

**SPENCER CITY COUNCIL MEETING**

**August 2, 2021**

**SPENCER, IOWA**

The City Council of the City of Spencer, Iowa, met on the 2<sup>nd</sup> day of August, 2021, 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 Robinson, in the Chair and the roll being called, the following Council Members were present:

Present: Nelson, Orrison, Larsen, Wunschel (by phone), Hanson, Reit, Moriarty

Absent: None

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

Approve City Council Minutes of City Council Minutes of July 19, 2021;

Approve Renewal of Class C Liquor License with Sunday Sales and Outdoor Service for **5:13** and New Class C Liquor License with Sunday Sales for **Las Margaritas** at 223 & 225 Grand Avenue, both subject to final approval by Iowa Alcoholic Beverages Division;

**RESOLUTION NO. 6212 RESOLUTION AUTHORIZING PERMANENT TRANSFER OF FUNDS OF BUDGETED TRANSFERS FOR MONTH ENDING JULY 31, 2021;**

**RESOLUTION NO. 6213 RESOLUTION SETTING DATE FOR PUBLIC HEARING ON URBAN RENEWAL PLAN AMENDMENT (September 7, 2021);**

**RESOLUTION NO. 6214 RESOLUTION PROVIDING FOR NOTICE OF HEARING ON PROPOSED AMENDMENT TO THE REVITALIZATION PLAN FOR THE SPENCER URBAN REVITALIZATION AREA (September 7, 2021);**

Approve Purchase of Pepperball Launchers for Spencer Police Department from Kiesler Police Supply for \$4828.96 (CIP Item);

Approve K & W Electric of Emmetsburg as Subcontractor for Spencer Public Library HVAC Improvements Project;

Approve Submission of REAP Grant Application through the Iowa DNR for repurposing and development of C. Earl Page Park into a Pollinator Park;

**RESOLUTION NO. 6215 A RESOLUTION APPROVING THE CANCELLATION AND NEGATION OF AN INFRINGING USE AGREEMENT WITH ROBERT C. GRAHAM;**

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 Plans and Specifications, Form of Contract and Estimate of Cost for the Construction of 2021 7<sup>th</sup> Avenue S.W. Sewer Extension Project;

The Mayor declared the public hearing open.

Written comments were filed by the following:

**None**

Oral comments were made by the following:

**None**

The Mayor declared the public hearing closed.

Council Member Hanson introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Moriarty; 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. 6216 RESOLUTION FINALLY APPROVING AND CONFIRMING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE FOR 2021 7<sup>th</sup> AVENUE S.W. SEWER EXTENSION PROJECT;**

Review of Bids Received 7/22/2021 for 2021 7<sup>th</sup> Avenue S.W. Sewer Extension Project by Project Engineer, Kruse, Cate & Nelson;

Council Member Moriarty 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. 6217 RESOLUTION AWARDING CONTRACT FOR THE 2021 7<sup>TH</sup> AVENUE S.W. SEWER EXTENSION PROJECT (BD Construction, \$90,944.00);**

Council Member Nelson introduced and caused to be placed on file an ordinance entitled “An Ordinance Amending Title 7, Chapter 3 Section 9, Subsection B of the Spencer City Code Concerning One-Way (easterly) Traffic on 13<sup>th</sup> Street, East of 10<sup>th</sup> Avenue East”, 1<sup>st</sup> Filing. Council Member Orrison 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 file before the Council for the first time.

It was moved by Council Member Hanson, seconded by Council Member Nelson to Approve Middle School Traffic Flow Agreement with Spencer Community School District, Public Safety Committee for Middle School Area. 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 Larsen to Approve Change Order #1 for 2021 Wastewater Treatment Plant Improvements, Phase 2, for a net decrease of \$84.50. 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 Nelson to Approve Change Order #1 for 2021 Spencer Seal Coat Project for an increase of \$4661.82 to add 2 blocks to the project. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Reit introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Wunschel; 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. 6218 ACCEPTING WORK COVERING THE 2021 CRACK AND JOINT SEALING PROJECT (Quotation Project);**

**Department Head Reports**

Planning Department  
Library  
Fire  
Police  
Public Works  
Park & Recreation – Not Present  
Golf Course – Not Present  
City Attorney’s Report

**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 Ken Sandvig to the Compensation Advisory Board, Ward 5, term expires 6/30/2027. The motion was declared carried when all Council Members present voted aye on voice call vote.

**Council Committee Reports:**

Upcoming Meetings:

- Regular City Council Meeting, 8/16/2021, 6:30 P.M.
- Long Term Planning Committee Meeting, 8/17/2021
- Finance Committee, Date Pending

It was moved by Council Member Orrison, seconded by Council Member Moriarty 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:**

Jessica Wright, Update on City Manager Search

It was moved by Council Member Orrison, seconded by Council Member Nelson to go into closed session under Iowa Code Section 21.5 (I) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury that individual’s reputation and that

individual requests a closed session. The motion was declared carried when all Council Members present voted aye on voice call vote.

A recess was held from 7:35 – 7:48 P.M. Council Member Wunschel joined the meeting at 7:48 P.M. Closed session began at 7:48 P.M.

