

**SPENCER CITY COUNCIL MEETING
MARCH 20, 2017
SPENCER, IOWA**

The City Council of the City of Spencer, Iowa, met on the 20th day of March, 2017, 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, Jacobsen, Prentice, Moriarty
Absent: Hanson

Oath of Office for Leann Jacobsen, Ward 4 Council Member

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

Approve Minutes of March 6, 2017;

Licenses: Approve Class B Native Wine Permit for Salon M Spa LLC, 509 Grand Avenue and Class C Liquor License with Sunday Sales for Napolis Italian Restaurant, both pending final approval by Iowa Alcoholic Beverages Division;

RESOLUTION NO. 5610: RESOLUTION ADOPTING A FINAL ASSESSMENT SCHEDULE FOR SNOW REMOVAL COSTS AND CONFIRMING AND LEVYING THE ASSESSMENTS

Approve DeLoss Construction, Iowa Trenchless and Van Holland Lawn Service as Subcontractors for 2017 4th Avenue West CDBG Storm Sewer Project;

RESOLUTION NO. 5611: RESOLUTION AUTHORIZING AND DIRECTING THE TEMPORARY CLOSING OF PORTIONS OF CITY STREET (1st Avenue SW from 5th Street SW to 7th Street SW) in the City of Spencer as requested by Arnold Motor Supply and The Merrill Company on April 22, 2017

Approve Quote for Replacement of Roof on the Office / Maintenance Building at Riverside Cemetery from H & S Roofing Co., Inc. for \$20,884.00, CIP Item;

Approve Purchas of John Deere Mower from Noteboom Equipment for the Park & Recreation Department for \$49,350.00, CIP Item;

Set Public Hearing for April 3, 2017, at 6:30 o'clock P.M. on Proposed Rezoning of a portion Two Parcels Adjacent to the South Boundary of Lot 1, Speidel First Addition;

RESOLUTION NO. 5612: RESOLUTION TO FIX A DATE OF PUBLIC HEARING FOR APRIL 3, 2017 ON A PROPOSAL TO ENTER INTO A GENERAL OBLIGATION SEWER IMPROVEMENT LOAN AND DISBURSEMENT AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000.00

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

Ayes: Petska, Orrison, Bomgaars, Jacobsen, 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 Vacation of Existing Utility Easement in the North 30 Feet of the South 93 Feet of Lot 7, Block 2, Subdivision 2, Corn Belt Industrial Park, requested by Mauer Manufacturing;**

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 VACATING AN UTILITY EASEMENT LOCATED IN THE NORTH 30 FEET OF THE SOUTH 93 FEET OF LOT 7, BLOCK 2, SUBDIVISION 2, CORN BELT INDUSTRIAL PARK TO THE CITY OF SPENCER, CLAY COUNTY, IOWA", 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, Jacobsen, Prentice, Moriarty

Nays: None

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

RESOLUTION NO. 5613: A RESOLUTION VACATING AN EXISTING UTILITY EASEMENT LOCATED IN THE NORTH 30 FEET OF THE SOUTH 93 FEET OF LOT 7, BLOCK 2, SUBDIVISION 2, CORN BELT INDUSTRIAL PARK TO THE CITY OF SPENCER, CLAY COUNTY, IOWA

The Mayor announced this was the time and place set for a **Public Hearing on Proposal to Enter into a General Obligation General Purpose Loan in the Principal Amount Not to Exceed \$700,000.00 for the Purpose of Installing New Ball Field Lighting at Pederson Park;**

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.

