

**SPENCER CITY COUNCIL MEETING
SEPTEMBER 05, 2017
SPENCER, IOWA**

The City Council of the City of Spencer, Iowa, met on the 5th day of September, 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, Jacobsen, Hanson, Prentice, Moriarty

Absent: Bomgaars

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

Approve Minutes of August 21, 2017;

Approve 5 Day Class C Liquor License for Sacred Heart Catholic Church, effective November 10, 2017 for Special Event; subject to final approval by Iowa Alcoholic Beverage Division;

RESOLUTION NO. 5683: RESOLUTION AUTHORIZING AND DIRECTING THE TEMPORARY CLOSING OF PORTIONS OF CITY STREET (1st Avenue West) IN THE CITY OF SPENCER AS REQUESTED BY HOPE CHURCH FOR A SPECIAL EVENT OCTOBER 29, 2017

RESOLUTION NO. 5684: RESOLUTION APPROVING OFFICIAL 2016-17 FISCAL YEAR STREET FINANCE REPORT

Approve Purchase of four Overhead Doors for the Waste Treatment Plant from Advance Door Systems for \$6,825.00 (CIP Item);

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

Ayes: Petska, Orrison, 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 Establishment of the City of Spencer Menard's Sanitary Sewer District and the Adoption of Connection Fees;**

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 introduced and caused to be placed on file an ordinance entitled, "AN ORDINANCE ESTABLISHING THE CITY OF SPENCER "MENARD'S SANITARY SEWER DISTRICT" AND ESTABLISHING SANITARY SEWER CONNECTION FEES IN THE DISTRICT". 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, Orrison, Jacobsen, Hanson, Prentice, Moriarty

Nays: None

Absent: Bomgaars

Whereupon, the Mayor declared the motion carried and said proposed ordinance was placed on 1st filing.

The Mayor announced this was the time and place set for a **Public Hearing on Proposed Transfer of City Real Property in Exchange for the Grant of Trail Easement with Midwest Electrical & Energy Solutions, Inc.;**

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 AND AUTHORIZING TRANSFER OF CITY REAL PROPERTY IN EXCHANGE FOR THE GRANT OF TRAIL EASEMENT WITH MIDWEST & ENERGY SOLUTIONS, INC.”, 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, Jacobsen, Hanson, Prentice, Moriarty

Nays: None

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

RESOLUTION NO. 5685 A RESOLUTION APPROVING THE TRANSFER OF CITY REAL PROPERTY IN EXCHANGE FOR THE GRANT OF TRAIL EASEMENT WITH MIDWEST & ENERGY SOLUTIONS, INC.

The Mayor announced this was the time and place set for a **Public Hearing on Proposed Transfer of City Real Property in Exchange for the Grant of Trail Easement with Kardell Family Trust Dated September 24, 2002;**

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 TRANSFER OF CITY REAL PROPERTY IN EXCHANGE FOR THE GRANT OF TRAIL EASEMENT WITH THE KARDELL FAMILY TRUST DATED SEPTEMBER, 24, 2002”, seconded by Council Member Jacobsen. 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, Jacobsen, Hanson, Prentice, Moriarty

Nays: None

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

RESOLUTION NO. 5686 RESOLUTION APPROVING TRANSFER OF CITY REAL PROPERTY IN EXCHANGE FOR THE GRANT OF TRAIL EASEMENT WITH THE KARDELL FAMILY TRUST DATED SEPTEMBER, 24, 2002

Council Member Hanson moved the adoption of a resolution entitled “RESOLUTION AWARDING AND AUTHORIZING EXECUTION OF A MARKETING AGREEMENT WITH UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. DBA SERVICE LINE WARRANTIES OF AMERICA”, 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, Jacobsen, Hanson, Prentice, Moriarty

Nays: None

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

RESOLUTION NO. 5687 A RESOLUTION AWARDING AND AUTHORIZING EXECUTION OF A MARKETING AGREEMENT WITH UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. DBA SERVICE LINE WARRANTIES OF AMERICA

Council Member Orrison moved the adoption of a resolution entitled “RESOLUTION AWARDING CONTRACT FOR 2017 PEDERSON PARK ELECTRICAL AND LIGHTING IMPROVEMENT PROJECT (ProTech Electrical Services Inc. \$1,127,340.00)”, 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, Jacobsen, Hanson, Prentice, Moriarty

