

**SPENCER CITY COUNCIL MEETING  
FEBRUARY 5, 2018  
SPENCER, IOWA**

The City Council of the City of Spencer, Iowa, met on the 5th day of February, 2018, at 5:30 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 Kevin Robinson, in the Chair and the roll being called, the following Council Members were present:

Present: Petska, Orrison, Bomgaars, Jacobsen, Hanson, Moriarty  
Absent: Prentice

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

Approve Minutes of January 15, 2018;

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

Approve Lift Station Rehabilitation Project (including Cornbelt Lift Station, Country Club Lift Station and North Lift Station) for a total of \$61,556 with Quality Flow, Ankeny, Iowa; CIP Item;

Approve City of Spencer Planning Session (Goal Setting) report of December 5, 2017;

**Resolution 5730:** Resolution to Establish Policies Regarding the Residential Anti-Displacement and Relocation Assistance Plan (RARA) in Accordance with the Housing and Community Development Act of 1974, as Amended and HUD Regulations at 24 CFR 42.325; a Code of Conduct; The Prohibition of the Use of Excessive Force; an Affirmative Fair Housing Policy; and Equal Employment Opportunity during the Execution of Federally Assisted Projects; (CDBG Projects);

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

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

Whereupon, the Mayor declared the motion carried.

The Mayor announced that this was the time and place set for a Public Hearing on Sale of City Library Real Property Interest;

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,

After due consideration and discussion, Council Member Orrison introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member Bomgaars. The Mayor put the question upon the adoption of the said resolution, and the roll being called, the following Council Members voted:

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

Whereupon the Mayor declared the resolution duly adopted and signed approval thereto:

**RESOLUTION NO. 5731: RESOLUTION APPROVING THE SALE OF AN INTEREST IN CITY LIBRARY REAL PROPERTY;**

Council Member Bomgaars introduced and caused to be placed on file an ordinance entitled, "AN ORDINANCE AMENDING TITLE 4, CHAPTER 4, SECTION 3(A)(4) OF THE SPENCER CITY CODE CONCERNING REQUIREMENTS FOR CONNECTIONS TO NEW PUBLIC SEWER MAINS". 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, Orrison, Bomgaars, Jacobsen, Hanson, Moriarty  
Nays: None  
Absent: Prentice

Whereupon, the Mayor declared the motion carried and said proposed ordinance was placed on 2nd Filing.

This being the time and place fixed by the City Council for the consideration of bids for the purchase of the City's General Obligation Corporate Purpose Bonds, Series 2018 the Mayor announced that bids had been received and canvassed on behalf of the City at the time and place fixed therefore.

Whereupon, such bids were placed on file, and the substance of such bids was noted in the minutes, as follows:

<u>Name and Address of Bidder</u>	<u>Final Bid</u> (interest cost)
Bankers' Bank, Madison, WI	\$197,060.16
Dougherty & Co. LLC, Minneapolis, MN	\$205,790.14
UMB Bank N.A., Kansas City, MO	\$211,488.45

D.A. Davidson & Co., Denver, CO	\$220,966.23
Northland Securities, Inc., Minneapolis, MN	\$229,182.31
Bernardi Securities, Inc., Chicago, IL	\$240,631.23

After due consideration and discussion, Council Member Orrison introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member Jacobsen. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: Petska, Orrison, Bomgaars, Jacobsen, Hanson, Moriarty

Nays: None

Whereupon, the Mayor declared the resolution duly adopted as hereinafter set out.

**RESOLUTION NO. 5732: RESOLUTION PROVIDING FOR THE SALE OF GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2018 (Banker's Bank, Madison, WI)**

After due consideration and discussion, Council Member Moriarty introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member Petska. The Mayor put the question upon the adoption of the said resolution, and the roll being called, the following Council Members voted:

Ayes: Petska, Orrison, Bomgaars, Jacobsen, Hanson, Moriarty

Nays: None

Whereupon the Mayor declared the resolution duly adopted and signed approval thereto:

**RESOLUTION NO. 5733: AWARDED CONTRACT FOR 18<sup>TH</sup> STREET TRAIL PROJECT (OEL Construction Services, Inc.)**

It was moved by Council Member Jacobsen, seconded by Council Member Bomgaars to approve Professional Services Contract with Kruse, Cate & Nelson, PC for 2018 HMA Overlay Project No. 1 at standard rates with anticipated fee budget of \$59,600. 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 Grant of Permanent Sanitary Sewer Easement and Temporary Construction Easement with Hoover-Warntjes, Inc. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Bomgaars moved the adoption of a preliminary resolution pursuant to Section 384.42 of the Code of Iowa. The motion was seconded by Council Member Petska and passed with record vote as follows:

Ayes: Petska, Orrison, Bomgaars, Jacobsen, Hanson, Moriarty

Nays; None

The Mayor then declared the resolution adopted as hereinafter set out.

