

**SPENCER CITY COUNCIL MEETING  
DECEMBER 5, 2016  
SPENCER, IOWA**

The City Council of the City of Spencer, Iowa, met on the 5<sup>th</sup> day of December, 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 November 21, 2016;

Licenses: - Approve Class C Liquor License with Sunday Sales for **Plaza Mexico Mexican Restaurant**, subject to final approval by the Iowa Alcoholic Beverages Division;

Motion: Approve Sidewalk Construction and Assessment Agreements for **Karlon Glau** at 902 West 4<sup>th</sup> Street; **Diane Johnson** at 210 East 16<sup>th</sup> Street; **Gary Clausen** at 1620 1<sup>st</sup> Avenue West; **Matthew Herke** at 722 East 5<sup>th</sup> Street and **Edward and Julie Kinsley** at 722 West 5<sup>th</sup> Street;

**RESOLUTION NO. 5570: RESOLUTION ADOPTING A FINAL ASSESSMENT SCHEDULE FOR THE CITY OF SPENCER 2016 SIDEWALK CONSTRUCTION PROJECT, AND CONFIRMING AND LEVYING ASSESSMENTS**

Motion: Approve Amendment and Extension to Household Hazardous Waste Regional Collection Center Satellite Agreement with Palo Alto County (continues indefinitely until terminated by agreement of the parties);

**RESOLUTION NO. 5571: RESOLUTION ACKNOWLEDGING RECEIPT OF CALENDAR YEAR 2016 BUDGET AMENDMENT AND CALENDAR YEAR 2017 BUDGET FOR SPENCER MUNICIPAL UTILITIES OF THE CITY OF SPENCER, IOWA**

Motion: Approve Purchase of 2017 Ford Utility Police Interceptor AWD from Don Pierson Ford for \$29,293.00 for Police Department (included in CIP Plan);

Motion: Approve Contract Amendment to Iowa Economic Development High Quality Jobs Grant for Shine Bros. Corp., for a one year extension;

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 Mayor announced this was the time and place set for a **Public Hearing on Proposed Transfer of City Real Property to the State of Iowa, for the Use and Benefit of the Iowa Department of Transportation;**

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 moved the adoption of a resolution entitled "RESOLUTION APPROVING THE TRANSFER OF CITY REAL PROPERTY TO THE STATE OF IOWA, FOR THE USE AND BENEFIT OF THE IOWA DEPARTMENT OF TRANSPORTATION, WITHOUT MONETARY CONSIDERATION, FOR PUBLIC PURPOSES AS HIGHWAY RIGHT-OF-WAY", 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, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty  
Nays: None

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

**RESOLUTION NO. 5572: RESOLUTION APPROVING THE TRANSFER OF CITY REAL PROPERTY TO THE STATE OF IOWA, FOR THE USE AND BENEFIT OF THE IOWA DEPARTMENT OF TRANSPORTATION, WITHOUT MONETARY CONSIDERATION, FOR PUBLIC PURPOSES AS HIGHWAY RIGHT-OF-WAY**

Council Member Bomgaars moved the adoption of a resolution entitled "RESOLUTION AUTHORIZING TO THE HOUSING FUND GRANT PROGRAM, COMMITTING LOCAL MATCH TO THE PROJECT, AND DESIGNATING PERSONS AUTHORIZED TO EXECUTE SAID APPLICATION", seconded by Council Member Swanson. 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. 5573: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SPENCER, IOWA, AUTHORIZING APPLICATION TO THE HOUSING FUND GRANT PROGRAM, COMMITTING LOCAL MATCH TO THE PROJECT, AND DESIGNATING PERSONS AUTHORIZED TO EXECUTE SAID APPLICATION**

