

**Committee of the Whole**  
**Monday, June 5, 2023**  
**5:30 P.M.**  
**Council Chambers, City Hall**  
**101 W. 5<sup>th</sup> Street**  
**Spencer, Iowa**

COMMITTEE MEMBERS:

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

1. [Development Agreement with Family Dollar;](#)
2. [Workforce Housing Tax Incentive Program Participation Discussion;](#)
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, June 5, 2023  
6:30 P.M.  
Council Chambers, City Hall  
101 W. 5<sup>th</sup> Street  
Spencer, Iowa**

**1. Pledge of Allegiance**

**2. Roll Call:**

**3. Presentations:** Spencer Chamber, Sheriffa Jones, Executive Director

**4. Consent Agenda:**

A. Motion: [Approve City Council Minutes of May 15, 2023](#);

B. Licenses: Approve Renewal of Class E Retail Alcohol License for Brew Oil #32; Renewal of Class E Retail Alcohol License for Casey's General Store #2877, Renewal of Class E Retail Alcohol License for Casey's General Store #2902, Renewal of Class E Retail Alcohol License for Wal-Mart Supercenter #2714 and Outdoor Service Amendment for Iowa Project Brewing Company for June 9-11, June 16-18, June 23-25 and July 28-30; all subject to final approval by Iowa Alcoholic Beverage Division;

C. Motion: Approve Tobacco Permits, effective 7/1/2023 for C's Liquor, Car-Go Express, Casey's #1894, Casey's #2902, Casey's #2877, Brew Oil #31, Brew Oil #32, Brew Oil #40, Fareway Stores, Inc., Hy-Vee Store, Hy-Vee Gas, Tobacco Vape & ECIG, Smoke Stop, Walmart #2714 and Walgreens #11153;

D. Roll Call: [Resolution Authorizing Permanent Transfer of Funds](#) for Month Ending May 31, 2023;

E. Motion: [Approve Shredding Agreement](#) with Secure Shred Solutions for City Hall and Spencer Police Department;

F. Motion: [Approve Managed Service Agreement](#) with Solutions in the amount of \$27,552 for City of Spencer and \$16,584 for Spencer Police Department;

G. Motion: [Approved Residential Tax Abatement for IGL Construction LLC](#), Lot 18, Westfield by IGL 1st Addition;

H. Roll Call: [Resolution Authorizing and Directing the Temporary Closing of Portions of City Alley](#) on June 9-11 and June 16-18 from 10:00 A.M. - 10:00 P.M. for a Special Event; requested by the Iowa Project Brewing Company;

I. Motion: Approve Peterson Contractors, Inc., Diamond Concrete & Construction Inc., Lakeside Construction Inc., and Service Signing LC as Subcontractors for 2023 Woodland Avenue Culvert Replacement Project;

J. Roll Call: [Resolution Authorizing and Directing the Temporary Closing of the Alley](#) South of Weasy's Lounge & Grille, 216 Grand Ave. in the City of Spencer,, as requested by Arnold Motor Supply for a Welcome Reception, Wednesday, September 6, 2023 from 4-9 P.M.;

**5. Public Hearings:**

**A. Public Hearing on Exchange of Real Property between the City of Spencer and Dallas J. Merten and Melissa Merten, and Clay County;**

- 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 the Exchange of Real Property](#) between the City of Spencer and Dallas J. Merten and Melissa Merten, and Clay County;

**B. Public Hearing on the Plans and Specifications, Forms of Contract and Estimate of Cost for the 2023 Landfill Cell E1 Expansion 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, Specification](#), Form of Contract and Estimate of Cost for the 2023 Landfill Cell E1 Expansion Project;

2. [Engineers Kruse, Cate & Nelson Review Bids Received on 5/25/2023](#)

3. Motion to Table Action on Awarding Contract

OR

4. Roll Call: [Resolution Awarding Contract and Approving Change Order No. 1](#) for 2023 Landfill Cell E1 Expansion Project;

