

SPENCER CITY COUNCIL MEETING

June 1, 2020

SPENCER, IOWA

The City Council of the City of Spencer, Iowa, met on the 1st day of June, 2020, at 6:30 o'clock P.M., pursuant to law, to adjournment and to the rules of said council. This was an electronic meeting, due to regulations, due to COVID 19. Public access was made available through a conference telephone call.

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: Nelson, Orrison, Larsen, Wunschel, Hanson, Reit, Moriarty

Absent: None

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

Approve City Council Minutes of May 18, 2020;

Approve Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales for **Caseys #1894** at 800 S. Grand Avenue; Class C Liquor License with Sunday Sales for **Chen's Garden**; Class C Liquor License with Outdoor Service and Sunday Sales for **Clay County Fair Association**; Class C Beer Permit with Sunday Sales for **Hy-Vee Gas**; and Special Class C Beer/Wine License with Sunday Sales for **China 1 Buffet**, all subject to final approval by Iowa Alcoholic Beverages Division;

Approve Purchase of a 2020 Ford F250 for \$28,556.00 from Don Pierson Ford and a Brand FX Service Body and Lift Gate from Hyway Truck, Fort Dodge, Iowa, for \$14,231.00, both for the Waste Treatment Plant (CIP Item);

Approve Purchase of Canon Image Runner Advance C5550 III Printer Scanner for City Hall Administration from Loffler (formerly Office Systems Company), Spencer, Iowa, for \$6751.27;

RESOLUTION NO. 6073 A RESOLUTION PROPOSING THE SALE AND TRANSFER OF CITY REAL PROPERTY, FORMER RAILROAD RIGHT-OF-WAY LOCATED IN SECTION 6, TOWNSHIP 96 NORTH, RANGE 36 WEST OF THE 5TH P.M., SECTION 31, TOWNSHIP 97 NORTH, RANGE 36, WEST OF THE 5TH P.M., AND SECTIONS 25 AND 36, TOWNSHIP 97 NORTH, RANGE 37 WEST OF THE 5TH P.M., ALL IN CLAY COUNTY, IOWA, CONSISTING OF APPROXIMATELY 9.66 ACRES, SCHEDULING A PUBLIC HEARING; AND DIRECTING THE PUBLICATION OF NOTICE. (Hearing Date 6/15/2020, 6:30 P.M.)

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

Ayes: Nelson, Orrison, Larsen, Wunschel, Hanson, Reit, Moriarty

Nays: None

Whereupon the Mayor declared the motion duly carried.

The Mayor announced that this was the time and place set for Public Hearing on Proposed Zoning Ordinance Text Amendment Amending Title 9, Chapter 13, Section 1 of the Spencer City Code Concerning Subdivision Definitions;

Written comments were filed by the following:

None

Oral comments were made by the following:

None

The Mayor announced the hearing closed.

Council Member Wunschel introduced and caused to be placed on file an ordinance entitled "AN ORDINANCE AMENDING CHAPTER 9, CHAPTER 13, SECTION 1 OF THE SPENCER CITY CODE CONCERNING SUBDIVISION DEFINITIONS" as amended, 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: Nelson, Orrison, Larsen, Wunschel, Hanson, Reit, Moriarty

Nays: None

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

The Mayor announced that this was the time and place set for Public Hearing on Proposed Zoning Ordinance Text Amendment Amending Title 9, Chapter 14 of the Spencer City Code – Planned Unit Residential Development ("PURD"); Section 9-14-3 (B)(2) Concerning Common Open Area; Section 9-14-4 Concerning Layout and Design Requirements; and Section 9-14-7 Concerning Minimum Site Size;

Written comments were filed by the following:

None

Oral comments were made by the following:

None

The Mayor announced the hearing closed.

