

**SPENCER CITY COUNCIL MEETING**

**July 16, 2018**

**SPENCER, IOWA**

The City Council of the City of Spencer, Iowa, met on the 16<sup>th</sup> day of July, 2018, 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 Kevin Robinson, in the Chair and the roll being called, the following Council Members were present:

Present: Petska, Orrison, Bomgaars, Jacobsen, Hanson, Prentice, Moriarty

Absent: None

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

Approve Minutes of July 2, 2018;

Licenses; Approve Class C Beer Permit with Sunday Sales for **Dyno's #31** and Class C Beer Permit with Sunday Sales for **Dynos #32**; both subject to final approval by Iowa Alcoholic Beverages Division;

**RESOLUTION NO. 5806 ADOPTING FINAL ASSESSMENT SCHEDULE FOR THE NUISANCE ABATEMENT AND CONFIRMING AND LEVYING THE ASSESSMENTS (Snow Removal)**

Approve purchase of Air Conditioning Unit for East Leach Park Enclosed Shelter-house from Hanson Plumbing & Hearing for \$14,910, with electrical work from Pixler Electric for \$1830 (CIP Project);

**RESOLUTION NO. 5807 A RESOLUTION TEMPORARILY CLOSING THE SOUTH 125 FEET OF CITY PARKING LOT #5 AND THE SOUTH 125 FEET OF THE ALLEY ADJACENT TO THE PARKING LOT (LOCATED BETWEEN GRAND AVENUE AND EAST 1<sup>ST</sup> AVENUE, NORTH OF EAST 4<sup>TH</sup> STREET) ON SATURDAY, SEPTEMBER 29, 2018 FROM 2:00 P.M. THROUGH 10:30 P.M. FOR THE "FALL INTO A.R.T.S. EVENT".**

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

Ayes: Petska, Orrison, Bomgaars, Jacobsen, Hanson, Prentice, Moriarty

Nays: None

Whereupon, the Mayor declared the motion carried

The Mayor announced that this was the time and place set for a Public Hearing on Proposed Plans, Specifications, Form of Contract and Estimate of Cost of 2018 East 4<sup>th</sup> Street Utility Extension Project;

The Mayor declared the Public Hearing Open.

Written Comments Against:

None

Oral Comments Against:

None

Written Comments in Favor:

None

Oral Comments in Favor:

None

The Mayor declared the Public Hearing Closed.

Council Member Hanson introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Bomgaars; 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: Petska, Orrison, Bomgaars, Jacobsen, Hanson, Prentice, Moriarty

NAYS: None

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

**RESOLUTION NO. 5808 FINALLY APPROVING AND CONFIRMING PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR 2018 EAST 4<sup>TH</sup> STREET UTILITY EXTENSION PROJECT;**

It was moved by Council Member Orrison, seconded by Council Member Moriarty to table action on awarding contract for 2018 East 4<sup>th</sup> Street Utility Extension. 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 Jacobson; 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: Petska, Orrison, Bomgaars, Jacobsen, Hanson, Prentice, Moriarty

NAYS: None

Thereupon, the resolution was declared adopted, as follows:

**RESOLUTION NO. 5810 A RESOLUTION OF THE CITY OF SPENCER, IOWA, AUTHORIZING THE ACCEPTANCE OF BIDS FROM CONTRACTORS FOR PROPERTY "17-HSG-018-A" AND "17-HSG-018-B" AS PART OF THE SPENCER OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM.**

It was moved by Council Member Orrison, seconded by Council Member Prentice to Approve removal and disposal of Nuisance at 810 E. 11<sup>th</sup> Street, per Spencer Code Section 4-1-9. 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 Moriarty to Approve removal and disposal of Nuisance at 702 6<sup>th</sup> Avenue West, per Spencer Code Section 4-1-9. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Jacobsen, seconded by Council Member Petska to Approve 2018 East 4<sup>th</sup> Street Utility Extension Project Water Line Reimbursement Agreement with Spencer Municipal Utilities. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Petska, seconded by Council Member Orrison to Approve Purchases for EMS Park Recycling and Trash Receptacles and Pet Waste Station Project, as follows. Receptacle Sets from Belson Outdoors for \$27,991.22; Recycling center materials from Menards for \$986.28; Recycling Center Signage from S&S Graphics for \$1,800.00; Pet Stations from Dog Waste Depot for \$4,799.76. 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 Bomgaars to Approve Professional Services Agreement with Toyer Strategic Consulting for \$24,317.08. 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 Moriarty to table action on Downtown Cultural Facility Proposal with McClure Engineering Company for \$38,000. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Moriarty introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Petska; 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: Petska, Orrison, Bomgaars, Jacobsen, Hanson, Prentice, Moriarty  
NAYS: None

