

**SPENCER CITY COUNCIL MEETING  
APRIL 17, 2017  
SPENCER, IOWA**

The City Council of the City of Spencer, Iowa, met on the 17<sup>th</sup> 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: Bomgaars, Jacobsen, Hanson, Prentice, Moriarty  
Absent: Petska, Orrison

Introduction of New Police Officer, John Vanvelzen.

Update from RAGBRAI Committee; Committee Members spoke & handed out flow chart of Committees and discussed responsibilities.

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

Approve Minutes of April 3, 2017;

Licenses: Approve Class C Liquor License with Sunday Sales and Outdoor Service for Spencer Golf & Country Club, subject to final approval by Iowa Alcoholic Beverage Division;

**RESOLUTION NO. 5627: RESOLUTION ADOPTING A FINAL ASSESSMENT SCHEDULE FOR SNOW REMOVAL COSTS AND CONFIRMING AND LEVYING THE ASSESSMENTS**

**RESOLUTION NO. 5628 RESOLUTION SETTING A HEARING FOR MAY 1, 2017 AT 6:30 O'CLOCK P.M., ON A PROPOSED TEXT AMENDMENT TO THE SPENCER ZONING CODE, TO PERMIT "PERSONAL IMPROVEMENT SERVICES" EITHER AS A RIGHT OR AS A SPECIAL EXCEPTION USE IN THE "E" HEAVY INDUSTRIAL ZONING DISTRICT**

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

Ayes: Bomgaars, Jacobsen, 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 Plans, Specifications, Form of Contract and Estimate of Cost for 2017 Sidewalk Improvement Project;**

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 FINALLY APPROVING AND CONFIRMING PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR 2017 SIDEWALK IMPROVEMENT PROJECT (Letting Date: April 27, 2017)", 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: Bomgaars, Jacobsen, Hanson, Prentice, Moriarty

Nays: None

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

**RESOLUTION NO. 5629 RESOLUTION FINALLY APPROVING AND CONFIRMING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE 2017 SIDEWALK IMPROVEMENT PROJECT**

Council Member Hanson moved that the proposed ordinance entitled "ORDINANCE AMENDING TITLE 5, CHAPTER 4, SECTION 3B (24) OF THE SPENCER CITY CODE CONCERNING NUMBER OF INTERMENTS PERMITTED" be finally passed and adopted as Ordinance No. 810. 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: Bomgaars, Jacobsen, Hanson, Prentice, Moriarty

Nays: None

Absent: Petska, Orrison

Whereupon, the Mayor declared the motion carried and Ordinance No. 810 duly passed and adopted and signed his approval thereto.

**ORDINANCE NO. 810: ORDINANCE AMENDING TITLE 5, CHAPTER 4, SECTION 3B (24) OF THE SPENCER CITY CODE CONCERNING NUMBER OF INTERMENTS PERMITTED**

Council Member Hanson moved that the proposed ordinance entitled, "ORDINANCE AMENDING THE ZONING CLASSIFICATION OF TWO PARCELS OF REAL PROPERTY ADJACENT TO THE SOUTH BOUNDARY OF LOT 1, SPEIDEL FIRST ADDITION, SPENCER, CLAY COUNTY, IOWA AND LEGALLY DESCRIBED HEREIN AND AMENDING THE OFFICIAL ZONING MAP" 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: Bomgaars, Jacobsen, Hanson, Prentice, Moriarty

Nays: None

Absent: Petska, Orrison

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

It was moved by Council Member Bomgaars, seconded by Council Member Jacobsen to Approve Renewal of City of Spencer Group Medical and Life Insurance with Iowa Governmental Health Care Plan (IGHCP) and Wellmark, effective July 1, 2017 through June 30, 2018. 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 TITLE 1, CHAPTER 10, SECTION 2 OF THE SPENCER CITY CODE TO REVISE THE CORPORATE BOUNDARIES OF THE CITY" 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: Bomgaars, Jacobsen, Hanson, Prentice, Moriarty  
Nays: None  
Absent: Petska, Orrison