Nays: None

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

RESOLUTION NO. 5688 RESOLUTION AWARDING CONTRACT FOR 2017 PEDERSON PARK ELECTRICAL AND LIGHTING PROJECT (ProTech Electrical Services Inc. \$1,127,340.00)

Council Member Jacobsen moved the adoption of a resolution entitled “RESOLUTION APPROVING CONTRACT AND PERFORMANCE BOND FOR 2017 PEDERSON PARK ELECTRICAL AND LIGHTING IMPROVEMENT PROJECT (ProTech Electrical Services Inc. \$1,127,340.00)”, 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, Jacobsen, Hanson, Prentice, Moriarty

Nays: None

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

RESOLUTION NO. 5689 APPROVING CONTRACT AND PERFORMANCE BOND FOR 2017 PEDERSON PARK ELECTRICAL AND LIGHTING PROJECT (ProTech Electrical Services Inc. \$1,127,340.00)

It was moved by Council Member Hanson, seconded by Council Member Moriarty to approve the Preliminary Plat of Shuck Wood Addition, Spencer, Clay County, Iowa. 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 APPROVING THE FINAL PLAT OF SHUCK WOOD ADDITION, SPENCER, CLAY COUNTY, IOWA”, 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, Orrison, Jacobsen, Hanson, Prentice, Moriarty

Nays: None

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

RESOLUTION NO. 5690 A RESOLUTION APPROVING THE PLAT OF SHUCK WOOD ADDITION AS A SUBDIVISION OF THE CITY OF SPENCER, CLAY COUNTY, IOWA

It was moved by Council Member Prentice, seconded by Council Member Jacobsen to approve Agreement for Glass Recycling Services with Ripple Glass, LLC. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Petska, seconded by Council Member Orrison to approve CIP Roll-Off Container Purchase for \$12,175.00 and Recycling Container Purchase for Glass Recycling Project for \$14,925.00 from MWC Refuse Equipment, Lincoln, Nebraska. 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 Moriarty to approve Lease with David Milbrath, CFP DBA Prairie Plans for office space in City Hall, effective October 1, 2017. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Petska moved the adoption of a resolution entitled “RESOLUTION TO REQUEST THE ASSISTANCE OF THE STAFF OF THE NORTHWEST IOWA PLANNING & DEVELOPMENT COMMISSION FOR COMPLETING AN ENVIRONMENTAL ASSESSMENT FOR THE CITY’S PHASE II 4th AVENUE STORM WATER (CSO) SEPARATION PROJECT”, seconded by Council Member Jacobsen. 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, Jacobsen, Hanson, Prentice, Moriarty

Nays: None

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

RESOLUTION NO. 5691 A RESOLUTION TO THE CITY OF SPENCER, IOWA TO REQUEST THE ASSISTANCE OF THE STAFF OF THE NORTHWEST IOWA PLANNING & DEVELOPMENT COMMISSION

It was moved by Council Member Jacobsen, seconded by Council Member Moriarty to Set a Public Hearing on CDBG Application for 4th Avenue Storm Water Separation Project, Phase II for September 18, 2017, 6:30 o’clock P.M. The motion was declared carried when all Council Members present voted aye on voice call vote.

Department Head Reports:

Golf Course:

Planning Department:

Library:

Fire:

Police:

Public Works:

Park & Recreation:

City Attorney:

Engineer’s Report:

City Manager’s Report:

Mayor’s Report:

Council/Comm. Reports: Committee of the Whole to review Comprehensive Use Plan and Nuisance Procedure, September 19, 2017, 5:30 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 Orrison to adjourn the meeting of the Spencer City Council at 7:34 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)