Thereupon, the resolution was declared adopted, as follows:

**RESOLUTION NO. 5811 RESOLUTION APPROVING A CONTRACT AND PERFORMANCE AND/OR PAYMENT BOND FOR THE IOWA GREAT LAKES TRAIL PROJECT, PHASE II (Howrey Construction for \$1,692,190.75)**

The City Council took up the proposed 2018 18th Avenue West Storm Sewer Extension Project. Council Member Orrison moved the adoption of a preliminary resolution pursuant to Section 384.42 of the Code of Iowa. The motion was seconded by Council Member Jacobsen and passed with record vote as follows:

Ayes: Petska, Orrison, Bomgaars, Prentice, Moriarty, Jacobson, Hanson

Nays: None

The Mayor then declared the resolution adopted, as hereinafter set out.

**RESOLUTION NO. 5812 PRELIMINARY RESOLUTION PURSUANT TO SECTION 384.42 OF THE IOWA CODE COVERING THE 2018 18TH AVENUE WEST STORM SEWER EXTENSION PROJECT**

The City Clerk stated that the Project Engineers had completed and filed the plat. The City Council reviewed the proposed valuation of each lot within the assessment district and confirmed that such valuations should be included on the schedule to be filed.

The City Clerk stated that the Project Engineers had prepared and filed preliminary plans and specifications, an estimated total cost of the work and the plat and schedule, as directed in the preliminary resolution just adopted.

Thereupon, Council Member Hanson proposed the adoption of the resolution approving and adopting the said preliminary plans and specifications, and plat and schedule and estimate of cost pertaining to such Project. The motion was seconded by Council Member Bomgaars and passed with record vote, as follows:

Ayes: Petska, Orrison, Bomgaars, Prentice, Moriarty, Jacobson, Hanson

Nays: None

Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out.

**RESOLUTION NO. 5813 RESOLUTION APPROVING AND ADOPTING  
PRELIMINARY PLANS AND SPECIFICATIONS, ESTIMATE OF COST AND PLAT  
AND SCHEDULE**

Council Member Prentice introduced a proposed resolution of necessity covering the 2018 18th Avenue West Storm Sewer Extension Project which is hereinafter set out, and moved that a public hearing be held on the proposed Resolution of Necessity on August 20, 2018, at 6:30 o'clock p.m. at the Council Chambers, City Hall, and that the City Clerk be authorized and directed to give notice of the public hearing by publication and mailing, as required by Section 384.50 of the Code of Iowa and that the notice be in substantially the form set out in these proceedings. The motion was seconded by Council Member Moriarty, and, after due consideration, the Mayor put the question on the motion and, the roll being called, the City Council Members named voted as follows:

Ayes: Petska, Orrison, Bomgaars, Prentice, Moriarty, Jacobson, Hanson

Nays: None

Whereupon, the Mayor declared the motion carried.

The Council took up and considered the proposed 2018 18<sup>th</sup> Avenue West Storm Sewer Extension Project. Council Member Petska introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member Jacobsen. After due consideration thereof by the Council, the Mayor put the question upon the adoption of the said resolution and the roll being called, the following named Council Members Voted:

Ayes: Petska, Orrison, Bomgaars, Prentice, Moriarty, Jacobson, Hanson

Nays: None

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

**RESOLUTION NO. 5814 RESOLUTION TO PROVIDE FOR A NOTICE OF HEARING  
ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE  
OF COST FOR THE 2018 18TH AVENUE WEST STORM SEWER EXTENSION  
PROJECT, AND THE TAKING OF BIDS THEREFOR**

**Engineer's Reports:**

**City Manager's Report:**

**Mayor's Report:**

**Council/Committee Reports:** Progress & Development, 08/06/2018, 5:15 P.M., Finance & Personnel 08/06/2018 following Progress & Development.

It was moved by Council Member Prentice, seconded by Council Member Orrison to approve the Bills and Claims and Funds Transfers. 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 Jacobsen and seconded by Council Member Orrison to adjourn the meeting of the Spencer City Council at 7: 07 o'clock P.M. The motion was declared carried when all Council Members present voted aye on voice call vote.