The Mayor announced this was the time and place set for a **Public Hearing on Proposal to Enter into a General Obligation Essential Purpose Loan Agreement in the Principal Amount Not to Exceed \$800,000.00 for the Purpose of Constructing Street, Sidewalk, Storm Water Drainage and Sewer System Improvements;**

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 AND COMBINING LOAN AGREEMENTS, APPROVING THE FUTURE ISSUANCE OF GENERAL OBLIGATION CORPORATE PURPOSE BONDS OR NOTES AND PROVIDING OF THE LEVY OF TAXES TO PAY THE SAME", 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, Jacobsen, Prentice, Moriarty

Nays: None

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

RESOLUTION NO. 5614: RESOLUTION AUTHORIZING AND COMBINING LOAN AGREEMENTS, APPROVING THE FUTURE ISSUANCE OF GENERAL OBLIGATION CORPORATE PURPOSE BONDS OR NOTES AND PROVIDING OF THE LEVY OF TAXES TO PAY THE SAME

Council Member Orrison moved that the proposed ordinance entitled "AN ORDINANCE AMENDING TITLE 3, CHAPTER 3, THE "COMMERCIAL PASSENGER VEHICLE CODE", AS REQUIRED BY HOUSE FILE 2414, ADOPTED BY THE 86th GENERAL ASSEMBLY" be finally passed and adopted as Ordinance No. 809. 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, Orrison, Bomgaars, Jacobsen, Prentice, Moriarty

Nays: None

Whereupon, the Mayor declared the motion carried and Ordinance No. 809 duly passed and adopted and signed his approval thereto.

ORDINANCE NO. 809: AN ORDINANCE AMENDING TITLE 3, CHAPTER 3, THE "COMMERCIAL PASSENGER VEHICLE

**CODE”, AS REQUIRED BY HOUSE FILE 2414,
ADOPTED BY THE 86th GENERAL ASSEMBLY**

Council Member Bomgaars moved that the proposed ordinance entitled, “AN ORDINANCE AMENDING TITLE 5, CHAPTER 4, SECTION 3B (24) OF THE SPENCER CITY CODE CONCERNING NUMBER OF INTERMENTS PERMITTED”, 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, Orrison, Bomgaars, Jacobsen, Prentice, Moriarty
Nays: None
Absent: Hanson

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

Council Member Orrison moved the adoption of a resolution entitled “RESOLUTION APPROVING THE FINAL PLAT OF HALLETT’S COUNTRY ACRES SECOND ADDITION; A SUBDIVISION OF THE CITY OF SPENCER, CLAY COUNTY, IOWA”, 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, Jacobsen, Prentice, Moriarty
Nays: None

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

RESOLUTION NO. 5615: A RESOLUTION APPROVING THE FINAL PLAT OF HALLETT’S COUNTRY ACRES SECOND ADDITION AS A SUBDIVISION OF THE CITY OF SPENCER, CLAY COUNTY, IOWA

Council Member Moriarty moved the adoption of a resolution entitled “RESOLUTION APPROVING RENEWAL OF PROPERTY AND LIABILITY INSURANCE WITH IOWA COMMUNITIES ASSURANCE POOL FOR APRIL 1, 2017 - MARCH 31, 2018 FOR \$180,146.84 AND APPROVING MEMBER PROXY STATEMENT”, 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, Jacobsen, Prentice, Moriarty
Nays: None

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

RESOLUTION NO. 5616: RESOLUTION APPROVING RENEWAL OF PROPERTY AND LIABILITY INSURANCE WITH IOWA COMMUNITIES ASSURANCE POOL (ICAP) AND APPROVING MEMBER PROXY STATEMENT for April 1, 2017 - March 31, 2018 for \$180,146.84

Engineer’s Report:

City Manager’s Report:

Mayor’s Report: Announce openings on Board of Adjustment, Library Board and Renaissance Initiative Committee.;

Announce of intention to appoint Kevin Robinson to the Civil Service Commission, term expires April 1, 2021; (30 day announcement)

Announce appointment of Council Member Leann Jacobsen to the Public Safety and Progress & Development Committees;

Council/Comm. Reports:

It was moved by Council Member Moriarty, seconded by Council Member Bomgaars 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 Jacobsen to adjourn the meeting of the Spencer City Council at 6:58 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)

