

SPENCER CITY COUNCIL MEETING

May 2, 2022

SPENCER, IOWA

The City Council of the City of Spencer, Iowa, met on the 2nd day of May, 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, Orrison, Larsen, Wunschel, Hanson (by phone), Reit, Balk

Absent: None

Update on Spencer Hospital Project from Bill Bumgarner, President;

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

Approve City Council Minutes of April 18, 2022;

Approve Renewal of Class E Liquor, Class C Beer, Class B Wine and Sunday Sales for **Walgreens #11153**, Renewal of Class C Liquor, Class A Special Beer, Outdoor Service and Sunday Sales for **Iowa Project Brewing Company**, Renewal of Class A Liquor and Sunday Sales for **Loyal Order of Moose Lodge No. 496**, Renewal of Class E Liquor, Class C Beer, Class B Wine and Sunday Sales for **Hy-Vee Store**, and New Class B Beer Permit with Sunday Sales for **Axaholics at 331 11th Street SW**, all subject to final approval by Iowa ABD;

Set Hearing Date for May 16,2022, at 6:30 P.M. for Budget Amendment for Fiscal Year 2021/2022 Budget;

RESOLUTION NO. 6299 RESOLUTION AUTHORIZING PERMANENT TRANSFER OF FUNDS OF BUDGETED TRANSFERS FOR MONTH ENDING APRIL 30, 2022;

Approve Purchase of Toro Groundsmaster 3200-D from Midwest Turf and Irrigation for \$25,665.00 and Purchase of 2 Used Reelmaster 3550 Fairway Mowers from The Ridge Golf Club, Sioux Center for \$45000 total for the Golf Course (both are CIP Items for FY 2022/23);

Approve Purchase of 2023 Elgin Road Wizard Mechanical Sweeper from Macqueen Equipment, Ankeny, Iowa, for \$329,727 (CIP Item);

RESOLUTION NO. 6300 RESOLUTION APPROVING CONTRACT AND PERFORMANCE AND/OR PAYMENT BONDS FOR THE 2022 SEAL COAT PROJECT WITH BLACKTOP SERVICE COMPANY (quotation project);

RESOLUTION NO. 6301 RESOLUTION APPROVING CONTRACT AND PERFORMANCE AND/OR PAYMENT BONDS FOR THE 2022 COTTON'S FIRST ADDITION STORM SEWER EXTENSION PROJECT WITH VANDER POL EXCAVATING, LLC (quotation project);

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, 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 Plans, Specifications, Form of Contract, and Estimate of Cost for Construction of the 2022 NPRL Intermediate Cover Project, Northern Plains Regional Landfill;

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, Wunschel, Hanson, Reit, Balk

NAYS: None

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

RESOLUTION NO. 6302 RESOLUTION FINALLY APPROVING AND CONFIRMING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE FOR 2022 NPRL INTERMEDIATE COVER PROJECT;

Engineers, Kruse, Cate & Nelson Reviewed Bids Received on 4/28/2022;

Council Member Reit 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, Wunschel, Hanson, Reit, Balk

NAYS: None

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

RESOLUTION NO. 6303 RESOLUTION AWARDDING CONTRACT FOR THE 2022 NPRL INTERMEDIATE COVER PROJECT (LeRoy & Sons, Inc. \$242,731.60);

Council Member Hanson moved that the proposed ordinance entitled “AN ORDINANCE ESTABLISHING THE CITY OF SPENCER “2022 25TH STREET SOUTHWEST SANITARY SEWER DISTRICT” AND ESTABLISHING SANITARY SEWER CONNECTION FEES IN THE DISTRICT ” be finally passed and adopted as Ordinance No. 883. Council Member Nelson seconded the motion. 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, Balk

Nays : None

Absent: None

Whereupon, the Mayor declared the motion carried and Ordinance No. 883 duly passed and adopted and signed his approval thereto.

ORDINANCE NO. 883 AN ORDINANCE ESTABLISHING THE CITY OF SPENCER "2022 25TH STREET SOUTHWEST SANITARY SEWER DISTRICT" AND ESTABLISHING SANITARY SEWER CONNECTION FEES IN THE DISTRICT;

Council Member Balk moved that the proposed ordinance entitled “AN ORDINANCE AMENDING TITLE 9, CHAPTER 5, SECTION 1 OF THE SPENCER CITY CODE, TO ALLOW, AS PERMITTED USES, SINGLE FAMILY RESIDENTIAL, DUPLEX RESIDENTIAL AND MULTI-FAMILY RESIDENTIAL USES IN THE CBD ZONING DISTRICT” be finally passed and adopted as Ordinance No. 884. Council Member Wunschel seconded the motion. 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, Balk

Nays : None

Absent: None

Whereupon, the Mayor declared the motion carried and Ordinance No. 884 duly passed and adopted and signed his approval thereto.