It was moved by Council Member Petska, seconded by Council Member Orrison to Set Public Hearing on Housing Fund Grant Application to the Iowa Economic Development Authority

for December 19, 2016, at 6:30 o'clock P.M. Council Chambers, City Hall. 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 Bomgaars to Adopt Spencer Community Development & Housing Needs Assessment. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Moriarty, seconded by Council Member Petska to Approve Amendment to Agreement for Professional Services for North Park Trail Connection with Bolton and Menk, Inc., for an additional \$3,500.00 for Easement Services. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Swanson introduced and caused to be placed on file an ordinance entitled, "AN ORDINANCE PROVIDING FOR THE CREDITING AND DISTRIBUTION OF INCREASED LOCAL OPTION SALES AND SERVICES TAX REVENUES ATTRIBUTABLE TO CERTAIN RETAIL ESTABLISHMENTS IN THE LOCAL OPTION TAX DISTRICT FOR THE SPENCER CONSOLIDATED URBAN RENEWAL AREAS, Pursuant to Sections 423B.7, 423B.10 and 403.19 of the Code of Iowa," 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, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty  
Nays: None

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

Council Member Bomgaars moved the adoption of a resolution entitled "RESOLUTION APPROVING CONTRACT FOR 2016 11<sup>th</sup> STREET S.E. CULVERT REMOVAL PROJECT WITH BD CONSTRUCTION SERVICES, LLC FOR \$10,800.00", 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, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty  
Nays: None

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

**RESOLUTION NO. 5574: APPROVING CONTRACT FOR 2016 11<sup>th</sup> STREET SOUTHEAST CULVERT REMOVAL PROJECT WITH BD CONSTRUCTION SERVICES, LLC FOR \$10,800.00**

It was moved by Council Member Orrison, seconded by Council Member Petska to Approve Change Order #3 to 2015 HMGP West Central Sewer Retrofit Project with Vander Pol Excavating, LLC, for an increase of \$62,960.12. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Hanson moved the adoption of a resolution entitled "RESOLUTION ACCEPTING WORK COVERING THE 2015 HMGP WEST CENTRAL SEWER RETROFIT PROJECT (Including 5-year Supplemental Maintenance Bond for the new street pavement on 5<sup>th</sup> Avenue West)", seconded by Council Member Orrison. 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. 5575: RESOLUTION ACCEPTING WORK COVERING THE 2015 HMGP WEST CENTRAL SEWER RETROFIT PROJECT**

Council Member Orrison moved the adoption of a resolution entitled "RESOLUTION ACCEPTING WORK COVERING THE 2015 PCC PAVING PROJECT #1", 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. 5576: RESOLUTION ACCEPTING WORK COVERING THE 2015 PCC PAVING PROJECT NO. 1**

**Department Head Reports**

**Parks & Recreation:**

**Golf Course:**

**Planning Department:**

**Library:**

**Fire:**

**Police:**

**Public Works:**

**City Attorney:**

**Engineer's Report:**

**City Manager's Report:**

**Mayor's Report:** Announce openings on Library Board and Electrical Board.;

It was moved by Council Member Swanson, seconded by Council Member Orrison to Approve Appointment of Donavon Wunschel to Planning & Zoning Commission, Term Expires 6-30-2018. The motion was declared carried when all Council Members present voted aye on voice call vote.;

It was moved by Council Member Orrison, seconded by Council Member Moriarty to Approve Appointment of Dawn Dahm to Collection Rate Review Board, Term Expires 6-30-2020. The motion was declared carried when all Council Members present voted aye on voice call vote.;

**Council/Comm. Reports:** CIP Meeting December 7, 2016 at 6:00 o'clock P.M.  
Committee of the Whole January 3, 2017 at 5:45 o'clock P.M.  
Public Works Committee January 9, 2017 at 6:00 o'clock P.M.  
Public Safety & Progress & Development January 23, 2017 at 6:00 o'clock P.M.  
Finance & Personnel January 30, 2017 at 6:00 o'clock P.M.