March 20, 2017 Claims

VENDOR	DESCRIPTION	AMOUNT
FARMERS BANK	fees	69.85
IOWA ALCOHOLIC BEVERAGES	license	1,352.00
IOWA DEPARTMENT NATURAL RESOURCES	qtrly fees	22,594.68
FARMERS BANK	pr taxes	36,343.18
ICMA RETIREMENT TRUST-457	pr deduct	1,185.00
DEPARTMENT OF HUMAN SERVICES	pr deduct	1,459.03
TREASURER, STATE OF IOWA	sales tax	6,597.24
CLAY COUNTY SHERIFF	pr deduct	110.97
ALLIANT ENERGY	utilities	264.67
A & M INC.	services	327.65
AMERICAN TEST CENTER	maintenance	1,750.00
BLACK HILLS ENERGY	utilities	2,403.78
ARNOLD MOTOR SUPPLY	repairs	2,583.25
BAKER & TAYLOR CO.	books	327.94
BARCO MUN. PRODUCTS	supplies	411.33
BEE KLEEN LINEN & UNIFORM SERVICES	services	36.61
NORTHERN LIGHTS DISTRIBUTING	candy	608.79
BOOK LOOK	books	522.61
SHANE BREIDINGER	snow removal	595.00
BUDS SERVICE	towing	1,385.00
CANON FINANCIAL SERVICES	maintenance	192.00
CARROLL CONSTRUCTION SUPPLY	supplies	150.67
CENTRAL SERVICE & SUPPLY	maintenance	455.41
C & D WASTE OIL	disposal	247.50
CENTER POINT PUBLISHING	books	66.51
CENTURY BUSINESS PRODUCTS INC.	maintenance	75.00
CANNON MOSS BRYGGER & ASSOCIATE	services	934.50
CHRISTIANS SHEET METAL WORKS	maintenance	606.75
CLAY COUNTY RECORDER	fees	72.00
ATLANTIC COCA-COLA	pop	910.83
CRESCENT ELECTRIC	maintenance	306.38
COOPERATIVE ENERGY COMPANY	fuel	2,220.35

GALE/CENGAGE	books	269.69
CENTRAL IOWA DISTRIBUTING	maintenance	312.50
CREATIVE PRODUCT SOURCING	supplies	77.60
DIAMOND VOGEL	maintenance	78.51
DORSEY & WHITNEY	fees	12,908.50
EMMETSBURG LUMBER & SUPPLY,	maintenance	170.25
ELM USA, INC.	services	70.00
EMAGINE	supplies	37.50
ECOLAB PEST ELIMINATION DIV.	maintenance	121.05
MAXYIELD COOPERATIVE	fuel	3,864.22
FELD FIRE	maintenance	380.98
FLEETPRIDE	maintenance	1,246.77
FOX INTERNATIONAL, INC.	repairs	2,493.70
FULLIFE SAFETY CENTER	maintenance	276.40
GLEN'S SPORT CENTER	repairs	60.59
ZIEGLER	repairs	640.00
GALEN'S PRO-MOW	repairs	15.95
GRAHAM TIRE CO.	repairs	3,186.90
GRIDOR CONSTRUCTION INC.	pay estimate	452,827.00
GOLDEN HORSE LTD	books	48.41
H & N CHEV-BUICK	repairs	1,954.73
I STATE TRUCK CENTER	repairs	43.65
HY-VEE FOOD STORES #1636	supplies	18.42
ICAN	advertising	317.00
IGCSA	membership	125.00
IOWA CENTRAL COMMUNITY COLLEGE	tuition	300.00
IMLA	membership	480.00
IOWA COMMUNICATIONS NETWORK	telephone	8.45
IOWA DEPARTMENT NATURAL RESOURCES	permits	350.00
IOWA DEPARTMENT OF PUBLIC HEALTH	fees	105.00
IOWA LAKES ELECTRIC COOPERATIVE	utilities	1,114.87
IOWA ONE CALL	calls	21.60
INGRAM LIBRARY SERVICES	books	1,129.23
AIRGAS NORTH CENTRAL	supplies	816.25
IAPMO	dues	150.00
ADVANCE SERVICES INC.	maintenance	432.29
JANITORS CLOSET	supplies	814.09
JOBS TRUST	qhi grants	20,000.00
JACK'S UNIFORMS & EQUIPMENT	uniform	1,482.35
JOHNSTON AUTOSTORES	repairs	228.19
J.W. REPAIR	repairs	112.64
KIMBALL MIDWEST	maintenance	143.84
KNIGHT PROTECTION, INC.	maintenance	102.00
KRUSE, CATE & NELSON	fees	25,565.92
LEADING EDGE AVIATION	management	3,104.17
LUBE TECH	supplies	5,322.10
HANSON PLUMBING & HEATING	maintenance	498.17
MAR-LIN BUSINESS SUPPLY	supplies	310.90
MCCLURE ENGINEERING CO.	fees	20,663.00
McNEILUS TRUCK & MANUFACTURING	repairs	53.28
MENARDS-SPENCER	maintenance	638.27
MICHAEL TODD & CO.	supplies	2,196.36
MID-IOWA SOLID WASTE EQUIPMENT	maintenance	1,182.10
MIDWEST TECHNOLOGY SERVICES	fees	75.00
L-3 MOBILE-VISION INC.	equipment	4,581.50
MOVIE LICENSING USA	license	523.00
MURPHY TRACTOR/POWER PLAN	repairs	124.87