End of August 2017 Claims

VENDOR	DESCRIPTION	AMOUNT
CENTRAL PAYMENT	fees	1,621.78
DEPARTMENT OF HUMAN SERV	pr deduct	981.68
EMPLOYEE BENEFIT SYSTEMS	pr deduct	22,826.76
FARMERS BANK	taxes	39,731.17
FARMERS BANK	fees	112.19
IOWA DEPT NATURAL RESOURCES	fees	29,122.63
I P E R S	pr deduct	35,152.45
ICMA RETIREMENT TRUST-457	pr deduct	360.00
MUNICIPAL FIRE & POLICE	pr deduct	37,643.01
PETTY CASH-SMG	reimbursement	3,000.61
TREASURER, STATE OF IOWA	pr deduct	15,149.00
SPENCER EMPLOYEES ASSOC.	pr deduct	270.00
EMPLOYEE BENEFIT SYSTEMS	premiums	114,918.78
LEADING EDGE AVIATION	contract	3,104.17
PEOPLE FOR PETS	contract	400.00
SPENCER FAMILY YMCA	contract	20,192.00

AFLAC	pr deduct	2,262.00
COLONIAL LIFE INSURANCE	pr deduct	284.04
TOTAL		327,132.27

FUND TOTALS

GENERAL	96,376.18
SP REVENUE	158,803.43
SEWER	6,025.08
SEWER	2,403.72
AIRPORT	3,228.04
SOLID WASTE	14,876.21
LANDFILL	36,410.46
REG COLL CNTR	513.36
GOLF	8,495.79
TOTAL	327,132.27

AUGUST 2017 RECEIPTS

MTD REVENUE

001-GENERAL FUND	247,828.22
020-PROPERTY INSURANCE	282.41
040-CEMETERY RESERVE	19.34
041-RIVERSIDE COLUMBARIUM	14.30
045-LIBRARY RESERVE	95.04
047-COMM CTR RES	51.30
049-DRUG EDUCATION	5,075.79
050-POLICE RESERVE	216.98
051-D.A.R.E.	
052-FIRE CAP IMPR	457.94
053-CAPITAL IMPR	167,957.80
054-STR IMP RESERVE	800.65
056-PARK RESERVE	272.97
057-PARK/RECR RESERVE	0.00
058-PARK SPECIAL PRJ	0.00
059-GOLF CAP IMPR	0.00
060-RC SRYS/SIDEWALK RESERVE	412.69
061-ECONOMIC DEVELOPMENT	881.61
062-SHINE LOAN	4,186.98
063-RENAISSANCE INITIATIVE	30.25
064-CABLE TV	87.47
065-BRIDGE RESERVE	57.19
066-P.W. SINKING	711.14
067-AIRPORT CAPITAL RES	
068-CITY HALL RESERVE	104.64
069-RENTER DEPOSIT	0.00
070-ST WATER DIST #1	1,803.70
071-ST WATER DIST#2	0.00
080-STORM SWR RESERVE	1,150.16
085-RST CASH-HOTEL/MOTEL	83,553.29
087-RST CASH-SPENCER CARES	103.45
089-EMERGENCY FUND	420.51
090-QUALITY HSG INITIATIVE	118.58
092-TECHNOLOGY FUND	187.11
093-ACCRUED BENEFITS	126.15

110-ROAD USE TAX	150,421.05
112-FICA/IPERS	1,926.69
113-WORK COMP	250.51
114-UNEMPLOYMENT	41.95
115-GROUP INSURANCE	41,508.68
117-CS EXPENSE	390.49
118-CS POLICE	484.49
119-POLICE SPECIAL PROCEEDS	26.91
120-CS FIRE	129.71
121-PASSENGER FACILITY	0.00
122-TREES FOREVER	0.84
124-LOCAL OPTION	160,177.05
125-T.I.F.	1,791.27
126-T.I.F. HY-VEE	0.00
127-SALES TAX TIF	62.23
162-SSMID	475.96
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	1,198.79
300-CAPITAL IMPROVEMENT	312,959.27
500-PERPETUAL CARE	0.00
501-RIVERSIDE TRUST	17.66
502-COLUMBARIUM VAULT	4.20
503-NORTHLAWN PERP CARE	59.71
504-GRIFFIN TRUST	52.98
505-LEACH TRUST	15.97
600-ENTERPRISE CAPITAL IMPR	230,972.20
615-WTP RESERVE	1,471.78
620-SEWER	161,299.33
625-SAN SEWER RESERVE	988.81
630-CSI RESERVE	66,517.27
635-SEWER REV BND SKG FUND	169.88
660-AIRPORT ENTERPRISE	8,720.37
661-AIRPORT RESERVE	438.17
670-SOLID WASTE	217,722.77
671-SOLID WASTE RESERVE	838.50
672-SW TRNS ST CLOSURE	14.30
673-LANDFILL	171,933.60
674-LANDFILL IMPR/EQUIPMENT	1,350.80
675-LANDFILL BOND SKG	0.00
676-LANDFILL BOND RESERVE	0.00
677-LF-COMP PLANNING	9,771.82
678-LF ENVT PROTECTION	4,702.62
679-LF POST CLOSURE	1,546.28
685-LANDFILL CELL CONST RES.	673.65
690-LF REGIONAL COLL CNTR	1,386.86
680-LANDFILL CLOSURE FUND	818.80
682-LANDFILL ENV MGMNT(EMS)	10,244.04
745-GOLF COURSE ENTERPRISE	40,734.05
746-GOLF COURSE RESERVE	0.00
949-CENTRAL GRAGE	0.00
950-FUEL EQUIPMENT	2,452.85