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

Council Member Moriarty moved the adoption of a resolution entitled "RESOLUTION APPROVING AND ADOPTING THE CITY OF SPENCER EMPLOYEE HANDBOOK (Effective July 1, 2017)", 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: Bomgaars, Jacobsen, Hanson, Prentice, Moriarty  
Nays: None

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

**RESOLUTION NO. 5630 A RESOLUTION APPROVING AND ADOPTING  
THE CITY OF SPENCER EMPLOYEE HANDBOOK  
(Effective July 1, 2017)**

It was moved by Council Member Bomgaars, seconded by Council Member Moriarty to Approve Iowa Code Chapter 28E Agreement Regarding Allocation of Local Option Sales & Service Tax Pursuant to Section 423B.9, Iowa Code with Clay County and Clay County Fair Association, Inc. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Hanson introduced and caused to be placed on file an ordinance entitled, "AN ORDINANCE ADOPTING TEMPORARY REGULATIONS TO BE EFFECTIVE ON JULY 23 & 24, 2017" Council Member Jacobsen seconded the motion. The Mayor put the question on the motion and the roll being called, the vote thereon was as follows:

Ayes: Bomgaars, Jacobsen, Hanson, Prentice, Moriarty  
Nays: None  
Absent: Petska, Orrison

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

Council Member Hanson moved the adoption of a resolution entitled "RESOLUTION APPROVING CONTRACT AND PERFORMANCE BOND FOR 2017 SEAL COAT PROJECT WITH THE ROAD GUY", 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: Bomgaars, Jacobsen, Hanson, Prentice, Moriarty  
Nays: None

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

**RESOLUTION NO. 5631 APPROVING CONTRACT FOR 2017 SEAL COAT  
PROJECT (Quotation Project)**

Council Member Hanson moved the adoption of a resolution entitled "RESOLUTION AWARDED CONTRACT FOR 2017 LANDFILL CELL D1 EXPANSION PROJECT, NORTHERN PLAINS REGIONAL LANDFILL (bids received April 13, 2017) LeRoy & Sons,

including Alternate 1 & 2 (\$579,660.85 total)", 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: Bomgaars, Jacobsen, Hanson, Prentice, Moriarty  
Nays: None

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

**RESOLUTION NO. 5632 RESOLUTION AWARDDING CONTRACT FOR 2017  
LANDFILL CELL D1 EXPANSION PROJECT**

It was moved by Council Member Hanson, seconded by Council Member Bomgaars to Approve Horizontal Property Regime described as "Steffes Business Park" as recommended by Planning & Zoning Commission. The motion was declared carried when all Council Members present voted aye on voice call vote.

Discussion over Ordinance Amending Title 9, Chapter 11, Section 3 of the Spencer City Code to Regulate Vehicle Parking on Single Family, Two-Family and Multi-Family Residential Dwelling Lots. Staff will review compliance with current regulations and review proposed Ordinance changes and bring back to the Council.

**Engineer's Report:**

**City Manager's Report: Bill Muller project update: Expansion of Many Hands Market and empty Staples store.**

**Mayor's Report:** It was moved by Council Member Bomgaars, seconded by Council Member Moriarty to Approve Appointment of Anita Jorgensen to Renaissance Initiative Committee, Term Expires 06-30-2020; to Approve Appointment of Jason Manwarren to Zoning Board of Adjustment, Term Expires 06-30-2018, and to Approve Appointment of Kevin Robinson to Civil Service Commission, Term Expires 04-01-2021. The motion was declared carried when all Council Members present voted aye on voice call vote.;

**Council/Comm. Reports:** Public Safety Committee May 1, 2017 at 5:45 o'clock P.M.

It was moved by Council Member Prentice, seconded by Council Member Hanson 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 Jacobsen and seconded by Council Member Moriarty to adjourn the meeting of the Spencer City Council at 7:32 o'clock P.M. The motion was declared carried when all Council Members present voted aye on voice call vote.