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 Orrison and seconded by Council Member Swanson to adjourn the meeting of the Spencer City Council at 7:35 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)

End of November Claims 2016

VENDOR	DESCRIPTION	AMOUNT
Employee Benefit	flex/insurance	23,880.78
IPERS	pr deduct	38,373.26
Muni Police/Fire	pr deduct	38,613.69
Treas, St of IA	pr taxes	14,422.00
Sp Employee Assoc	pr deduct	270.00
Farmers Bank	fees	149.04
Central Payment	fees	458.00
AFLAC	premium	2,692.32
Colonial Life	premium	291.86
<b>TOTAL</b>		<b>119,150.95</b>
<b>FUND TOTALS</b>		
	GENERAL	53,083.84
	SP REVENUE	43,655.00
	SEWER	1,873.96
	AIRPORT	164.70
	SEWER	11,637.52
	LANDFILL	5,558.73
	REG COLL CNTR	287.17
	GOLF	2,890.03
	<b>TOTAL</b>	<b>119,150.95</b>

NOVEMBER 2016 RECEIPTS	MTD REVENUE
001-GENERAL FUND	442,610.13
020-PROPERTY INSURANCE	7,697.63
040-CEMETERY RESERVE	24.73
041-RIVERSIDE COLUMARIUM	12.74
045-LIBRARY RESERVE	68.18
047-COMM CTR RES	42.71
049-DRUG EDUCATION	3.00
050-POLICE RESERVE	189.57
051-D.A.R.E.	0.00
052-FIRE CAP IMPR	346.17
053-CAPITAL IMPR	114,663.63
054-STR IMP RESERVE	481.79
056-PARK RESERVE	316.95

057-PARK/RECR RESERVE	0.00
058-PARK SPECIAL PRJ	0.00
059-GOLF CAP IMPR	0.00
060-RC SRYS/SIDEWALK RESERVE	261.50
061-ECONOMIC DEVELOPMENT	764.27
062-SHINE LOAN	4,207.13
063-RENAISSANCE INITIATIVE	17.98
064-CABLE TV	77.18
065-BRIDGE RESERVE	52.45
066-P.W. SINKING	526.00
067-AIRPORT CAPITAL RES	0.00
068-CITY HALL RESERVE	115.39
069-RENTER DEPOSIT	0.00
070-ST WATER DIST #1	1,802.83
071-ST WATER DIST#2	0.00
080-STORM SWR RESERVE	824.96
085-RST CASH-HOTEL/MOTEL	172.34
087-RST CASH-SPENCER CARES	85.42
089-EMERGENCY FUND	355.91
090-QUALITY HSG INITIATIVE	68.18
092-TECHNOLOGY FUND	115.39
110-ROAD USE TAX	125,313.22
112-FICA/IPERS	4,162.67
113-WORK COMP	9,046.07
114-UNEMPLOYMENT	1,893.84
115-GROUP INSURANCE	52,182.92
117-CS EXPENSE	451.47
118-CS POLICE	17,249.03
119-POLICE SPECIAL PROCEEDS	15.73
120-CS FIRE	5,133.28
121-PASSENGER FACILITY	0.00
122-TREES FOREVER	0.75
124-LOCAL OPTION	233,026.34
125-T.I.F.	61,747.45
126-T.I.F. HY-VEE	0.00
127-SALES TAX TIF	25.48
162-SSMID	5,812.26
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	32,457.33
300-CAPITAL IMPROVEMENT	9,000.00
500-PERPETUAL CARE	25.00
501-RIVERSIDE TRUST	15.73
502-COLUMBARIUM VAULT	3.75
503-NORTHLAWN PERP CARE	53.20
504-GRIFFIN TRUST	47.20
505-LEACH TRUST	14.24
600-ENTERPRISE CAPITAL IMPR	436,202.89
615-WTP RESERVE	1,102.20
620-SEWER	175,553.96
625-SAN SEWER RESERVE	866.17
630-CSI RESERVE	60,267.15
635-SEWER REV BND SKG FUND	31,388.76
660-AIRPORT ENTERPRISE	11,584.47
661-AIRPORT RESERVE	395.62

