

SPENCER CITY COUNCIL MEETING

March 21, 2022

SPENCER, IOWA

The City Council of the City of Spencer, Iowa, met on the 21st day of March, 2022, 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 Bomgaars, in the Chair and the roll being called, the following Council Members were present:

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

Absent: Wunschel

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

Approve City Council Minutes of March 7, 2022;

Licenses: Approve extension of outdoor service area for 5:13 for events on June 11, 2022 and July 16, 2022, subject to final approval by Iowa ABD;

Acceptance of 2016 Sanitary Sewer Extension Projects (Elk Run 1st Addition Sewer, NWISC Soccer Complex Sewer Extension and Box Park Addition Sewer Extension from Developers and make them part of the Sanitary Sewer System;

RESOLUTION NO. 6287 A RESOLUTION SETTING A HEARING AND DIRECTING PUBLICATION OF NOTICE ON PROPOSED TEXT AMENDMENTS TO TITLE 9, CHAPTER 5, OF THE SPENCER ZONING CODE TO PROVIDE FOR RESIDENTIAL USES OF SINGLE FAMILY, DUPLEX RESIDENTIAL AND MULTI-FAMILY RESIDENTIAL AS PERMITTED USES IN THE "CBD" CENTRAL BUSINESS ZONING DISTRICT (Hearing Date April 4, 2022, 6:30 P.M.)

RESOLUTION NO. 6288 A RESOLUTION SETTING A HEARING AND DIRECTING PUBLICATION OF NOTICE ON A PROPOSED TEXT AMENDMENTS TO TITLE 9, CHAPTER 5, SECTION 4 OF THE SPENCER ZONING CODE TO CLARIFY EXTERIOR WALL REQUIREMENTS IN THE "CBD" CENTRAL BUSINESS ZONING DISTRICT (Hearing Date April 4, 2022, 6:30 P.M.)

Approve Quotes for the Transfer Station Tipping Floor Project (CIP Project), as follows:

-Four B Construction, Lining \$76,444

-Pixler Electric, Electrical \$19,861

-Hanson's P&H, Plumbing & Heating \$7,050

Total \$103,355;

Approve Residential Tax Abatement Application for Jill D Little, 903 6th Ave. S.W., subject to review by Clay County Assessor;

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

Ayes: Nelson, Orrison, Larsen, Hanson, Reit, Balk

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 City of Spencer Capital Improvement Plan for Fiscal Year 2023 – Fiscal Year 2027;

Brian Weuve, Finance Director reviewed the Capital Improvement Plan.

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.

It was moved by Council Member Orrison, seconded by Council Member Larsen to Approve City of Spencer Capital Improvement Plan for Fiscal Year 2023 – Fiscal Year 2027. The motion was declared carried when all Council Members present voted aye on voice call vote.

The Mayor announced that this was the time and place set for Public Hearing on Proposed City of Spencer Fiscal Year 2022/2023 Budget for City of Spencer;

Brian Weuve, Finance Director reviewed the Capital Improvement Plan.

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 Orrison 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, Hanson, Reit, Balk
Nays: None

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

RESOLUTION NO. 6289 A RESOLUTION APPROVING THE ADOPTION OF BUDGET AND CERTIFICATION OF CITY TAXES FISCAL YEAR JULY 1, 2022 – JUNE 30, 2023;

The Mayor announced that this was the time and place set for Public Hearing on Submittal of Community Development Block Grant Application for City of Spencer, Iowa, 2023 East Side Reconstruction & Sewer Separation Project;

The Mayor declared the public hearing open.

Comments: Darren Bumgarner, Northwest Iowa Planning & Development Commission read the following comments:

**Citizen Participation Plan
City of Spencer, Iowa CDBG Application Public Hearing
Monday, March 21, 2022 6:30 p.m.
Spencer City Hall, 101 W 5th Street, Spencer, Iowa 51301**

“To comply with citizen participation requirements, pursuant to the requirements of Section 508 of the Housing and Community Development Act of 1987, as amended, this public hearing is being held by the City Council of Spencer, Iowa for the purpose to discuss the submittal of a Community Development Block Grant (CDBG) application for the City of Spencer 2023 East Side Reconstruction and Sewer Separation Project.