**RESOLUTION NO. 5734: PRELIMINARY RESOLUTION PURSUANT TO SECTION 384.42 OF THE IOWA CODE COVERING THE 2018 11<sup>TH</sup> AVENUE SW SEWER**

## **EXTENSION PROJECT**

The City Clerk stated that the Project Engineers had completed and filed the plat. The City Council reviewed the proposed valuation of each lot within the assessment district and confirmed that such valuations should be included on the schedule to be filed.

The City Clerk stated that the Project Engineers had prepared and filed preliminary plans and specifications, an estimated total cost of the work and the plat and schedule, as directed in the preliminary resolution just adopted.

Thereupon, Council Member Orrison proposed the adoption of the resolution approving and adopting the said preliminary plans and specifications, and plat and schedule and estimate of cost pertaining to such Project. The motion was seconded by Council Member Bomgaars and passed with record vote, as follows:

Ayes: Petska, Orrison, Bomgaars, Jacobsen, Hanson, Moriarty

Nays: None

Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out.

### **RESOLUTION NO. 5735: RESOLUTION APPROVING AND ADOPTING PRELIMINARY PLANS AND SPECIFICATIONS, ESTIMATE OF COST AND PLAT AND SCHEDULE**

Council Member Hanson introduced a proposed resolution of necessity covering the 2018 11th Avenue SW Sewer Extension Project which is hereinafter set out, and moved that a public hearing be held on the proposed Resolution of Necessity on the 5th day of March, 2018, at 6:30 o'clock p.m. at the Council Chambers, City Hall, and that the City Clerk be authorized and directed to give notice of the public hearing by publication and mailing, as required by Section 384.50 of the Code of Iowa and that the notice be in substantially the form set out in these proceedings. The motion was seconded by Council Member Moriarty and, after due consideration, the Mayor put the question on the motion and, the roll being called, the City Council Members named voted as follows:

Ayes: Petska, Orrison, Bomgaars, Jacobsen, Hanson, Moriarty

Nays: None

Whereupon, the Mayor declared the motion carried.

It was moved by Council Member Petska, seconded by Council Member Jacobsen to Approve City of Spencer, Iowa – Clay County, Iowa Great Lakes Trail Design, Construction and Maintenance Agreement (310th Street to 300<sup>th</sup> Street). 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 Orrison to approve Change Order #2 for 2017 Pederson Park Electrical and Lighting Improvements Project for extension of substantial completion date to March 15, 2018. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Jacobsen, seconded by Council Member Orrison to approve Infringing Use Agreement with D & T Office, LLC to install a Septic System. The motion was declared carried when all Council Members present voted aye on voice call vote.

After due consideration and discussion, Council Member Bomgaars introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member Jacobsen. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: Petska, Orrison, Bomgaars, Jacobsen, Hanson, Moriarty

Nays: None

Whereupon, the Mayor declared the resolution duly adopted as hereinafter set out.

**RESOLUTOIN NO. 5736: ACCEPTING WORK COVERING THE 2017 INTAKE REPLACEMENT PROJECT**

Council Member Bomgaars introduced and caused to be placed on file an ordinance entitled, "An Ordinance Creating the "Grow Spencer" Advisory Commission". 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, Orrison, Bomgaars, Jacobsen, Hanson, Moriarty

Nays: None

Absent: Prentice

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

**Engineer's Report:**

**City Manager's Report:** April 9, 2018 –On Boarding & City Manager Review  
-Upcoming Committee of the Whole – Discuss Goals Report  
-Upcoming Progress & Development-Riverfront Plan

**Mayor's Report:** It was moved by Council Member Bomgaars, seconded by Council Member Moriarty to approve appointment of Randy Krukow to the Civil Service Commission, term expires 4/1/2021. 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 Jacobsen to approve recommendation of Steve Bomgaars to the Regional Workforce Development Board. The motion was declared carried when all Council Members present voted aye on voice call vote.