Council Member Nelson introduced and caused to be placed on file an ordinance entitled “AN ORDINANCE AMENDING TITLE 9, CHAPTER 14 OF THE SPENCER CITY CODE – PLANNED UNIT RESIDENTIAL DEVELOPMENT; SECTION 9-14-3 (B)(2) CONCERNING COMMON OPEN AREA; SECTION 9-14-4 CONCERNING LAYOUT AND DESIGN REQUIREMENTS; AND SECTION 9-14-7 CONCERNING MINIMUM SITE SIZE” as amended, 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: Nelson, Orrison, Larsen, Wunschel, Hanson, Reit, Moriarty

Nays: None

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

Council Member Orrison moved that the proposed ordinance entitled “AN ORDINANCE AMENDING TITLE 4, CHAPTER 5, SECTION 21 OF THE SPENCER CITY CODE CONCERNING SOLID WASTE RATES AND CHARGES, EFFECTIVE 7/1/2020” be finally passed and adopted as Ordinance No. 857. Council Member Reit seconded the motion. The Mayor put the question on the motion and the roll being called, the vote thereon was as follows:

Present: Nelson, Orrison, Larsen, Wunschel, Hanson, Reit, Moriarty

Absent: None

Whereupon, the Mayor declared the motion carried and Ordinance No. 857 duly passed and adopted and signed his approval thereto.

ORDINANCE NO. 857 AN ORDINANCE AMENDING TITLE 4, CHAPTER 5, SECTION 21 OF THE SPENCER CITY CODE CONCERNING SOLID WASTE RATES AND CHARGES

Council Member Nelson introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Orrison; and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

AYES: Nelson, Orrison, Larsen, Wunschel, Hanson, Reit, Moriarty

NAYS: None

Whereupon, the Mayor declared the motion duly carried and said Resolution adopted, as follows:

RESOLUTION NO. 6074 A RESOLUTION APPROVING THE CREATION OF A SEPARATE REAL ESTATE PARCEL OF 1.04186 ACRES IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$ SE $\frac{1}{4}$) OF SECTION 2, TOWNSHIP 96 NORTH, RANGE 37 WEST OF THE 5TH P.M., CLAY COUNTY, IOWA, AND WAIVING THE REQUIREMENT FOR A SUBDIVISION PLAT.

It was moved by Council Member Wunschel, seconded by Council Member Hanson to Approve Agreement for Engineering Services Agreement with McClure Engineering Company for Wastewater Treatment Plant Nutrient Reduction Evaluation, for \$24,500.00 (discussed at Public Works Committee Meeting 4/30/2020). 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 Wunschel to Approve Amendment No. 1 to the Agreement for Engineering Services Waste Treatment Plant Improvements, Phase 2 with McClure Engineering for \$152,000 (discussed at Public Works Committee Meeting 4/30/2020). The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Larsen introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Reit; and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

AYES: Nelson, Orrison, Larsen, Wunschel, Hanson, Reit, Moriarty

NAYS: None

Whereupon, the Mayor declared the motion duly carried and said Resolution adopted, as follows:

RESOLUTION NO. 6075 A RESOLUTION IN SUPPORT OF A WORKFORCE HOUSING TAX CREDIT BENEFIT APPLICATION TO BE SUBMITTED TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY BY IGL CONSTRUCTION, LLC FOR A HOUSING PROJECT AT 221 32ND AVENUE WEST

Department Head Reports

Planning Department
Library
Fire
Police
Public Works
Park & Recreation
Golf Course
City Attorney

Engineer's Reports:

City Manager's Report:

Mayor's Report:

It was moved by Council Member Hanson, seconded by Council Member Moriarty to Approve Appointment of Dana Kramer to the Plumbing Examiners Board to fulfill the term of Rick Dean (term expires 6/30/23). The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Committee Reports:

Upcoming Meetings:

- Long Term Planning Committee Meeting, June 2, 2020, 5:30 P.M.
- Joint Personnel/Parks, Rec & Culture Committee Meeting, June 8, 2020, 5:30 P.M.
- Joint Personnel/Long Term Planning Committee Meeting, June 8, 2020, 6:30 P.M.
- Regular City Council Meeting, June 15, 2020, 6:30 P.M.
- Personnel Committee Meeting, June 16, 2020, 5:30 P.M.