The City Council Meeting returned to open session at 9:10 o'clock P.M.

It was moved by Council Member Orrison, seconded by Council Member Wunschel to Select Final Candidates for City Manager Position, #2, #36 and #46. The motion was declared carried when all Council Members present voted aye on voice call vote.

Following discussion, it was the consensus of the City Council to schedule the City Manger Interview Process for August 20 and 21, 2021.

It was moved by Council Member Larsen and seconded by Council Member Wunschel to adjourn the meeting of the Spencer City Council at 9:25 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 Reardon, City Clerk

(SEAL)

Minutes are subject to approval by the Spencer City Council.

**Claims 08/02/21**

<b>Vendor Name</b>	<b>Payable Description</b>	<b>Total Payments</b>
A & M Inc	laundry svce	364.45
AFLAC	aflac ins	821.88
AgSource Cooperative Services	water test	25.50
Alpha Wireless Communications Co	agmt semi annual maint radio eq	2,419.50
Amazon Capital Services	various supplies/library mtl	822.82
Anchor Industries Inc	pool umbrellas	5,625.00
Anliker, Brian & Lori	ssmid refund	33.32

Arnold Motor Supply LLP	misc parts/supplies	703.09
Asher Motor Company	tire cap	43.85
Atlantic Coca-Cola Bottling Company	concession beverage	217.98
Avera Medical Group	pre employ testing	889.00
Baker & Taylor	books	410.35
Barco Municipal Products Inc	signs	218.73
BD Construction Services LLC	pay est	19,540.04
Black Hills Energy	mo utilities	35.00
Bomgaars	misc parts/supplies	1,518.26
Book Farm LLC	books	73.92
Book Look	books	814.52
C & B Operations LLC	diff hyd fluid	70.00
Canon Financial Services LLC	mo copier contract	172.46
Carrico Aquatic Resources	pool vacuum hose	143.44
Carroll Construction Supply	misc supplies	249.20
Center Point Large Print	books	27.71
Clay County Auditor	mo jail pymt	2,083.33
Clay County Fair	dare ia conference	580.50
Clay County Regional Event Center	mo contribution	4,166.66
Coffmans Locksmith Shop	drill bits	39.56
Colonial Life Insurance	col life ins	43.92
Community Insurance	broker fee	1,000.00
Cooperative Energy Company	fuel	2,291.62
Copper Cottage	svce call	2,135.94
Culligan of Spencer	water	49.95
Culligan Water of Emmetsburg	water	30.00
Dels Garden Center Inc	flowers	50.00
Department of Human Services	child support pymt	409.90
Department of the Treasury	pcori fees	218.44
Don Pierson Ford Lincoln Inc	misc parts	812.76
EBSCO	subscriptions	1,780.23
Ecolab Pest Elimination	pest control	125.29
Emmetsburg Swanson Hardware	misc supplies	69.90
Engineering Design Associates Inc	library hvac project	582.50
ESS Brothers and Sons Inc	detector warning plates	1,746.00
Fareway Stores Inc #788	seniors event supplies	113.74
Farmers Trust & Savings Bank	pr taxes	41,977.31
Fast Lane Motor Parts LLC	tire patches	17.36
Feld Fire	adapter	71.50
Fox International Inc	svce call/qtrly copier fee	1,193.61
Gale/Cengage Learning	books	141.70
Galens Pro Mow LLC	mower, misc parts/supplies	31,920.19

General Traffic Controls Inc	w 18th st rrfb	8,847.00
Goodyear Tire & Rubber Company	tires	1,752.78
Gordon Flesch Company Inc	svce call	255.48
Graettinger Hardware	misc parts/supplies	180.55
Graham Tire Company of Spencer Inc	tire parts/rotation	312.03
Great Lakes Concrete Inc	concrete	580.00
Handy Andys Yard & Spraying Service	sterilizer application	4,015.00
Hansons Plumbing & Heating Inc	svce call	1,156.15
Holmes Lock & Safe Inc	keys	736.60
Holmes, Merle	refund	18.00
Hydro Klean	pay est	29,573.69
Hy-Noon Kiwanis	ren grant	10,000.00
ICMA Retirement Trust - 457	icma	560.00
Ingram Library Services	books	27.43
Iowa Communication Networks	mo telephone/internet chges	10.96
Iowa Lakes Community College	trng course	60.00
Iowa Lakes Electric Cooperative	mo utilities	746.00
Iowa Lakes Regional Water	plumbing supplies	114.40
Iowa One Call	mo one calls	201.50
Iowa Parks & Recreation Association.	assoc dues	510.00
Iowa Public Employees Retirement System	ipers	21,948.07
Iowa State University Extension Office Clay County	trng matls	75.00
Iowa Workforce Development-Tax Bureau	unemployment claims	217.24
Janitors Closet	misc supplies	451.03
Johnston AutoStores	batteries	250.00
K & W Electric Inc	svce call	319.07
Keystone Laboratories Inc	testing	383.70
Kimball Midwest	hand cleaner	58.98
Knight Protection Inc	svce call/monitor svce	480.00
Koenig Portable Toilets	porta rental	2,580.00
Kristat Auto Parts LLC	misc parts/supplies	121.36
Leading Edge Aviation	mo mgmt fees	3,104.17
Loffler Companies Inc	mo copier mntce	530.94
Lube Tech	misc supplies	2,715.42
MacQueen Equipment LLC	misc parts/supplies	2,249.06
Manwarren, Andy	excavating	640.00
Mar-Lin Business Supply	misc supplies	112.50
Maxyield Cooperative-Acct 4529	fuel	5,040.65
Menards -Spencer	misc parts/supplies	876.48
MichaelSon Inc	road gravel	1,516.97
Midwest Coatings Co	pay est	41,361.25
Midwest Turf & Irrigation	parts/labor/freight	1,067.00