**Council/Comm. Reports:**

Feb. 12, 2018 Special City Council Meeting, 5:40 P.M.  
Feb. 12, 2018, Public Works Committee, 5:45 P.M.

It was moved by Council Member Orrison, seconded by Council Member Jacobsen 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 Hanson to adjourn the meeting of the Spencer City Council at 6:08 o'clock P.M. The motion was declared carried when all Council Members present voted aye on voice call vote.

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Kevin Robinson, Mayor

ATTEST:

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Theresa E. Reardon, City Clerk

(SEAL)

Minutes are subject to approval by the Spencer City Council.

JANUARY 2018 RECEIPTS	MONTH TO DATE REVENUE
001-GENERAL FUND	368,951.19
020-PROPERTY INSURANCE	3,050.13
040-CEMETERY RESERVE	1,672.82
041-RIVERSIDE COLUMARIUM	14.96
045-LIBRARY RESERVE	77.80
047-COMM CTR RES	887.00
049-DRUG EDUCATION	7.04
050-POLICE RESERVE	5,227.39
052-FIRE CAP IMPR	19,616.51
053-CAPITAL IMPR	78,971.07
054-STR IMP RESERVE	30,007.56
056-PARK RESERVE	10,948.04
060-RC SRTS/SIDEWALK RESE	2,859.02
061-ECONOMIC DEVELOPMENT	918.86
062-SHINE LOAN	4,196.76
063-RENAISSANCE INITIATIV	24.64
064-CABLE TV	89.76
065-BRIDGE RESERVE	59.84
066-P.W. SINKING	13,212.09
068-CITY HALL RESERVE	2,609.11
070-ST WATER DIST #1	1,853.05
080-STORM SWR RESERVE	1,208.36
085-RST CASH-HOTEL/MOTEL	333.52
087-RST CASH-SPENCER CARE	109.11
089-EMERGENCY FUND	441.74
090-QUALITY HSG INITIATIV	116.15
092-TECHNOLOGY FUND	2,639.91

093-ACCRUED BENEFITS	131.99
110-ROAD USE TAX	93,717.65
112-FICA/IPERS	59,881.25
113-WORK COMP	3,925.10
114-UNEMPLOYMENT	657.23
115-GROUP INSURANCE	60,775.78
117-CS EXPENSE	549.48
118-CS POLICE	5,900.32
119-POLICE SPECIAL PROCEE	28.16
120-CS FIRE	1,622.50
122-TREES FOREVER	0.88
124-LOCAL OPTION	149,146.24
125-T.I.F.	12,704.21
127-SALES TAX TIF	110.00
162-SSMID	4,646.98
200-DEBT SERVICE	12,244.24
300-CAPITAL IMPROVEMENT	468,209.21
500-PERPETUAL CARE	300.00
501-RIVERSIDE TRUST	18.48
502-COLUMBARIUM VAULT	4.40
503-NORTHLAWN PERP CARE	63.36
504-GRIFFIN TRUST	55.44
505-LEACH TRUST	16.72
615-WTP RESERVE	1,497.35
620-SEWER	158,980.21
625-SAN SEWER RESERVE	889.29
630-CSI RESERVE	67,134.37
635-SEWER REV BND SKG FUN	95.03
660-AIRPORT ENTERPRISE	52,529.82
661-AIRPORT RESERVE	460.22
670-SOLID WASTE	183,057.85
671-SOLID WASTE RESERVE	870.28
672-SW TRNS ST CLOSURE	14.96
673-LANDFILL	175,374.66
674-LANDFILL RESERVES	1,367.99
677-LF-COMP PLANNING	225.27
678-LF ENVT PROTECTION	164.02
679-LF POST CLOSURE	1,624.59
680-LANDFILL CLOSURE FUND	860.25
682-LANDFILL ENV MGMNT(EM	171.60
685-LANDFILL CELL CONST R	708.02
690-LF REGIONAL COLLECTIO	933.00
745-GOLF COURSE ENTERPRIS	812.00
949-CENTRAL GRAGE	40.00
950-FUEL EQUIPMENT	6,364.63
GRAND TOTAL REVENUES	2,078,988.46