670-SOLID WASTE	183,456.42
671-SOLID WASTE RESERVE	584.44
672-SW TRNS ST CLOSURE	12.74
673-LANDFILL	224,301.98
674-LANDFILL IMPR/EQUIPMENT	941.85
675-LANDFILL BOND SKG	0.00
676-LANDFILL BOND RESERVE	0.00
677-LF-COMP PLANNING	162.59
678-LF ENVT PROTECTION	119.89
679-LF POST CLOSURE	1,243.81
685-LANDFILL CELL CONST RES.	529.74
690-LF REGIONAL COLL CNTR	3,160.55
680-LANDFILL CLOSURE FUND	627.15
682-LANDFILL ENV MGMNT(EMS)	134.12
745-GOLF COURSE ENTERPRISE	3,843.63
746-GOLF COURSE RESERVE	3.75
949-CENTRAL GRAGE	0.00
950-FUEL EQUIPMENT	6,608.61
951-HOEPNER TRUST	9.74
952-IGL DRUG TASK FORCE	0.00
953-ROSE RETAIL LOAN FUND	0.00
TOTAL	2,276,683.35

December 5, 2016 Claims

VENDOR	DESCRIPTION	AMOUNT
EMPLOYEE BENEFIT SYSTEMS	premiums	109,698.16
IOWA FINANCE AUTHORITY	interest	116,714.10
BANKERS TRUST	interest	15,825.00
DEPARTMENT OF HUMAN SERV	pr deduct	1,459.03
FARMERS BANK	taxes	36,406.69
ICMA RETIREMENT TRUST-457	pr deduct	1,110.00
STATE BANK	interest	2,252.50
CLAY COUNTY SHERIFF	pr deduct	12.74
A & M INC.	services	130.40
BLACK HILLS ENERGY	utilities	270.93
ARNOLD MOTOR SUPPLY	repairs	480.86
ANIMAL MEDICAL CENTERS, P.C.	services	848.00
A.S.I. TIRE CENTER	repairs	73.00
BATTERY TECH CENTRAL, LLC	supplies	58.00
BROWN SUPPLY CO.	supplies	504.35
CANON FINACIAL SERVICES	services	172.00
CARROLL CONSTRUCTION SUPPLY	maintenance	643.72
VERIZON WIRELESS	telephone	80.02
CLAY COUNTY	local option	16,812.43
ALPHA WIRELESS COMMUNICATIONS	maintenance	92.00
CRESCENT ELECTRIC	maintenance	19.20
COOPERATIVE ENERGY COMPANY	fuel	11,881.95
GALE/CENGAGE	books	44.08
CREATIVE PRODUCT SOURCING INC	uniform	17.00
CULLIGAN	supplies	63.95
DIAMOND VOGEL	supplies	2.64
ELM USA, INC	supplies	70.00
ELITE K-9 INC.	supplies	59.84
FAREWAY STORES #788	supplies	83.35
MAXYIELD COOPERATIVE	fuel	2,250.11
FASTENAL COMPANY	supplies	167.02