ORDINANCE NO. 884 AN ORDINANCE AMENDING TITLE 9, CHAPTER 5, SECTION 1 OF THE SPENCER CITY CODE, TO ALLOW, AS PERMITTED USES, SINGLE FAMILY RESIDENTIAL, DUPLEX RESIDENTIAL AND MULTI-FAMILY RESIDENTIAL USES IN THE CBD ZONING DISTRICT;

Council Member Balk moved that the proposed ordinance entitled “AN ORDINANCE AMENDING TITLE 9, CHAPTER 5, SECTION 4, SUBSECTION “B” OF THE SPENCER CITY CODE, TO CLARIFY REQUIREMENTS FOR EXTERIOR WALL COVERINGS IN THE CBD ZONING DISTRICT” be finally passed and adopted as Ordinance No. 885. Council Member Nelson seconded the motion. 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, Balk

Nays : None

Absent: None

Whereupon, the Mayor declared the motion carried and Ordinance No. 885 duly passed and adopted and signed his approval thereto.

ORDINANCE NO. 885 AN ORDINANCE AMENDING TITLE 9, CHAPTER 5, SECTION 4, SUBSECTION “B” OF THE SPENCER CITY CODE, TO CLARIFY REQUIREMENTS FOR EXTERIOR WALL COVERINGS IN THE CBD ZONING DISTRICT;

It was moved by Council Member Wunschel, seconded by Council Member Reit to Approve Job Description for Deputy City Manager/City Clerk and Deputy City Clerk (Personnel Meeting 4/14/2022). The motion was declared carried when all Council Members present voted aye on voice call vote.

Action was **tabled** on an Ordinance Amending Title 4, Chapter 5, Section 21 of the Spencer City Code Concerning Solid Waste Rates and Charges, 1st Filing (Finance Committee 4/18/2022 and Committee of the Whole, 4/25/2022);

Action was **tabled** on an Ordinance Amending Title 4, Chapter 4, Section 11 of the Spencer City Code Concerning Wastewater Service Charges, 1st Filing (Finance Committee 4/18/2022 and Committee of the Whole, 4/25/2022);

It was moved by Council Member Orrison, seconded by Council Member Larsen to Approve Professional Services Contract with Kruse, Cate & Nelson, PC for 2022 Riverview Cemetery 5th Addition Platting Project. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Nelson, seconded by Council Member Wunschel to Approve Professional Services Contract with Kruse, Cate & Nelson, PC for 2022 West Leach Park Trail Bridge Bank Stabilization Project. 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 Professional Services Contract with Kruse, Cate & Nelson, PC for 2022 Spencer Library Roof Replacement Project. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Nelson, seconded by Council Member Reit to Approve Change Order #3 for Fire Engine Unit #992 from Feld Fire, for an increase of \$13,538.17, for a heat pan, pump compartment heater and gasket installation and slide out compartment drawers. 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 Wunschel to Approve Permanent Drainage Easement, Temporary Construction Easement and SRF Grass Swale Maintenance Agreement with Quality Refrigerated Services, in conjunction with the 2022 North Water Quality Project. The motion was declared carried when all Council Members present voted aye on voice call vote.

Department Head Reports

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

Engineer's Reports:

City Manager's Report:

Mayor's Report:

Council Committee Reports:

Upcoming Meetings:

- Park, Rec & Culture Committee Meeting, 5/10/2022, 5:00 P.M.
- Regular City Council Meeting, 5/16/2022, 6:30 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:

It was moved by Council Member Orrison, seconded by Council Member Nelson to go into closed session under Iowa Code Section 21.5 (j) regarding purchase or sale of particular real estate. The motion was declared carried when all Council Members present voted aye on voice call vote.

Closed session began at 7:55 o'clock P.M.

The City Council Meeting returned to open session at 9:36 o'clock P.M.

It was moved by Council Member Orrison and seconded by Council Member Larsen to adjourn the meeting of the Spencer City Council at 9:36 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.

5-2-2022 Claims		
Vendor Name	Payable Description	Total Payments
A & M Inc	laundry service	233.80
ABM Equipment & Supply LLC	seal kit	143.01
Alex Air Apparatus Inc	supplies	288.00
Alpha Wireless Communications Co	camera docks	1,551.50
Amazon Capital Services	supplies	4,247.50
Arnold Motor Supply LLP	starter	792.47
Baker & Taylor	books	165.57
Black Hills Energy	utilities	209.56
Bolton & Menk Inc	eng service	350.00
Bomgaars	supplies	288.89
C & B Operations LLC	snap ring	4.42
Campbells Tree Service	tree trimming	1,870.00
Carroll Construction Supply	epoxy	266.47
Christiansen Construction Company	pay est #13	434,384.49