It was moved by Council Member Orrison, seconded by Council Member Wunschel to approve the Bills and Claims. The motion was declared carried when all Council Members present voted aye on voice call vote.

Other Business/Opportunity to Address the Council:

It was moved by Council Member Reit and seconded by Council Member Larsen to adjourn the meeting of the Spencer City Council at 7:21 o'clock P.M. The motion was declared carried when all Council Members present voted aye on voice call vote.

Kevin Robinson, Mayor

ATTEST:

Theresa E. Reardon, City Clerk

(SEAL)

Minutes are subject to approval by the Spencer City Council.

Claims 06/01/20

Vendor Name	Payable Description	Total Payments
A & M Inc	laundry svce	102.75
Advanced Door Systems	e shop garage door repair	72.00
AFLAC	aflac ins	1,735.42
Allegiant Technology	monthly fax	46.60
American Business Phones	scvs calls	140.00

Arnold Motor Supply LLP	misc parts/supplies	200.67
BD Construction Services LLC	erosion control - stone	321.26
Beck Excavating	retainage - final	1,500.00
Bjornstad, Chris	ty 18/19 ssmid	394.06
Black Hills Energy	mo utiltiy	31.51
Bolton & Menk INC	traffic study-light	350.00
Bomgaars	misc parts/supplies	43.56
C & D Used Oil Services LLC	recycling oil filter	220.00
Carrico Aquatic Resources	pool supplies	176.73
Carroll Construction Supply	concrete patch	66.42
CB Household Hazardous Waste Agency	hhh refresher course	125.00
Clay County Auditor	monthly jail payment	2,083.33
Clay County Engineer	crushed concrete	115.66
Clay County Regional Event Center	mo contribution	3,333.33
Clay County Sherriffs Office	garnishment	185.33
Colonial Life Insurance	colonial life ins	265.28
Cotton Grave Farm Manage,ent & Realty	ty 18/19 ssmid	4.39
Culligan of Spencer	water	49.95
Culligan Water of Emmetsburg	water/supplies	78.00
Custom Design Coatings LLC	blasting/painting downtown planters	18,753.84
Dels Garden Center Inc	plants/sod	849.00
Department of Human Services	child support pymt	616.50
DM Holdings LLC	ty 18/19 ssmid	29.65
Don Pierson Ford Lincoln Inc	seat belt pretensioner	197.44
Dude Solutions Inc	annual support	5,641.58
Emagine	website maintenance	37.50
Employee Benefit Services	mo group ins	124,001.90
Fareway Stores #849- Emmetsburg	misc office supplies	7.99
Fareway Stores Inc	ty 18/19 ssmid	331.71
Fareway Stores Inc #788	misc supplies	19.31
Farmers Trust & Savings Bank	payroll taxes	45,518.50
Fastenal Company	misc parts/supplies	3.51
Feld Fire	svce call truck	2,232.92
Fire Proof Plus Inc	annual inspections/misc supplies	528.00
Fox International Inc / NCI	misc parts/supplies	5,560.57
Galens Pro Mow LLC	misc parts/repairs	246.02
GF Land Partnership	ty 18/19 ssmid	111.83
Gordon Fiesch Company Inc	copier maintenance & overages	1,314.29
Graham Tire Center	tire repair	158.18
Hansons Plumbing & Heating Inc	furnace filters	289.42
Harrison Truck Centers	misc parts	44.00
ICMA Retirement Trust - 457	icma	560.00
Insurance Associates	airport liability renewal	7,684.00
Iowa Department of Natural Resources	quarterly landfill tipping fees	20,428.64
Iowa Department of Transportation	grass sign lathe	81.50
Iowa Finance Authority	loan semi annual int/principal/svce fee	1,684,980.95
Iowa Law Enforcement Academy	mmpi emee evaluation	150.00
Iowa One Call	iowa one locates	268.20
Iowa Public Employees Retirement System	ipers	60,620.30
Janitors Closet	misc supplies	346.10

