

# REGULAR SPENCER CITY COUNCIL MEETING

**Monday, August 1, 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. Consent Agenda:

A. Motion: [Approve City Council Minutes of July 18, 2022;](#)

B. Licenses: None

C. Motion: [Approve Residential Tax Abatement Application for Jimmy Sassman](#), 813 6th Ave SW;

D. Motion: [Approve Purchase of Remanufactured Landfill Compactor](#) from Tri County Equipment and Repair, Pierson, MI for \$539,600 (CIP Item);

E. Motion: [Approve WWTP Roof Storm Damage Replacement](#), H&S Roofing Company, Spencer, IA for \$27,440;

F. [Resolution to Provide for a Notice of Hearing](#) on Proposed Plans and Specifications, Form of Contract and Estimate of Cost for 2022 Spencer Grand Ave. Traffic Signal Equipment Upgrades (Hearing Date August 15, 2022) (Bid Date August 16, 2022 IDOT);

## 4. Public Hearings:

A. [Public Hearing on Plans & Specs, Form of Contract](#) for 2022 25th St. & 11th Ave SW Sewer Extension 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, form of contract and estimate of cost for the 2022 25th Street & 11th Avenue SW Sewer Extension Project;

2. Approve a Utility Easement and Temporary Construction Easement from Eckhart Land Co. for the 2022 25th Street & 11th Avenue SW Sewer Extension;
3. Review bids received for the 2022 25th Street & 11th Avenue SW Sewer Extension Project on July 28, 2022 (Kruse, Cate & Nelson);
4. Motion: Table action on bids;

OR

5. Roll Call: Resolution awarding contract for the 2022 25th Street & 11th Avenue SW Sewer Extension Project;

**B. Public Hearing on Proposal to Enter into an Amended Sewer Revenue Loan and Disbursement Agreement and to Borrow Money Thereunder in a Principal Amount not to Exceed \$3,271,000;**

- 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 authorizing and approving an amended Loan and Disbursement Agreement and providing for the issuance and securing the payment of \$3,262,000 Taxable Sewer Revenue Improvement and Refunding Bonds, Series 2022;

**C. Public Hearing on Development Agreement with William J. Muller Revocable Trust, Including Annual Appropriation Tax Increment Payments;**

- 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 Approving Development Agreement with William J. Muller Revocable Trust, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement;

**D. Public Hearing on Proposed Text Amendment to Title 6, of the Spencer City Code by Adopting a New Title 6, Chapter 4, Section 11, Entitled “Urban Chickens”, as recommended by Planning & Zoning Commission;**

- 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 6 of the Spencer City Code by Adopting a New Title 6, Chapter 4, Section 11, Entitled “Urban Chickens”, 1st Filing;

**5. Old Business:**

A. Roll Call: [Ordinance Amending Title 7, Chapter 8](#), by Adopting Provisions Regulating the Operation of Electric Stand Up Scooters, Final Filing;

B. Roll Call: [Ordinance Providing for the Division of Taxes Levied](#) on Taxable Property in the July, 2022 Addition of the Spencer Consolidated Urban Renewal Areas, Pursuant to Section 403.19 of the Code of Iowa, 2<sup>nd</sup> Filing;

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

2. Roll Call: Ordinance Providing for the Division of Taxes Levied on Taxable Property in the July, 2022 Addition of the Spencer Consolidated Urban Renewal Areas, Pursuant to Section 403.19 of the Code of Iowa, Final Filing;

**6. New Business:**

A. Motion: [Approve Amended Planning Director Job Description](#) (Personnel Committee);

B. Motion: [Approve Agreement with Robert Mahan](#) for Removal of 24’ by 20’ Building at 2979 River Road, Graettinger, IA (Landfill) for \$3,000;

C. Motion: [Approve Agreement with Heartland Contracting, LLC](#) for Removal of Garage Structure at 2979 River Road, Graettinger, IA (Landfill) for \$1,000;

D. Roll Call: [Resolution Accepting Work Covering the 2021](#) Spencer Substandard Housing Rehabilitation Program, Project #11;

E. Motion: [Approve Electronic Waste Service Agreement](#) between The City of Spencer and The Retrofit Companies, Inc. for a term of one year beginning August 1, 2022 and ending on July 31, 2023 with options to renew annually;

F. Motion: [Approve 28 E Agreement](#) between the City of Spencer, Clay County and the Iowa State Patrol for use and maintenance of Clay County’s new gun range;

G. Motion: [Approve Fire Department A/C Repairs](#) with Christian Sheet Metal, Spencer, IA for \$9,573;

**7. 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
- I. Human Resources

**8. Engineer's Report:**

**9. City Manager's Report:**

**10. Mayor's Report:**

Motion to approve John Curran to the Planning & Zoning Commission to replace Cara Elbert, term expires 6/30/2027;

**11. Council/Comm. Reports:**

Upcoming Meetings:

- Regular City Council Meeting 8/15/2022, 6:30 P.M.
- Facility Tour

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

**13. Other Business/Oppportunity to Address the Council;**

**14. Adjourn;**

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