Clay County Auditor	local option sales tax	22,956.69
Clay County Regional Event Center	monthly contribution	4,166.66
Cooperative Energy Company	fuel nozzle	54.95
Cory Juergens Construction LLC	pay estimate #1	22,752.50
Culligan of Spencer	water	52.95
Dave's Sand & Gravel, Inc.	golf sand	1,464.65
Dockendorf Equipment Co Inc	parts	9,569.78
Ecolab Pest Elimination	pest control	125.29
Emagine	web updates	25.00
Emmet County Sheriffs Office	vest	262.33
Employee Benefit Services	mo group ins	134,094.90
Fairchild Manufacturing Inc	repair	2,777.22
Fire Service Training Bureau	training	100.00
Fleetpride Inc	freon	351.80
Frederick, Michael	books	40.00
Gale/Cengage Learning	books	313.91
Goodyear Tire & Rubber Company	tires	1,783.73
Graettinger Hardware	parts	94.28
Graham Tire Company of Spencer Inc	tire mount	467.24
Gregs Repair	wheels	69.50
Hansons Plumbing & Heating Inc	furnance repair	170.00
Hare Painting & Sandblasting	rims painted	180.00
Hydraulic Solutions	repair	1,060.08
Hy-Vee Food Stores #1636	snacks	31.97
Ingram Library Services	books	926.57
Iowa Department of Transportation	clean up	440.94
Iowa Lakes Community College	training	30.00
Iowa Workforce Development-Tax Bureau	unemployment claims	17,957.91
Jacks Uniforms & Equipment	uniforms	530.58
Janitors Closet	golf supplies	173.88
Johnston Automotive	brakes	386.69
Kimball Midwest	parts	72.88
Knight Protection Inc	alarm testing & inspection	480.00
Koenig Portable Toilets	Stolley	2,123.00
Kristat Auto Parts LLC	parts	54.67
Leading Edge Aviation Inc	monthly fee	4,143.88
Loffler Companies Inc	copier contract	630.40
Lube Tech	hydraulic fluid	720.68
MacQueen Equipment LLC	fill hose	221.04
Menards -Spencer	supplies	727.98
Michael Todd & Company	wire	664.70
Michaels Fence & Supply Co	gate fencing	298.48

Mid Country Machinery Inc	fuel tank	109.43
Mr Drain Man LLC	line replacement	235.00
Napa Auto Parts	parts	1,667.80
New Cooperative Inc	fuel vehicles	9,218.21
North Central International, Inc.	control lever	443.29
Northern Lights Distributing Inc	food	425.37
Northern Safety & Industrial Co	supplies	138.39
Northwest Glass LLC	Lexans	120.50
Northwest Iowa League of Cities	Registration	20.00
Palo Alto County Soil & Water Conservation	trees	98.00
Palo Alto County Solid Waste	E waste	667.50
People for Pets	monthly agreement	600.00
Peterbilt of Sioux City	cap	26.40
Petty Cash - Police Dept	cig compliance	13.44
Pixler Electric	street light replacement	282.86
Plumbing & Heating Wholesale Inc	parts	326.88
Pratt, Brice	tobacco compliance check	25.00
Productivity Plus Account/Spencer Red Power	wire harness	315.00
Ricks Pest Control	insect control	45.00
River Valley Telecommunications Coop	phone/internet/office	96.56
Schoeneman Bros Company	pump	3,146.40
Secure Shred Solutions LLC	shredding	104.00
Sherwin Williams	pain supplies	57.35
Sioux Sales Company	CH Armor System	8,461.68
Site Services Inc	asbestos inspection	685.00
Spencer Ag Center LLC	field chalk	890.10
Spencer Chamber of Commerce	programming	200.00
Spencer Community Schools	local option sales tax	42,634.51
Spencer Municipal Hospital	drug screens	1,545.57
Spencer Office Supplies	supplies	1,448.55
Storm Lake Hydraulics	repair	1,014.75
The Cartridge Connection Inc	laser cartridge	359.85
The Retrofit Companies Inc	recycling	5,026.10
Titan Machinery/Productivity Plus Account	brake pads	548.25
TNT Brush	supplies	100.00
United Rotary Brush Corporation	rear sweeper brooms	1,210.08
Unity Point Clinic-Occupational Medicine	drug screens	1,386.00
VanWall Equipment Inc	parts	28.44
Veolia Water North America	operating contract	73,942.72
Visa (Admin)	conference	1,329.49
Visa (Fire)	hotels	627.70
Visa (Golf)	equipment	1,226.89

Visa (Landfill)	class	200.00
Visa (Library)	camera/speaker	2,410.67
Visa (Police)	LED Outfitters	2,503.40
Visa (Public Works)	replacement pump	947.59
Zimco Supply	deluxe ball washers	508.75

Fund Summary	Payment Amount
Fund	
001 - GENERAL FUND	62,249.43
049 - DRUG EDUCATION	24.55
050 - POLICE RESERVE	10,013.18
085 - HOTEL/MOTEL TAX	4,166.66
092 - TECHNOLOGY FUND	26.92
114 - UNEMPLOYMENT	17,957.91
115 - GROUP INSURANCE	134,094.90
124 - LOCAL OPTION SALES TAX	59,688.31
300 - CAPITAL IMPROVEMENT	457,486.99
620 - SANITARY SEWER	77,645.46
660 - AIRPORT ENTERPRISE	5,039.17
670 - SOLID WASTE	8,130.55
673 - LANDFILL	7,360.01
682 - ENVIRONMENTAL MANAGEMENT	234.06
690 - REGIONAL COLLECTION CENTE	807.23
949 - CENTRAL GRAGE	838.53
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	845,763.86