The need for this project is due to City of Spencer in 2009 entering into a consent order with the U.S. Environmental Protection Agency (EPA) for the elimination of the CSO’s by December 31, 2028. In 2017, the consent order was amended to reflect an updated Long Term Control Plan (LTCP) which states that the City of Spencer will continue the separation of remaining combined sewers. Additionally, this proposed project will help prevent raw untreated sewage from being discharged into the Little Sioux River, and will also help to eliminate the frequency of street flooding/ponding of combined sewage onto streets and backup into basements during wet weather events. Sewer backup and street flooding/ponding have the potential to cause property damage and human exposure to raw sewage. Also, the City has facilities to pump combined sewers and storm water to the WTP for treatment. Treatment of stormwater results in increased operational costs.

The proposed project is generally located in a drainage area within the City of Spencer between Iowa, Chicago & Eastern Railroad to the north and East 3rd Street to the South and 10th Avenue East to the east and 4th Avenue East to the west.

Primary construction activities to address the need for this project and to help bring the City into EPA compliance will consist of replacement of an estimated 3,823 LF 12” to 36” storm sewer pipe, 1,700 LF 8” sanitary sewer pipe, reconnect 66 sewer services, 28 sanitary (delete sanitary) sewer manhole and inlet removal and replacements, and 8,800 Sq. Yards pavement removal and restoration. It’s anticipated this project will help the City meet the goal of elimination of CSO’s, reduce the frequency of sewer backups and street ponding/flooding within the project area, and to reduce operational cost to treat sanitary wastewater.

A CDBG application will be submitted on or before April 1, 2022, to the Iowa Economic Development Authority.

The estimated cost, not including engineering fees (twice), of this proposed CDBG project is \$1,825,00. The sources of funding for this proposed project are \$772,500 CIP funds, \$453,000 IDOT SWAP funds to pay for a portion of East 4th Street street reconstruction, and \$600,000 in CDBG funds. The estimated portion of federal funds that will benefit low-to-moderate (LMI) income persons is 52.5% or \$315,000.

Due to the nature of this project no persons or businesses shall be displaced as a result of the recommended project. In the event that any persons or businesses are displaced as a result of the recommended project, the entities involved in the project will adhere to the requirements of the Uniform Relocation and Assistance and Acquisition Act of 1974, as amended.”

Written comments were filed by the following:

None

Oral comments were made by the following:

None

The Mayor declared the public hearing closed.

It was moved by Council Member Hanson, seconded by Council Member Orrison to Approve Community Development & Housing Needs Assessment to be included with CDBG Application. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Hanson introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Larsen; 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, Hanson, Reit, Balk

Nays: None

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

RESOLUTION NO. 6290 A RESOLUTION OF THE CITY COUNCIL OF SPENCER, IOWA, TO APPROVE THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR THE 2023 EAST SIDE RECONSTRUCTION & SEWER SEPARATION PROJECT; AND TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AND SIGN SAID APPLICATION AND RELATED MATERIALS;

Council Member Orrison 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, Hanson, Reit, Balk

Nays: None

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

RESOLUTION NO.6291 RESOLUTION AUTHORIZING AND CONFIRMING GRANT APPLICATION SUBMISSION AND LOCAL FUNDING MATCH FOR THE 18th STREET TRAIL EXTENSION PROJECT AND DEDICATING THE TRAIL TO PUBLIC USE AND MAINTENANCE;

It was moved by Council Member Hanson, seconded by Council Member Reit to Approve Change Order Number 4 for Wastewater Treatment Plant Improvements, Phase 2 for \$2022.73 from contingency allowance. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Reit, seconded by Council Member Orrison to Approve Renewal of Property & Liability Insurance Policy with Iowa Communities Assurance Pool (ICAP) for \$257,344. 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 Reit to Approve Professional Services Contract with Kruse, Cate & Nelson PC for 2023 NPRL Intermediate Cover Project at the Landfill. The motion was declared carried when all Council Members present voted aye on voice call vote.

Engineer’s Reports:

City Manager’s Report:

Mayor’s Report:

Council Committee Reports:

Upcoming Meetings:

-Regular City Council Meeting, 4/04/2022, 6:30 P.M.

-Committee of the Whole Meetings April 4, 2022, 5:30 P.M. and April 11, 2022, 5:30 P.M.

It was moved by Council Member Orrison, seconded by Council Member Balk 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:

Activity Center (Senior Center)

Comments regarding the Spencer Area Activity Center were given by Mike Monroe, 309 E. 9th Street, Curtis Brownmuller, 17 ½ W. 4th Street and Scott Tenkley, SAAC Board Member.

It was moved by Council Member Larsen and seconded by Council Member Reit to adjourn the meeting of the Spencer City Council at 7:06 o'clock P.M. The motion was declared carried when all Council Members present voted aye on voice call vote.

Steve Bomgaars, Mayor

ATTEST:

Theresa Reardon, City Clerk

(SEAL)

Minutes are subject to approval by the Spencer City Council.

