplies	232.49
BARGAIN BYTES	supplies	2,490.21
BEE KLEEN LINEN & UNIFORM SERVICES	services	39.40
THE CARTRIDGE CONNECTION	supplies	149.95
VERIZON WIRELESS	phones	33.06
CERTIFIED LABORATORIES	supplies	266.74
CENTER POINT PUBLISHING	books	67.81
CHRISTIANS SHEET METAL WORKS INC.	maintenance	38.22
CLAY COUNTY	local option	14,275.90
CLAY COUNTY REGIONAL EVENT CENTER	mtg expenses	597.10
ALPHA WIRELESS COMMUNICATIONS	supplies	101.10
CRESCENT ELECTRIC	maintenance	91.63
COOPERATIVE ENERGY COMPANY	fuel	2,950.42
COVERTTRACK GROUP INC.	services	600.00
CENGAGE LEARNING	books	43.38
CULLIGAN	supplies	63.95
VAUGHN DELOSS CONSTRUCTION	snow removal	540.00
DOGTRA COMPANY	supplies	88.16
DORSEY & WHITNEY	fees	9,597.75

DYNO OIL CO. #32

ELM USA, INC

DES MOINES REGISTER

ELLIOTT EQUIPMENT

E.M.S. AUTO PARTS

FLEETPRIDE

GALLS, LLC.

GOOGLE, INC

GRAHAM TIRE CO.

ZIEGLER

THE ANDERSON'S, INC.

FLOR-DRI SUPPLY CO. INC.

FOX INTERNATIONAL, INC.

GLEN'S SPORT CENTER

FASTENAL COMPANY

ELECTRONIC ENGINEERING

E-PRIDE OFFICE PRODUCTS

STEVE DEPAUW /ELEVEN ELEVEN

SPENCER AUTO PARTS	repairs	1,503.55
SPENCER COMMUNITY SCHOOLS	local option	35,689.75
SPENCER COMMUNITY THEATRE	ren grant	500.00
SPENCER CHAMBER OF COMMERCE	mtg expenses	40.00
AVERA MEDICAL GROUP SPENCER	miscellaneous	42.00
SPENCER MUNICIPAL HOSPITAL	testing	1,232.80
SPENCER MUNICIPAL UTILITIES	utilities	36,912.24
SPENCER OFFICE SUPPLIES	supplies	563.57
SPORT VIDEOS	books	36.00
SWANA	miscellaneous	105.00
TRANSIT WORKS	supplies	1,388.44
TYLER TECHNOLOGIES	supplies	500.00
U.S. CELLULAR	cards	698.77
THE WATER CONNECTION	supplies	17.50
VISA	mtg expenses	2,150.29
WALLACE'S WATER CONDITIONING	supplies	22.50
WHITE GLOVE JANITORIAL SERVICE	maintenance	78.51
WEST FOR AG LLC.	hauling	5,411.00
WESTERN IOWA TECH. COMMUNITY COLLEGE	mtg expenses	75.00
IMFOA	dues	50.00
BOB FAGEN	mtg expenses	302.40
HAGEDORN EXCAVATING INC.	snow removal	1,200.00
ESRI	supplies	250.00
THOMAS SCHULTES	compliance	52.50
TOTAL		494,301.02
	FUND TOTALS	
	GENERAL	75,858.78
	RST CASH	103,981.45
	SP REVENUE	149,976.94
	CAP PRJ	24,842.29
	ENT CAP PRJ	16,979.77
	SEWER	67,434.72
	AIRPORT	3,195.42
	SOLID WASTE	9,271.89
	LANDFILL	32,199.35
	ENV MGMNT	236.45
	REG COLL	5,901.43
	GOLF	782.19
	CG-STOCK	689.92
	CG FULE	2,950.42
	TOTAL	494,301.02
3.61		~ .,

Minutes are subject to approval by the Spencer City Council.