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Reynold Peterson, Mayor

ATTEST:

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Theresa E. Reardon, City Clerk  
(SEAL)

April 17, 2017 Claims

VENDOR	DESCRIPTION	AMOUNT
PETTY CASH-SPENCER MUNICIPAL GOLF	reimburse	2,864.60
KENT HERBOLD	reimburse	50.00
ALLIANT ENERGY	utilities	262.18
A & M INC.	services	388.25
BLACK HILLS ENERGY	utilities	1,645.32
ARNOLD MOTOR SUPPLY	repair	463.69
A.S.I. TIRE CENTER	repair	36.98
BAKER & TAYLOR CO.	books	19.94
BRODART COMPANY	services	630.00
BUDS SERVICE	towing	1,400.00
THE BOOK FARM	books	243.73
CAMPBELL TREE SERVICE	services	1,490.00
CARROLL CONSTRUCTION SUPPLY	supplies	24.63
VERIZON WIRELESS	phones	109.80
CENTER POINT PUBLISHING	books	23.37
CANNON MOSS BRYGGER & ASSOCIATE	services	4,311.05
CLAY COUNTY	local option	14,216.02
CLAY COUNTY RECORDER	recording	17.00
COFFMAN'S LOCKSMITH SHOP	tools	44.17
CRESCENT ELECTRIC	maintenance	29.72
JOHN CONYN	reimburse	181.44
GALE/CENGAGE	books	832.04
CULLIGAN	supplies	7.00
DE LOSS CONSTRUCTION	snow removal	840.00
DEL'S GARDEN CENTER	supplies	29.99
DEMCO	supplies	158.55
DIAMOND VOGEL	paint	126.95
DOUGLAS SPORTS	supplies	318.26
DES MOINES REGISTER	subscription	20.00
ECOLAB PEST ELIMINATION	maintenance	121.05
ISU CLAY COUNTY EXTENSION	meeting	70.00
FAREWAY STORES	supplies	17.94
MAXYIELD COOPERATIVE	fuel	2,167.89
FASTENAL COMPANY	supplies	36.60
FLEETPRIDE	maintenance	592.83
FRONTIER TECHNOLOGY	fees	120.00
FOX INTERNATIONAL	repairs	1,249.81
FULLIFE SAFETY CENTER	repairs	125.80
ZIEGLER	repairs	462.16
GOOGLE	fees	445.83
GALEN'S PRO-MOW	repairs	30.80
GRAHAM TIRE	repairs	1,135.21
GCS TECH, INC.	supplies	90.00
GRIDOR CONSTRUCTION	project	699,575.25
HOLTZ INDUSTRIES	maintenance	90.40
HARRISON TRUCK CENTERS	maintenance	149.80
HEMPHILL LAW OFFICE	fees	5,664.63
IMPACT PLASTICS	maintenance	1,111.80
IOWA DEPARTMENT OF PUBLIC SAFETY	supplies	2,868.00
IOWA ONE CALL	calls	74.00
AIRGAS NORTH CENTRAL	maintenance	391.23
IOWA PARK & RECREATION	meeting	225.00
JANITORS CLOSET	supplies	388.56
JOHNSTON AUTOSTORES	supplies	605.14
KIMBALL MIDWEST	supplies	93.88
KNIGHT PROTECTION	maintenance	250.00
KOENIG PORTABLE TOILETS	maintenance	1,300.00
KRUSE, CATE & NELSON	services	38,694.00
LACROSSE SEED	maintenance	1,388.75
LEADING EDGE AVIATION	fees	3,104.17
LINCOLN AQUATICS	chemicals	165.50
LUBE TECH	supplies	500.68
HANSON PLUMBING & HEATING dba L	maintenance	303.21
MCCLURE ENGINEERING CO.	project	27,128.00
MENARDS-SPENCER	supplies	614.41
BILL MEYER	reimburse	50.00
MICHAELSON	maintenance	2,787.02
MID STATES BUILDERS	repairs	20,886.00
MIDWEST TECHNOLOGY SERVICES	remodel	1,187.21
WILLIAM MULLER REVOCABLE TRUST	rebate	6,930.95