NAPA AUTO PARTS	repairs	301.35
NIELSEN'S TIRE CO.	repairs	45.00
NORGAARD SAND & GRAVEL	snow removal	1,800.00
NOTEBOOM IMPLEMENT LLC	repairs	878.57
NEWELL PUBLIC LIBRARY	book	20.00
PEOPLE FOR PETS	monthly fee	400.00
DON PIERSON FORD	repairs	11.14
PITNEY BOWES GLOBAL FINANCIAL	maintenance	474.18
PIXLER ELECTRIC	maintenance	633.81
POSTMASTER	supplies	56.00
REGIONAL RECYCLING CENTER	mtg exp	50.00
R.D.G. PLANNING AND DESIGN	fees	5,200.00
RICK'S PEST CONTROL	maintenance	80.00
SAFETY VISION	supplies	225.00
SCHOENEMAN BROS	prj expense	1,408.23
SCOTT TECHNOLOGIES & TELECOM	fees	865.50
SEMCO/SEMCOLD LLC	maintenance	1,458.91
SHERWIN WILLIAMS	prj expense	4.33
STATE STEEL	bleachers	576.17
BOMGAARS	supplies	188.99
SIEH FARM DRAINAGE	snow removal	1,340.00
SHAMROCK RECYCLING	maintenance	614.04
SEBCO BOOKS	books	1,604.32
SITE SERVICES INC.	survey	1,800.00
SPEED PRINTERS	supplies	446.50
SPENCER AUTO PARTS	repairs	339.34
SPENCER DAILY REPORTER	publications	590.08
SPENCER MUNI HOSPITAL	testing	35.30
SPENCER HOSPITAL ATHLETIC ENHAN	wellness	125.00
SPENCER MUNI. UTILITIES	telephone	203.65
SPENCER OFFICE SUPPLIES	supplies	355.52
UNITYPOINT CLINIC-OCCUPATIONAL	testing	37.00
STROUD SAFETY APPAREL	miscellaneous	408.25
TRADEBE ENVIRONMENTAL SERVICES	disposal	868.94
TREASURER'S OFFICE	meeting exp	334.00
TOOL DEPOT	supplies	4.20
U.S. CELLULAR	phones	28.05
VISA	mtg exp	3,374.16
WALL STREET JOURNAL	subscription	443.88
WREEVES AND ASSOCIATES	repairs	160.94
WRIGHT EXPRESS	fuel	319.22
ZIMCO SUPPLY	maintenance	5,047.70
KENT HERBOLD	reimbursement	100.00
HAGEDORN EXCAVATING	snow removal	1,200.00
ISOSWO	mtg exp	75.00
ERIC TOMLINSON	refund	449.40
DUNHAM ELECTRIC	ar refund	14.00
A & A ELECTRIC	ar refund	365.00
TOTAL		696,701.91

Minutes are subject to approval by the Spencer City Council.