Johnston AutoStores	misc parts/supplies	94.32
Kallsen, Duane & Joan	ty 18/19 ssmid	167.26
Knight Protection Inc	fire alarm testing & inspection	150.00
KW Electric Inc	elect repair	669.15
Leading Edge Aviation	mo mgmt fees	3,104.17
Lube Tech	misc supplies	567.91
Maxyield Cooperative-Acct 4529	fuel	1,978.91
Menards -Spencer	misc parts/supplies	461.46
MichaelSon Inc	limestone	868.98
Mid States Builders Inc	pay estimate	2,207.59
Miller, Lee & Brenda	ty 18/19 ssmid	179.75
Municipal Fire & Police Retirement System of Iowa	civil svce/p&f	60,524.92
Napa Auto Parts	misc parts/supplies	476.18
Nielsen's Tire & Appliances	trailer tire repair	21.00
Northern Lights Distributing Inc	concession supplies/food	308.46
Northwest Glass Co Inc	svce call	450.00
Overhead Door Sales & Service	labor/parts spring installation	368.60
Palo Alto County Solid Waste	reimburse 50% ewaste	287.88
People for Pets	mo agmt	600.00
Petty Cash-Spencer Municipal Golf Course	reimburse golf ck bk	1,897.61
Pixler Electric	install slide pump	709.06
Praetorian Digital	online training program	2,630.00
R & R Products Inc	misc parts	575.70
Road Machinery & Supplies Company	parts/repair pump	4,252.11
Rosendahl, Troy	ty 18/19 ssmid	69.72
RR Investments	ty 18/19 ssmid	69.64
Schmidt, Nate	ty 18/19 ssmid	190.29
Schomaker Construction	trail repair	677.90
SF Mobile Vision Inc	interview room system	4,005.46
Slumberland Furniture	mattress replacements	958.50
Solutions Inc	network/server/data backup maint	10,933.75
Spencer Auto Parts	misc parts/supplies	277.37
Spencer Daily Reporter	3 mo subscription	39.00
Spencer Employess Association.	sea dues	260.00
Spencer Municipal Utilities	mo utilities	2,558.72
Spencer Office Supplies	misc office supplies	185.43
Spencer Trophy & Awards	wall name plates	296.00
SS Collision Cylce Works & Graphics	decals	1,130.00
Standard & Associates Inc	posts tests	148.50
State of Iowa Treasurer	state withholding	23,915.00
State Steel of Spencer	parts bridge repair/3 pc hot rolled angle	119.25
The Messenger	2020 golf directory	155.00
Tiger Pride Lawn Care	lawn svce	243.80
UMB Bank	go bond series	889,762.68
VanWall Equipment Inc	mow/transport cable	61.75
Veridian	fire gear	4,000.00
Vermeer Sales & Service Inc.	hyd cap	80.75
Visa (Admin)	various credit card chges	1,848.82
Visa (Fire)	various credit card chges	110.47

Visa (Golf)	various credit card chges	131.55
Visa (Planning)	various credit card chges	670.24
Visa (Police)	various credit card chges	207.12
Winfield United	fertilizer	286.93
Ziegler	misc supplies/parts/credits	174.58

Fund Summary

Fund	
001 - GENERAL FUND	188,753.43
020- PROPERTY INSURANCE	1,342.50
050 - POLICE RESERVE	4,005.46
056 - PARK RESERVE	677.90
068 - CITY HALL RESERVE	3,576.00
085 - HOTEL/MOTEL TAX	3,333.33
092 - TECHNOLOGY FUND	5,910.30
115 - GROUP INSURANCE	124,001.90
117 - CIVIL SERVICE	298.50
162 - SSMID	1,548.30
200 - DEBT SERVICE	1,050,728.48
300 - CAPITAL IMPROVEMENT	10,427.59
350 - CAPITAL IMP RESERVE	19,103.84
620 - SANITARY SEWER	1,836.30
635 - SEWER DEBT SINKING FUND	1,524,015.15
660 - AIRPORT ENTERPRISE	11,334.10
670 - SOLID WASTE	23,609.10
673 - LANDFILL	35,138.64
682 - ENVIRONMENTAL MANAGEMENT	586.90
690 - REGIONAL COLLECTION CENTE	904.45
745 - GOLF COURSE	8,886.59
949 - CENTRAL GRAGE	355.08
Grand Total:	3,020,373.84