FEED OUR CHILDREN	distribution	2,000.00
FELD FIRE	supplies	366.00
FLEETPRIDE	supplies	124.04
FOX INTERNATIONAL, INC.	repairs	208.43
GRAHAM TIRE CO.	maintenance	3,470.48
HEIMAN INC.	maintenance	167.00
I STATE TRUCK CENTER	maintenance	115.04
IOWA CENTRAL COMMUNITY COLLEGE	mtg	200.00
IA COMMUNICATIONS NETWORK	telephone	8.01
IOWA ONE CALL	services	124.20
INGRAM LIBRARY SERVICES	books	43.10
I WIRELESS	services	43.49
ADVANCED SYSTEMS INC.	maintenance	659.62
JACK'S UNIFORMS & EQUIP	uniform	196.79
JOHNSTON AUTOSTORES	supplies	252.65
KOENIG PORTABLE TOILETS	maintenance	80.00
LARUE COFFEE	supplies	35.79
MAR-LIN BUSINESS SUPPLY	supplies	244.69
MENARDS-SPENCER	maintenance	370.93
MICHAEL TODD & CO.	supplies	502.75
MICHAELSON INC.	maintenance	901.51
MID-IA.SOL.WASTE EQUIP.	maintenance	1,442.86
MODERN MARKETING INC.	supplies	233.77
VEOLIA WATER NORTH AMERICA	contract	66,035.87
MURPHY TRACTOR/POWER PLAN	repairs	2,083.11
KRISTAT AUTO PARTS LLC.	repairs	7.94
NAPA AUTO PARTS	repairs	166.50
NIELSEN'S TIRE CO.	repairs	3,132.60
NOTEBOOM IMPLEMENT LLC	repairs	63.11
NORTHWEST GLASS CO. INC.	maintenance	207.00
N.W. IA LEAGUE	mtg	45.00
OPG-3 INC.	maintenance	1,064.00
REYNOLD PETERSON	mtg	8.04
PETTY CASH-MANDIE ROBERTS	supplies	10.00
REDGE JAMES CONSTRUCTIONS	maintenance	600.00
THE RETROFIT COMPANIES	disposal	496.75
RAMAKER & ASSOCIATES, INC.	services	1,250.00
SCHOENEMAN BROS. CO.	maintenance	85.82
STATE STEEL	repairs	130.60
BOMGAARS	supplies	376.31
SHIELD TECHNOLOGY CORPORATION	maintenance	2,477.00
SPEED PRINTERS	supplies	175.00
SPENCER AUTO PARTS	supplies	206.48
SPENCER COMM SCHOOLS	local option	42,031.07
SPENCER FAMILY YMCA	distribution	4,422.12
SPENCER MUNI. UTILITIES	telephone	2,246.13
SPENCER OFFICE SUPPLIES	supplies	570.62
SPORT VIDEOS	materials	74.00
TREASURER'S OFFICE	supplies	156.24
TYLER BUSINESS FORMS	supplies	328.95
TEMPLE DISPLAY LTD	miscellaneous	1,614.61
ULTIMATE SAFETY CONCEPTS INC.	supplies	100.00
ULTRAMAX	supplies	358.00
UPPER DES MOINES OPPORTUN	distribution	2,100.00
UNITED PARCEL SERVICE	miscellaneous	43.58
U.S. CELLULAR	cards	620.22
THE WATER CONNECTION	supplies	39.50



VANDER HAAGS	maintenance	750.00
VANDER POL EXCAVATING LLC	pay estimates	39,198.52
VISA	mtg expenses	2,399.82
WHITE GLOVE JANITORIAL SERVICE	supplies	151.70
WRIGHT EXPRESS FSC	mtg expenses	128.91
TODD HUCKFELT	mtg expenses	207.52
BEN O'CLAIR	mtg expenses	47.38
TONY HALLETT CONSTRUCTION	maintenance	1,000.00
DAYBREAKERS KIWANIS	distribution	2,500.00
HY-NOON KIWANIS	distribution	2,500.00
CITY OF ESTHERVILLE	study	2,800.00
CLARICTZA SANCHEZ	refund	253.13
REYNOLDS CONSTRUCTION	sidewalk	15,180.00
JOHN & KELLIE BENEKE	sidewalk	1,026.00
GERALD & DONNA JOHNSTON	sidewalk	140.40
TOTAL		531,703.77

FUND TOTALS

GENERAL	50,340.77
RST CASH	5,294.30
SP REVENUE	175,844.09
DEBT SERVICE	22,697.50
CAP PRJ	33,241.82
ENT CAP PRJ	16,514.80
SEWER	66,248.76
SWR RES	112,094.10
AIRPORT	36.05
SOLID WASTE	11,908.48
LANDFILL	6,963.01
ENV MGNM	2,800.00
REG COLL CNTR	788.82
GOLF	1,295.65
STOCK	356.55
FUEL	11,881.95
HOEPPNER	13,397.12
TOTAL	531,703.77

Minutes are subject to approval by the Spencer City Council.