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Kevin Robinson, Mayor

ATTEST:

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Theresa E. Reardon, City Clerk

(SEAL)

**Claims July 16, 2018**

<u>VENDOR SORT KEY</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
A & M Inc	laundry svce	434.39
AED Superstore	aed batteries	1,885.00
AFLAC	aflac insurance	1,024.77
Advanced Door System	garage door opener quonset	1,314.00
AgSource Laboratories	pool water test	25.50
Airgas North Central	helmet replacement lens	110.34
Alliant Energy/ILP	street lighting 6/4-7/3	286.89
Alpha Wireless	radio maint agmt/parts	2,476.21
Anderson, Chris	2018 boot allowance	60.98
Animal Medical Center PC Hartley/Spenc	june - animal control	1,542.66
Arch Chemicals Inc	pool repair parts, checmicals and svce	792.29
Arnold Motor Supply	misc parts/supplies	1,149.70
Atlantic Coca-Cola	concession supplies	263.85
Baker & Taylor	childrens books	172.02
Biblionix	apollo contract	3,021.00
Black Hills Energy	monthly utility charges	4,294.20
Boji Welding & Services	pump adapter - welding rep	276.06
Bomgaars	misc parts/supplies	615.50
Bryan Rock Products Inc	fc - park	17.48
Bubbles/Bee Kleen	rugs	36.70
Buds Service Inc	towing-june	1,575.00
Canon Financial Services LLC	coier maintenance	192.00
Carey's Electronics	sound equip repair	435.40

Carroll Construction Supply	misc parts/supplies	352.35
Central Payment	credit card processing	1,630.41
Certified Testing Services Inc	18th st trail-concrete tes	3,773.25
Christians Sheet Metal HVAC Inc	a/c repair	353.85
Clay County Recorder	nuisance/easement	61.00
Clay County Sherriffs Office	garnishment	211.98
Clay County Treasurer	pool inspection	493.00
Coffman's Locksmith Shop	key duplicate	33.00
Colonial Life Insurance	colonial life insurance	132.64
Consumer Lumber Company	lumber matl/repair lawn	355.14
Cooperative Energy Company	fuel	3,760.14
Crescent Electric	electrical supplies	10,359.57
Dels Garden Center	july maintenace-grand ave	1,595.00
Department of Human Services	child support payments	981.68
Department of the Treasury	2nd qtr fed excise tax-720	198.88
Don Pierson Ford	misc parts/supplies	396.36
E M S Auto Parts/Emmertsburg Auto Plus	grommet u #865	2.58
E-Pride Office Products	ink cartridge	39.99
Ecolab Pest Elimination	pest control-airport 6/21/	125.29
Elliott Equipment Co	skid for root cutter	179.00
Elm USA Inc	disc cleaner contract may-july	210.00
Emagine	website annual registratio	51.00
Emmetsburg Reporter Democrat	landfill dump truck dispos	284.00
Emmetsburg Swanson Hardware	for sale sign	1.49
	depend flex/vol life ins/midical flex/group ins	
Employee Benefit Services	flex	12,753.62
Employment Publishing	classified - police invest	474.24
Fareway Stores Inc #788	gatorade/water -flood work	32.61
Farmers Trust & Savings Bank	payroll taxes	48,163.53
Feld Fire	foam/bail handle	1,114.50
Fire Proof Plus Inc	fire extinguisher inspecct	254.50
Fleetpride	brake shoes	189.42
Fox International Inc / NCI	misc parts/supplies	1,871.70
Gale/Cengage Learning	lp books	641.72
Galens Pro Mow LLC	2 cycle oil	38.52
Graettinger Hardware	life station #3 - Anchor	2.98
Graham Tire Center	tire repairs/tires	1,445.96
Grainger	pump/fitting-lift st #3	1,860.78
Great Cycle	dvd cases	218.12
Greg's Repair	pole saw ignition	57.75
HLW Engineering Group	ground water testing	3,300.00
Hallett Materials	asphalt cold mix	1,316.70
Harrison Truck Centers	muffler & clamps u #807	203.63
Heat Tactical Team	heat dues 2018	2,195.00
Heller Enterprise LLC DBA Northwest Io	grand irrigation	6,087.42
Hemphill Law Office PLC	june 18 legal services	3,201.98
IA CMA	iacma dues 18/19 mack	250.00
ICAN	advertising	500.00
ICMA Retirement Trust - 457	icma	360.00
IPERS	ipers	21,795.15