NAPA AUTO PARTS	repairs	94.38
NEW YORK TIMES	subscription	430.00
NIELSEN'S TIRE	repairs	1,822.42
NOTEBOOM IMPLEMENT	repairs	110.05
NORTHWEST IOWA PLANNING & DEVELOPMENT	safety	3,000.00
OFFICE SYSTEMS COMPANY	supplies	823.83
PEOPLE FOR PETS	agreement	400.00
DON PIERSON FORD	repairs	33.92
PIXLER ELECTRIC	maintenance	1,042.35
UNITED STATES POSTAL SERVICE	supplies	800.00
PRO COOP	maintenance	3,030.00
PUBLIC FINANCIAL MANAGEMENT	swr srf	12,000.00
R.D.G. PLANNING AND DESIGN	fees	1,110.00
RIVER VALLEY TELECOMMUNICATION	phones	97.40
RICK'S PEST CONTROL	maintenance	80.00
R&R PRODUCTS	maintenance	209.98
SCOTT TECHNOLOGIES & TELECOM	services	353.50
KIRBY SCHMIDT	reimburse	325.91
SHERWIN WILLIAMS	paint	331.78
SHINE BROS. CORP	rebate	15,424.05
BOMGAARS	maintenance	317.72
SIEH FARM DRAINAGE INC.	snow removal	1,340.00
SOLUTIONS INC.	maintenance	532.74
SPEED PRINTERS	supplies	43.00
SPENCER AUTO PARTS	repairs	681.59
SPENCER COMMUNITY SCHOOLS	local option	35,540.05
SPENCER DAILY REPORTER	publication	4,936.79
SPENCER INDUSTRIES FOUND.	meeting	36.00
AVERA MEDICAL GROUP SPENCER	miscellaneous	93.00
SPENCER MUNI HOSPITAL	testing	988.40
SPENCER HOSPITAL ATHLETIC ENHANCEMENT	wellness	200.00
SPENCER NF	rebate	40,059.42
SPENCER MUNICIPAL UTILITIES	tools	33,074.42
SPENCER OFFICE SUPPLIES	supplies	262.21
STERLING CODIFIERS	supplement	105.00
UNITYPOINT CLINIC-OCCUPATIONAL	testing	1,127.00
TEXAS REFINERY CORP.	supplies	1,074.45
TURFWERKS	miscellaneous	2,853.00
TURFNET	miscellaneous	195.00
UNIVERSAL INC.	maintenance	1,060.98
THE WATER CONNECTION	supplies	117.50
VISA	meeting	2,364.81
WHITE GLOVE JANITORIAL SERVICE	supplies	56.80
ZIMCO SUPPLY	supplies	432.00
KENT HERBOLD	reimburse	50.00
BOB FAGEN	mileage	208.65
KYLE VANOTTERLOO	uniform	53.00
MARK WHITE	meeting	427.66
TREAT AMERICA FOOD SERVICE	meeting	1,400.74
REBECCA ELLEN VAN NESS, BARBARA	project	22,000.00
TOTAL		1,047,129.69
	FUND TOTALS	
	GENERAL	73,134.14
	RST CASH	8,954.88
	SP REVENUE	112,170.49
	CAP PRJ	48,820.71
	ENT CAP PRJ	748,770.54
	SEWER	5,779.72
	AIRPORT	6,229.02
	SOLID WASTE	6,360.84
	SOLID WASTE	
	RES	20,886.00
	LANDFILL	6,175.79
	LF CLOSURE	15.00
	ENV MNGMNT	26.75
	REG COLL	
	CNTR	830.24
	GOLF	7,901.02
	STOCK	1,074.55
	TOTAL	1,047,129.69

Minutes are subject to approval by the Spencer City Council.