

# REGULAR SPENCER CITY COUNCIL MEETING

**Monday, January 3, 2022**  
**6:30 P.M.**  
**Council Chambers, City Hall**  
**101 W. 5<sup>th</sup> Street**  
**Spencer, Iowa**

## 1. Pledge of Allegiance

2. **ROLL CALL:** Nelson, Orrison, Larsen, Wunschel, Hanson, Reit, Balk

3. Comments by Mayor Steve Bomgaars;

## 4. Consent Agenda:

A. Motion: Approve City Council [Minutes of December 20, 2021](#);

B. Motion: Licenses: Renewal of Class C Liquor License with Sunday Sales for **Spencer Bowl**; and 5 day Class B Beer Permit for Wild Turkey Federation, Inc. for event at **Sacred Heart Church** on February 5, 2022, both subject;

C. Motion: Roll Call: Resolution Authorizing Permanent Transfer of Funds of Budgeted Transfers for Month Ending December 31, 2021;

D. Roll Call: Resolution Adopting a Final Assessment Schedule for the City of Spencer 2021 [Sidewalk Construction Projects](#), and Confirming and Levying the Assessments;

## 5. Old Business:

A. Roll Call: An [Ordinance Amending the Zoning Classification](#) of Real Property and Amending the Official Zoning Map to Change the Zoning of a Parcel of Land Located in the SW Quarter of the SW Quarter of Section 1, Township 96 North, Range 37 West of the Fifth Principal Meridian, Clay County Iowa (2.905 Acres) from “A” Residential to “C-1 Commercial” Classification, requested by Carole Lea Cotton 2nd Filing;

1. Roll Call: Waive Final Filing and Proceed to Final Consideration;

2. Roll Call: An Ordinance Amending the Zoning Classification of Real Property and Amending the Official Zoning Map to Change the Zoning of a Parcel of Land Located in the SW Quarter of the SW Quarter of Section 1, Township 96 North, Range 37 West of the Fifth Principal Meridian, Clay County Iowa (2.905 Acres) from “A” Residential to “C-1 Commercial” Classification, requested by Carole Lea Cotton, Final Filing;

- B. Roll Call: An Ordinance Amending Title 9, Chapter 2, Chapter 5, Chapter 7, Chapter 8, Chapter 9 and Chapter 9A of the Spencer City Code to Provide for the [Use Classification of “Custom Meat Business”, 2nd Filing;](#)
- C. Roll Call: An Ordinance Amending Title 8 Chapter 1 of the Spencer City Code Concerning [Construction Permits, 2nd Filing;](#)
- D. Roll Call: An Ordinance Amending Title 5, Chapter 1 Article F Concerning Commercial Use of Public Property ([Outdoor Dining](#)), [2nd Filing;](#)
- E. Roll Call: An Ordinance Amending Title 3, Chapter 1, Section 1 of the Spencer City Code Concerning the Definition of “Transient Merchants” and Adopting a New Chapter 8, Title 3 of the Spencer City Code Regulating [“Mobile Food or Beverage Vendors” \(Food Trucks\)](#), 2nd Filing;
- F. Roll Call: An Ordinance [Closing and Vacating Portions of East Eleventh Street And First Avenue East and to Confirm and Authorize the Conveyance and Transfer of City Property to the Spencer Municipal Hospital, Final Filing;](#)

## 6. Public Hearings:

### A. [Public Hearing Proposing the Establishment of the City of Spencer 7<sup>th</sup> Avenue Southwest Sanitary Sewer District and the Adoption of the Connection Fees;](#)

- Mayor Declares the Public Hearing Open
    - Written Comments Against
    - Oral Comments Against
    - Written Comments in Favor of
    - Oral Comments in Favor of
  - Mayor Declares the Public Hearing Closed
1. Roll Call: An Ordinance Establishing the City of Spencer “7<sup>th</sup> Avenue Southwest Sanitary Sewer District” and Establishing Sanitary Sewer Connection Fees in the District, 1<sup>st</sup> Filing;

### B. **[Public Hearing on Proposed Text Amendments](#) to Title 9 of the Spencer Zoning Code to Provide a New Use Classification of “Data Center”, to Designate the Zoning Districts in Which the New Use is Permitted and to Adopt Reduced Minimum Lot Areas, Minimum Widths and Reduced Yard Setbacks in the “E” and E-1” Heavy Industry Zoning Districts;**

- Mayor Declares the Public Hearing Open
  - Written Comments Against
  - Oral Comments Against
  - Written Comments in Favor of
  - Oral Comments in Favor of
- Mayor Declares the Public Hearing Closed

1. Roll Call: An Ordinance Amending Title 9, Chapter 9, Section 3, and Title 9, Chapter 9A, Section 3 to Amend Development Regulations in E and E-1 Heavy Industrial Zoning Districts, 1<sup>st</sup> Filing;
2. Roll Call: An Ordinance Amending Title 9, Chapter 2, Chapter 8, Chapter 9 and Chapter 9-A of the Spencer City Code to Provide for the Use Classification of “Data Center”

**7. New Business:**

- A. Motion: Approve [Precinct Memo of Agreement](#) between Clay County and City of Spencer;

**8. Department Head Reports:**

- A. Planning Department
- B. Library
- C. Fire
- D. Police
- E. Public Works
- F. Park & Recreation
- G. Golf Course
- H. City Attorney’s Report

**9. Engineer’s Report:**

**10. City Manager’s Report:**

**11. Mayor’s Report:**

-Appointment of Bill Orrison, Mayor Pro-Tem

[-Council Committee Appointments](#)

**12. Council/Comm. Reports:**

Upcoming Meetings:

-Committee of the Whole 1/5/2022, 5:30 P.M. (Preliminary FY 2023 Budget)

- Regular City Council Meeting 1/17/2022, 6:30 P.M.

-Goal Setting Session 1/19/2022, 6:00 P.M.

**13. Motion: Approve Bills and Claims;**

**14. Other Business/Opportunity to Address the Council;**

**15. Adjourn;**

*Note: Some members may participate by telephone, per Section 21.8 of the Code of Iowa*