951-HOEPNER TRUST	0.00
952-IGL DRUG TASK FORCE	0.00
953-ROSE RETAIL LOAN FUND	0.00
TOTAL	2,123,772.82

September 5, 2017 Claims

VENDOR	DESCRIPTION	AMOUNT
A & M INC.	services	193.07
ALL AMERICAN TURF BEAUTY INC	services	909.82
THE AMERICAN BOTTLING COMPANY	beverages	125.28
BLACK HILLS ENERGY	utilities	3,015.58
ARNOLD MOTOR SUPPLY	repairs	111.69
ANIMAL MEDICAL CENTERS, P.C.	services	1,146.00
ATLAS FOUNDATION COMPANY, LLC	project	58,744.00
AUDIO EDITIONS	books	1,188.47
BAKER & TAYLOR CO.	books	61.46
NORTHERN LIGHTS DISTRIBUTING	supplies	748.61
BOLTON & MENK INC.	services	16,084.64
BLACKTOP SERVICES CO.	maintenance	1,498.50
CANON FINACIAL SERVICES	maintenance	172.00
CARROLL CONSTRUCTION SUPPLY	supplies	737.35
VERIZON WIRELESS	phones	120.03
CLAY COUNTY AUDITOR	agreement	7,000.00
CLAY COUNTY	local option	16,010.01
CLAY COUNTY E 911	maintenance	1,523.50
CLAY COUNTY HERITAGE CENTER	grant	1,439.35
COE EQUIPMENT	maintenance	311.66
COMMUNITY INSURANCE	fees	1,000.00
ALPHA WIRELESS COMMUNICATIONS	supplies	563.50
CRESCENT ELECTRIC	maintenance	161.79
CONTINENTAL RESEARCH CORP	maintenance	687.78
COOPERATIVE ENERGY COMPANY	fuel	1,774.60
CUMMINS CENTRAL POWER LLC	maintenance	200.48
CULLIGAN	supplies	60.65
DE LOSS CONSTRUCTION	project	81,170.05
DANKO EMERGENCY EQUIPMENT CO.	clothing	1,402.31
DELS GARDEN CENTER	maintenance	1,766.42
DUININCK	maintenance	1,020.68
EMAGINE	supplies	76.45
E.M.S. AUTO PARTS	repairs	34.76
FAREWAY STORES #788	supplies	88.48
MAXYIELD COOPERATIVE	fuel	865.81
FASTENAL COMPANY	supplies	108.14
FELD FIRE	maintenance	1,008.70