**6. Old Business:**

## 7. New Business:

- A. Motion: [Approve Development Agreement with Family Dollar](#);
- B. Motion: [Approve Final Plat for Family Dollar First Addition](#);
- C. Motion: [Approve Wage Study from Cottingham & Butler in the amount of \\$12,500](#);
- D. Roll Call: [Resolution Awarding General Obligation Urban Renewal Bonds](#), Series 2023A;
- E. Roll Call: [Resolution Awarding Taxable General Obligation Urban Renewal Bonds](#), Series 2023B;
- F. Roll Call: [Resolution Authorizing Adoption of Policies and Procedures](#) Regarding Municipal Securities Disclosure (Recommendation from Finance Committee 6/2/2023);
- G. Motion: [Approve Quotes for Demolition and Removal of Unsafe Structure](#) at 617 E 10th St. (Muddy Creek Contracting Quote for \$10,500 to cap utilities, demolition of house and fill and grade the lot and Site Services Inc. Quote for \$21,280 for asbestos abatement and disposal);
- H. Motion: [Approve Agreement with Winther Stave & Co](#) for Auditing Services and Authorize Mayor and City Clerk to Execute Agreement for Services (Recommendation from Finance Committee 6/2/2023);
- I. Motion: [Approve Professional Services Contract with Kruse, Cate & Nelson, PC](#) for 2023 West 18th Street Sanitary Sewer Extension Project;
- J. Motion: [Approve Amendment No. 1 to the Agreement for Engineering Services](#) for the 2022 25th Street SW Sanitary Sewer Extension Project with Kruse, Cate & Nelson for an increase of \$20,270;
- K. Motion: [Approve Change Order No. 1 for North Y Gateway Improvements Project](#);
- L. Motion: [Approve Purchase of 3 Dump Trailers from Country Trailers](#), Lemars, IA in the amount of \$13,350 and 2 Stand on Bobcat 36" Deck Mowers with Mulch Kits from Builders Sharpening & Service, Cherokee, IA for \$16,123 for the Cemetery;
- M. Motion: [Approve Purchase of Heat](#) Exchanger for Aquatic Center with Copper Cottage in the amount of \$26,871;
- N. Roll Call: [Resolution in Support of a Workforce Housing Tax Credit Benefit](#) Application to be Submitted to the Iowa Economic Development Authority by Jeremy & Jessica Kelley for a Housing Project at 17 & 19 W 4th St.;

## 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
- I. Human Resources

**9. Engineer's Report:**

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

**11. Mayor's Report:**

Motion: Approve the following Board and Commission Appointments, effective July 1, 2023;

- Airport Board, Mike Peterson, Term Expires 6/30/27
- Collection Rate Review, Brian Balk, Term Expires 6/30/27
- Golf Board, Dylan Dykstra, Term Expires 6/30/27
- Golf Board, Cindy Tigges, Term Expires 6/30/24
- Golf Board, Deb Jostand, Term Expires 6/30/27
- Historic Preservation, Tom Howe, Term Expires 6/30/26
- Historic Preservation, Eric Johannsen, Term Expires 6/30/26
- Historic Preservation, Adam Van Gorp, Term Expires 6/30/26
- Planning & Zoning, Natasha Mohror, Term Expires 6/30/28
- Planning & Zoning, Joe Weber, Term Expires 6/30/26
- Utilities Board, Jill Davis, Term Expires 6/30/29
- Zoning Board of Adjustment, Kellie Beneke, Term Expires 6/30/28
- Zoning Board of Adjustment, William McAlpine, Term Expires 6/30/28

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

Upcoming Meetings:

- Regular City Council Meeting, 6/19/2023, 6:30 P.M.

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

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

*Any member of the public who would like to address the Council for items not on the agenda are asked to approach the podium and wait to be recognized. After recognition, the person shall state their name and address for the record. Statements or questions should be limited to 5 minutes.*

**15. Motion:** Closed Session: Pursuant to Section 21.5 (j) of the Iowa Code regarding purchase or sale of particular real estate;

**16. Adjourn;**

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