

Committee of the Whole Meeting

Monday, May 16, 2022
5:30 P.M.
Council Chambers, City Hall
101 W. 5th Street
Spencer, Iowa

COMMITTEE MEMBERS:

Steve Bomgaars, Mayor
Tom Nelson
Bill Orrison
Tracey Larsen
Donavon Wunschel
Ron Hanson
Loren Reit
Brian Balk

1. Call to Order
2. Discussion with representative from Kwik Star;
3. Items for Future Agendas;
4. Adjourn;

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

REGULAR SPENCER CITY COUNCIL MEETING

Monday, May 16, 2022

6:30 P.M.

Council Chambers, City Hall

101 W. 5th Street

Spencer, Iowa

1. Pledge of Allegiance

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

3. Consent Agenda:

A. Motion: [Approve City Council Minutes of May 2, 2022;](#)

B. Licenses: Approve Renewal of Class C Liquor License with Outdoor Service and Sunday Sales for **Clay County Fair Association**, Renewal of Class E Liquor, Class C Beer, Class B Wine, Sunday Sales and Ownership Update for **Caseys #1894** at 800 S. Grand Ave., and Renewal of Class C Native Wine, with Outdoor Service and Sunday Sales and Extended Outdoor Service Area for Flagfest for **Century Farms Distillery**; all subject to final approval by Iowa ABD;

C. Motion: [Approve Municipal Band Performance](#) and Funding Agreement for 2022 Season;

D. Motion: [Approve Release of Real Estate Mortgage for 1425 3rd Avenue West](#), from 2001 CDBG Home Rehabilitation Program;

E. Roll Call: [Resolution Approving Contract and Performance Bond](#) for 2022 NPRL Intermediate Cover Project with Leroy and Sons, Inc.;

F. Roll Call: [Resolution Setting a Hearing and Directing Publication of Notice](#) on a Proposed Text Amendment to Title 9, Chapter 2, Section 1 of the Spencer Zoning Code to Adopt a Definition of ‘Dwelling, Tri-Plex’ and Also Amending Title 9, Chapter 3, Section 1, Subsection (A) of the Spencer Zoning Code to Allow ‘Dwelling, Tri-Plex’ to be Allowed as Permitted Use in the ‘A’ Residential Zoning District; (Hearing Date: June 6, 2022, 6:30 P.M.)

4. Public Hearings:

A. Public Hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for Construction of the 2022 North Water Quality Project;

- 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: Resolution Finally Approving and Confirming Plans, Specifications and Form of Contract for 2022 North Water Quality Project;
 2. Engineers, Kruse, Cate & Nelson Review Bids Received on 5/12/2022;
 3. Motion to Table Action on Awarding Contract;

Or

4. Roll Call: Resolution Awarding Contract for 2022 North Water Quality Project;
5. Motion: Approve Permanent Drainage Easement, Temporary Construction Easement and SRF Grass Swale Maintenance Agreement with Iowa Lakes Community College, in conjunction with the 2022 North Water Quality Project;

B. Public Hearing on Amendment to Current Budget for Fiscal Year Ending June 30, 2022;

- 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: Resolution Amending the Current Budget for Fiscal Year Ending June 30, 2022;

5. Old Business:

6. New Business:

- A. Roll Call: [An Ordinance Amending Title 4, Chapter 5, Section 21](#) of the Spencer City Code Concerning Solid Waste Rates and Charges, (Finance Committee and Committee of the Whole) 1st Filing;
- B. Roll Call: [An Ordinance Amending Title 4, Chapter 4, Section 11](#) of the Spencer City Code Concerning Wastewater Service Charges, (Finance Committee and Committee of the Whole) 1st Filing;
- C. Roll Call: [An Ordinance Adopting Title 8, Chapter 1, Section 8](#) of the Spencer City Code Concerning Use of City Real Property and Easements (Committee of the Whole), 1st Filing;
- D. Motion: [Approve Change Order No. 1 for the Cotton's First Storm Sewer](#) Extension Project, for \$13,050, to place and compact excess soil on Lots 5-7 in the Green Industrial Park;
- E. Roll Call: [An Ordinance Amending Title 5, Chapter 5, Section 3](#), Subsection E of the Spencer City Code, Concerning Commercial Pesticide and Herbicide Application (Park, Recreation & Culture Committee), 1st Filing;
- F. Motion: [Approve Iowa Department of Transportation Agreement](#) for Urban-State Traffic Engineering Program (U-STEP) Project for Grand Avenue Signal Equipment Upgrades;
- G. Motion: [Approve Iowa Opioid Allocation Memorandum](#) of Understanding for Allocation of Opioid Class Action Suit Settlement Proceeds;
- H. Motion: [Approve City of Spencer Job Description for Full Time Cemetery Technician](#);
- I. Motion: [Approve City of Spencer Employee Handbook Edits](#), effective July 1, 2022 (Personnel Committee);
- J. Motion: [Approve Amended City of Spencer Healthy Life Program](#);
- K. Roll Call: [Resolution Awarding Contract for 2022 Rocket Slide Restoration Project](#) to Midstate's Builders for \$32, 054.00 (Park, Recreation & Culture Committee and Park Board);
- L. Motion: [Approve Change Order #1 to 2021 Spencer Police Department Parking Lot](#) Replacement Project, for \$6459.76, to remove and replace the remaining driveway pavement between the Spencer PD and the SMU Plant Building;
- M. Motion: [Approve the Purchase Agreement with Three Pines Properties, LLC](#) and Sandra Thiesen for the City of Spencer's Purchase of Parcel B of the Northwest Quarter of the Southwest Quarter (NW ¼ SW 1/4), Section 6, Township 96 N, Range 36 West of the 5th P.M. (5.686 acres), Clay County, Iowa for \$250,000;

7. Engineer's Report:

8. City Manager's Report:

9. Mayor's Report:

10. Council/Comm. Reports:

Upcoming Meetings:

-NW Iowa League of Cities Meeting, 5/19/2022, Storm Lake

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

11. Motion: [Approve Bills and Claims](#);

12. Other Business/Opportunity to Address the Council;

13. Adjourn;

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