May 2020 Receipts

Fund	Monthly Revenue Period Activity
001 - GENERAL FUND	608,151.37
020 - PROPERTY INSURANCE	7,392.76
040 - CEMETERY RESERVE	1,746.70
041 - RIVERSIDE COLUMARIUM	19.78
045 - LIBRARY RESERVE	2,227.58
047 - COMMUNICATION CENTER RES	69.22
049 - DRUG EDUCATION	16.48
050 - POLICE RESERVE	6,633.97
052 - FIRE RESERVE	10,070.55
054 - STR IMP RESERVE	31,305.81
055 - SIDEWALK RESERVE	235.12
056 - PARK RESERVE	2,575.96
059 - TREES FOREVER	1,201.81
060 - SRTS RESERVE	9,879.38

061 - ECONOMIC DEVELOPMENT	5,402.92
062 - SHINE LOAN	15.06
063 - RENAISSANCE INITIATIVE	2,150.67
064 - CABLE TV	113.16
066 - PUBLIC WORKS EQUIPMENT	13,375.11
068 - CITY HALL RESERVE	2,729.55
070 - STORM WATER DIST #1	1,999.54
080 - STORM SEWER RESERVE	1,136.34
085 - HOTEL/MOTEL TAX	615.39
087 - SPENCER CARES	139.53
089 - EMERGENCY FUND	1,127.94
090 - QUALITY HSG INITIATIVE	223.07
091 - SUBSTANDARD HOUSING	276.31
092 - TECHNOLOGY FUND	5,344.14
093 - ACCRUED BENEFITS	170.30
110 - ROAD USE TAX	106,043.60
112 - FICA/IPERS	54,348.82
113 - WORK COMP	10,441.44
114 - UNEMPLOYMENT	1,701.13
115 - GROUP INSURANCE	96,895.59
117 - CIVIL SERVICE	676.17
118 - POLICE PENSION	16,460.00
119 - POLICE SPECIAL PROCEEDS	36.26
120 - FIRE PENSION	4,574.01
124 - LOCAL OPTION SALES TAX	185,470.85
125 - T.I.F.	91,829.68
127 - SALES TAX TIF	234.01
162 - SSMID	4,688.74
200 - DEBT SERVICE	34,258.83
350 - CAPITAL IMP RESERVE	109,132.12
500 - PERPETUAL CARE	1,400.00
501 - RIVERSIDE TRUST	23.79
502 - COLUMBARIUM VAULT	5.49
503 - NORTHLAWN PERP CARE	82.40
504 - GRIFFIN TRUST	69.22
505 - LEACH TRUST	21.98
600 - ENTERPRISE CAPITAL IMPR	0.00
615 - WTP RESERVE	1,670.29
620 - SANITARY SEWER	231,631.06
625 - SANITARY SEWER RESERVE	617.45
630 - CSI RESERVE	79,535.32
635 - SEWER DEBT SINKING FUND	27,724.49
660 - AIRPORT ENTERPRISE	13,370.78
661 - AIRPORT RESERVE	508.29
670 - SOLID WASTE	212,325.92
671 - SOLID WASTE RESERVE	1,572.90
672 - TRANSFER STATION CLOSURE	19.78
673 - LANDFILL	179,464.25
674 - LANDFILL RESERVES	2,619.16
677 - LANDFILL PLANNING	384.54

678 - ENVIRONMENTAL PROTECTION	239.51
679 - LANDFILL POST CLOSURE	2,211.54
680 - LANDFILL CLOSURE	1,237.80
682 - ENVIRONMENTAL MANAGEMENT	316.10
685 - CELL CONSTRUCTION RESERVE	896.12
690 - REGIONAL COLLECTION CENTE	29.73
745 - GOLF COURSE	63,412.28
746 - GOLF COURSE RESERVE	1,666.66
949 - CENTRAL GRAGE	199.28
950 - FUEL EQUIPMENT	16,742.43
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	2,273,135.33