Municipal Fire & Police Retirement System of Iowa	civil svce p & f	22,916.92
Murphy Tractor - Power Plan	misc parts/supplies	4,485.18
Napa Auto Parts	misc parts/supplies	775.52
Nielsen's Tire & Appliances	tire svce/parts	25.95
Northern Lights Distributing Inc	concession food	1,434.94
Northern Safety & Industrial Co	safety vests	222.19
Northwest Glass LLC	window repair	62.00
Northwest Iowa Planning & Development Commission	shield program draw	2,000.00
O Reilly Auto Parts	misc parts	147.99
Palo Alto County Treasurer	drainage assessment	70.24
People for Pets	mo agmt	600.00
Peterbilt of Sioux City	fitting	19.56
Petty Cash - Library	replenish petty cash	60.24
Petty Cash-Spencer Municipal Golf Course	replenish golf checkbook	3,941.55
Plumbing & Heating Wholesale Inc	misc plumbing supplies	6.37
Productivity Plus Account/Spencer Red Power	filters/filter cvrs	308.50
Ramaker & Associates Inc	annual renewal e-cims	1,700.00
River Valley Telecommunications	mo phone/internet	96.40
Secure Shred Solutions LLC	shredding svce	48.00
Shine Brothers Inc	process cardboard	9,609.60
Solutions Inc	it supplies/software/maintenance	46,676.73
Speed Printers Inc	flyers	1,259.24
Spencer Auto Parts	misc parts/supplies	608.51
Spencer Daily Reporter	annual sub renewal	99.00
Spencer Municipal Utilities	concrete/rebar	571.20
Spencer Office Supplies	office supplies	587.41
State of Iowa Treasurer	state w/h	8,032.44
State Steel of Spencer	steel	103.20
Sunset Law Enforcement LLC	ammo	5,635.20
Tailored Graphics LLC	tailor/graphics	110.00
The Messenger	ad	145.00
The Retrofit Companies Inc	disposal	695.70
The Water Connection Inc	water	143.50
Toft Electric	svce call	348.71
Truck Center Companies	blower motor assy	596.07
Truck Equipment Inc	misc parts	68.64
Tyler Technologies Inc	positive pay/tcm maint/cc trans fee	1,263.21
Uline	mailing envelopes	255.38
Utility Equipment Co	water line repair parts	1,302.60
Vander Haags Inc	seat, handle	328.20
Verizon Wireless	mo chges	120.03
Visa (Admin)	various credit card chges	4,662.13



Visa (Fire)	various credit card chges	273.13
Visa (Golf)	various credit card chges	348.99
Visa (Library)	various credit card chges	150.62
Visa (Park)	various credit card chges	94.12
Visa (Planning)	various credit card chges	199.32
Visa (Police)	various credit card chges	2,424.18
Visa (Public Works)	various credit card chges	100.00
Wex Bank-Wright Express FSC	fuel	30.93
White Glove Janitorial Services & Building Svces	paper towels	160.97
Woodford Equipment Inc	misc parts/supplies	746.52

#### Fund Summary

##### Fund

001 - GENERAL FUND	147,026.09
040 - CEMETERY RESERVE	15,352.00
045 - LIBRARY RESERVE	582.50
049 - DRUG EDUCATION	580.50
063 - RENAISSANCE INITIATIVE	10,000.00
085 - HOTEL/MOTEL TAX	4,166.66
092 - TECHNOLOGY FUND	48,712.95
114 - UNEMPLOYMENT	217.24
115 - GROUP INSURANCE	1,218.44
117 - CIVIL SERVICE	889.00
162 - SSMID	33.32
300 - CAPITAL IMPROVEMENT	41,361.25
350 - CAPITAL IMP RESERVE	8,847.00
501 - RIVERSIDE TRUST	50.00
600 - ENTERPRISE CAPITAL IMPR	48,587.94
620 - SANITARY SEWER	5,574.44
660 - AIRPORT ENTERPRISE	7,294.74
670 - SOLID WASTE	29,603.54
673 - LANDFILL	12,680.86
674 - LANDFILL RESERVES	15,766.00
690 - REGIONAL COLLECTION CENTE	1,320.72
949 - CENTRAL GRAGE	1,455.23
<b>Grand Total:</b>	<b>401,320.42</b>