Claims 03/21/2022

Vendor Name	Payable Description	Total Payments
A & M Inc	laundry svce	154.25
Airgas North Central	supplies	300.4
Alliant Energy/ILP	mo util chg	245.8
Alpha Wireless Communications Co	supplies	203.54

Amazon Capital Services	supplies	1380.58
American Test Center	safety inspection	900
Arnold Motor Supply LLP	parts	697.91
Avera	volunteer firefighter	333
Baker & Taylor	books	393.17
BD Construction Services LLC	retainage	1550.85
Black Hills Energy	mo util chgs	774.55
Bomgaars	parts	347.34
Buds Service Inc	towing	400
Canon Financial Services LLC	copier contract	172.46
Center Point Large Print	LP books	136.35
Clay County Assessor	aerial photos	1500
Clay County Lodging LLC	smi annual pmt	97149.02
Clay County Recorder	recording 2/21/22 #457	47
Coffmans Locksmith Shop	parts	310
Construction Specialties, Inc.	chair rail - protector	799
Cooperative Energy Company	propane	312
Corn Belt Power Cooperative	1/2 property taxes	21.33
Crescent Electric	outlet	7.9
Crysteel Truck Equipment Inc	parts	84.34
Culligan Water of Emmetsburg	water	17.4
Diamond Vogel Paint Center # 289	paint	297.6
Dog Waste Depot	dog station supplies	506.69
Don Pierson Ford Lincoln Inc	relay switch	143.2
Douglas Sports Equipment	tennis nets	631.8
Elm USA Inc	lease	70
Fastenal Company	parts	350.15
Feld Fire	SCBA Tanks	44312.78
Fire Proof Plus Inc	extinguisher maint.	138
Gale/Cengage Learning	books	297.8
GCS Tech Inc	service call	120
Gordon Flesch Company Inc	City Hall Copier/Scanner	7234
Gradys Upholstery	fair crossing lights	425
Graettinger Hardware	parts	5.98
Graham Tire Company of Spencer Inc	rims	247.7
Hansons Plumbing & Heating Inc	repair	468.45
HLW Engineering Group LLC	testing/monitoring	480
Ingram Library Services	books	1250.02
Iowa Communication Networks	telecommunications	46.21
Iowa Department of Revenue	monthly sales tax	8775.52
Iowa Department of Transportation	supplies	234.03
Iowa Fire Chiefs Association	dues	50

Iowa Lakes Electric Cooperative	mo utilities	1123
Janitors Closet	garbage supplies	465.11
Joes Appliance Repair	repir	131.23
Koenig Portable Toilets	plumbing repair	924
Kristat Auto Parts LLC	power washer belt	16.49
Kruse Cate & Nelson PC	Eng Svcs	38097.55
Leading Edge Aviation Inc	Jan 22 management payment	270.83
Lexipol	Fire Platform	2430
Loffler Companies Inc	mo copier - downstairs city hall	333.35
Lube Tech	parts	471.23
McClure Engineering Co	Eng Svcs	9660
Menards -Spencer	supplies	295.15
Midwestern Mechanical of Iowa Inc	Pool Heater Replacement	10296
Mike Eckhart	Remib. Sewer Connection Fees	11768.07
Most Dependable Fountains	water fountain	1780
Napa Auto Parts	parts	963.71
New Cooperative Inc	propane	340.24
Norgaard LLC	icing sand	3255
North Central International, Inc.	unit 991	902.77
Northwest Iowa Planning & Development	Shield Draw	5500
NSG LLC	icing sand	3036.6
ProQuest LLC	Ancestry Database	1983.01
Ricks Pest Control	pest control	45
Sebco Books	books	233.78
Solutions Inc	Computers	3001.99
Speed Printers Inc	receipt books	399.15
Spencer Industrial Electronics, Inc.	repair	450
Spencer Municipal Utilities	mo utility chges	41481.93
Spencer Office Supplies	supplies	673.17
Spencer Radio Group	recycling ads	502
SS Collision Cycle Works & Graphics	vinyl signs	350
Swank Movie Licensing USA	movie license	520
Toyne	valve	78.52
Truck Center Companies	radiator	784.24
Turfwerks	gsp plan	3164
Veolia Water North America	operating contract	73942.72
Verizon Wireless	pole cameras	200.07
Woodman Controls Company	system upgrade	8250