FLEETPRIDE	repairs	157.20
FOX INTERNATIONAL	repairs	1,534.88
FREDERICK BLANCH	books	23.62
CHAD GANSEN	mowing	104.50
GALEN'S PRO-MOW	repairs	130.02
GRAHAM TIRE CO.	repairs	25.00
HANCOCK CONCRETE PRODUCTS	repairs	567.00
HARRISON TRUCK CENTERS	repairs	217.05
I STATE TRUCK CENTER	repairs	191.97
INGRAM LIBRARY SERVICES	books	5.05
AIRGAS NORTH CENTRAL	supplies	121.26
IRA/ISOSWO CONFERENCE	registration	250.00
I WIRELESS	cell phones	43.49
JANITORS CLOSET	supplies	395.57
JACK'S UNIFORMS & EQUIP	uniform	332.17
JOHNSTON AUTOSTORES	repairs	508.45
KAPCO POSTAL PACK & SHIP	supplies	43.04
KOENIG PORTABLE TOILETS	maintenance	1,780.00
LARUE COFFEE	supplies	189.00
LEROY & SONS	pay estimate	118,520.21
LUBE TECH	supplies	3,511.65
HANSON PLUMBING & HEATING	maintenance	8,980.82
L.P. GILL, INC.	disposal	1,400.80
MAR-LIN BUSINESS SUPPLY	supplies	48.15
McDONALD SUPPLY CO	maintenance	39.45
MCCLURE ENGINEERING	project	17,500.00
MENARDS-SPENCER	supplies	177.48
MICHAEL TODD	maintenance	365.40
MICHAELSON INC.	maintenance	1,563.93
MID STATES BUILDERS	project	945.00
MIDWEST TAPE	materials	79.95
MOST DEPENDABLE FOUNTAINS	maintenance	360.00
VEOLIA WATER NORTH AMERICA	operations	67,554.69
KRISTAT AUTO PARTS LLC.	repairs	12.18
NAPA AUTO PARTS	repairs	1,051.85
NIELSEN'S TIRE CO.	repairs	494.95
NOTEBOOM IMPLEMENT LLC	repairs	846.28
N.W. IA LEAGUE	dues	90.00
N.W IA PLANNING & DEVELOP	safety	304.00
HELLER ENTERPRISES	maintenance	1,590.96
NORTH IOWA K-9	supplies	150.00
NEW CENTURY PRESS INC.	miscellaneous	39.00
BLUE TARP FINANCIAL	maintenance	26.48

OLD DUTCH FOODS	food	98.00
PETERBILT OF SIOUX CITY	repairs	462.52
DON PIERSON FORD	repairs	127.32
PIXLER ELECTRIC	maintenance	2,711.77
UNITED STATES POSTAL SERV	supplies	800.00
PRO-TAINER	trailers	71,352.00
RENS CONCRETE INC.	project	70,075.18
RESCUE ESSENTIALS	supplies	272.37
SANDERS INC	supplies	1,660.88
SACRED HEART PARISH	grant	250.00
SCHOENEMAN BROS	supplies	406.08
SCOTT TECHNOLOGIES & TELECOM	services	47.50
SEAMLESSDOCS	dues	5,000.00
SHERWIN WILLIAMS	maintenance	95.55
BOMGAARS	maintenance	1,173.15
SIEH FARM DRAINAGE	maintenance	68.60
SOUTHSIDE MONUMENTS	supplies	38.10
SMOKE EATER	subscription	392.00
SPENCER AUTO PARTS	repairs	758.78
SPENCER COMM SCHOOLS	local option	40,025.02
SPENCER DAILY REPORTER	subscription	99.00
PRODUCTIVITY PLUS ACCOUNT	repairs	216.30
SPENCER MUNI. UTILITIES	utilities	39,164.76
SPENCER OFFICE SUPPLIES	supplies	166.08
SPORT VIDEOS	materials	276.00
STERLING CODIFIERS	supplement	1,250.00
TRUCK EQUIPMENT	maintenance	1,001.49
TREASURER'S OFFICE	mtg expense	25.00
TYLER TECHNOLOGIES	maintenance	1,253.19
ULTRAMAX	supplies	782.00
UNIVERSAL INC.	maintenance	535.21
WINFIELD US	maintenance	72.25
U.S. CELLULAR	cards	704.14
THE WATER CONNECTION	supplies	52.60
VANDER HAAGS	maintenance	20.00
VANDER POL EXCAVATING	project	271,902.88
VISA	mtg expense	4,772.16
MARK WARBURTON	reimbursement	24.37
WHITE GLOVE JANITORIAL SERVICE	supplies	109.14
YAMAHA GOLF & EQUIP	maintenance	89.91
GARY WILCOX	reimbursement	705.40
TOTAL		954,440.82

Minutes are subject to approval by the Spencer City Council.