Fund Summary

Fund	Payment Amount
001 - GENERAL FUND	66891.36
045 - LIBRARY RESERVE	8250

052 - FIRE RESERVE	43857
056 - PARK RESERVE	12296
061 - ECONOMIC DEVELOPMENT	591.6
062 - SHINE LOAN	2083.33
068 - CITY HALL RESERVE	7234
092 - TECHNOLOGY FUND	2758.62
125 - T.I.F.	97149.02
300 - CAPITAL IMPROVEMENT	48785.9
620 - SANITARY SEWER	83315.76
625 - SANITARY SEWER RESERVE	11768.07
660 - AIRPORT ENTERPRISE	4172.27
670 - SOLID WASTE	10278.75
673 - LANDFILL	2088.91
682 - ENVIRONMENTAL MANAGEMENT	502
690 - REGIONAL COLLECTION CENTE	318.99
949 - CENTRAL GRAGE	101.45
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	402443.03

Feb 2022 Receipts

Fund

001 - GENERAL FUND	223308.01
020 - PROPERTY INSURANCE	943.19
040 - CEMETERY RESERVE	1673.19
041 - RIVERSIDE COLUMARIUM	8.53
045 - LIBRARY RESERVE	2135.01
047 - COMMUNICATION CENTER RES	32.7
049 - DRUG EDUCATION	8.53
050 - POLICE RESERVE	6003.75
052 - FIRE RESERVE	15002.87
054 - STR IMP RESERVE	30103.46
055 - SIDEWALK RESERVE	108.5
056 - PARK RESERVE	11719.09
059 - TREES FOREVER	0.95
060 - SRTS RESERVE	2574.13
061 - ECONOMIC DEVELOPMENT	461.48
062 - SHINE LOAN	4173.67
063 - RENAISSANCE INITIATIVE	2114.78
064 - CABLE TV	48.33
066 - PUBLIC WORKS EQUIPMENT	12828.82
068 - CITY HALL RESERVE	2600.19
070 - STORM WATER DIST #1	1860.61
080 - STORM SEWER RESERVE	667.28
085 - HOTEL/MOTEL TAX	279.3
087 - SPENCER CARES	61.12
089 - EMERGENCY FUND	493.07
090 - QUALITY HSG INITIATIVE	7.91
091 - SUBSTANDARD HOUSING	155.07
092 - TECHNOLOGY FUND	7249.12

Monthly Revenue

Period Activity

093 - ACCRUED BENEFITS	74.39
099 - ARP Funds	0
110 - ROAD USE TAX	124605.81
112 - FICA/IPERS	-3073.54
113 - WORK COMP	0
114 - UNEMPLOYMENT	10328.19
115 - GROUP INSURANCE	55850.37
117 - CIVIL SERVICE	8.05
118 - POLICE PENSION	1016.59
119 - POLICE SPECIAL PROCEEDS	16.11
120 - FIRE PENSION	13.41
124 - LOCAL OPTION SALES TAX	201.01
125 - T.I.F.	7551.14
127 - SALES TAX TIF	241.63
162 - SSMID	1619.65
200 - DEBT SERVICE	3468.79
300 - CAPITAL IMPROVEMENT	4568.59
350 - CAPITAL IMP RESERVE	108463
500 - PERPETUAL CARE	1500
501 - RIVERSIDE TRUST	9.95
502 - COLUMBARIUM VAULT	2.84
503 - NORTHLAWN PERP CARE	36.48
504 - GRIFFIN TRUST	29.85
505 - LEACH TRUST	9.47
506 - HOEPPNER TRST	0
615 - WTP RESERVE	926.91
620 - SANITARY SEWER	223254.49
625 - SANITARY SEWER RESERVE	15976.58
630 - CSI RESERVE	79310.88
635 - SEWER DEBT SINKING FUND	115.93
660 - AIRPORT ENTERPRISE	5942.07
661 - AIRPORT RESERVE	211.64
670 - SOLID WASTE	194459.67
671 - SOLID WASTE RESERVE	975.75
672 - TRANSFER STATION CLOSURE	9.47
673 - LANDFILL	210918.51
674 - LANDFILL RESERVES	1779.44
677 - LANDFILL PLANNING	200.89
678 - ENVIRONMENTAL PROTECTION	119.25
679 - LANDFILL POST CLOSURE	1037.78
680 - LANDFILL CLOSURE	670.26
682 - ENVIRONMENTAL MANAGEMENT	147.31
685 - CELL CONSTRUCTION RESERVE	788.1
690 - REGIONAL COLLECTION CENTE	351.98
746 - GOLF COURSE RESERVE	2057.64
949 - CENTRAL GRAGE	200.03
950 - FUEL EQUIPMENT	18128.37
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