Imagine Video Productions	dvd	54.00
Ingram Library Services	adult books	132.24
Iowa Communication Networks	telephone icn	12.35
Iowa Department of Agriculture & Land	fuel meter license renewal	18.00
Iowa Department of Revenue	sales tax exp june 2018	12,617.00
Iowa Recycling Association	poulsen annual renewal 18/	175.00
Iowa Workforce Development-Tax Bureau	ue benefit 2nd qtr 2018	16,500.37
JW Repair	lift station #3-stainless	118.65
Jamar Technologies Inc	measuring instrument	817.00
Janitors Closet	bathroom supplies	234.21
Johnston AutoStores	sensor u#20	75.23
KUYY-FM	ad-golf june	314.00
Knight Protection Inc	annual fire alarm test/ins	400.00
Koenig Portable Toilets	may portal svce	1,857.50
Kooima Company	tarps to build dike - floo	2,700.00
Kristat Auto Parts LLC	air filters/gloves	54.32
Kruse, Cate & Nelson	engineering services	38,407.20
Lawn Care Barber	mowing	397.50
Library Journal	library journal sub renewa	157.99
Lube Tech	oil & grease	451.37
Maxyeild Cooperative-Acct 4529	fuel/scale tickets	3,258.93
McClure Engineering Co	engineering services	5,205.90
Menards -Spencer	misc parts/supplies	1,165.63
Mid Country Machinery Inc	bearings u #427 - tiger mo	58.19
Midwestern Mechanical of Iowa Inc	12 lf washers	462.79
Montage Enterprises Inc	arm mower blades u #405	252.65
Municipal Fire & Police Retirement Sys	civil svce p/f	19,175.85
Napa Auto Parts	misc parts/supplies	128.20
Nelson Hearing Aid Service	employee screening	150.00
Nielsen's Tire Company	tire repair/tires	2,353.67
Norgaard Sand & Gravel	trail repair	186.84
Northern Lights Food Service	concession supplies/food	2,827.70
Noteboom Implement LLC	filler cap/isolater/keys	119.39
Old Dutch Foods Inc	concession supplies	94.50
On Target Solutions Group Inc	train vanotterloo/julius 5	498.00
Payroll Expenses	7/03/2018 - 7/16/2018	249,916.00
Peterbilt of Sioux City	parts	47.93
Petty Cash - Library	petty cash reimbursement	76.15
Petty Cash-Spencer Municipal Golf Cour	reimburse checkbook	2,875.63
Pixler Electric	shop fan repair	67.50
Protech Electric Services Inc	retainage-pederson pk ligh	26,118.00
RJ Thomas Manufacturing Company Inc	bench	54.00
Ramaker & Associates Inc	annual ecems hosting fees	1,700.00
Ricks Pest Control	pest control-july	90.00
River Valley Telecommunications	phone/internet 7/1-7/31 mo	88.00
SCE LLC	lift station #3-leachate p	2,126.70
Safelite Auto Glass	tractor door repair	150.00
Sherwin Williams	paint brushes	24.71
Solutions Inc	datto backup recovery/mnge svce-ch/pd	32,572.74
Speed Printers	registration envelopes/recycling inf	623.00



Spencer Area Jobs Trust	qhi ln #83- john a vanden	10,000.00
Spencer Auto Parts	misc parts/supplies	468.92
Spencer Daily Reporter	june 18 ad/legal public/sub renew	1,676.28
Spencer Emploeyss Association.	sea dues	130.00
Spencer Family YMCA	payment #3 concession/ pool operation	21,079.66
Spencer Little League Association	2018 annual reimb groundsk	2,000.00
Spencer Municipal Utilities	monthly utility	41,442.03
Spencer Office Supplies	office supplies	172.90
Spencer Radio Group	ads june -aquatic/golf	852.00
Spencer Ready Mix	concrete	1,874.25
Spencer Rotary Club	Spencer Rotary Club-1st qt	163.00
Spencer Signs	sign repair	35.00
Spencer Trophy & Awards	ret award	89.90
State Steel of Spencer	trail repair	12.00
Sterling Codifiers	code book supplement #173	751.00
Sullivan Concrete	sidewalk - 323 e park stre	1,900.00
Texas Refinery Corp	hand soap	210.64
Tiger Pride Lawn Care	lawncare svce	924.25
Toyne	recert pump rigs	1,907.50
Treasurer, State of Iowa	state w/h, public defender reimburse	9,872.37
Van-Wall Equipment Inc	diodes, zerk bolt	277.67
Veridian	fire gear	2,000.00
Verizon Wireless	6/24-7/23 mo chg	114.57
Wallace's Water Conditioning	water 5/31, cooler rent 6/	34.50
Water Management Systems LLC	pipng/ hose/parts for pump	15,188.14

===== FUND TOTALS =====

1	GENERAL FUND	384,624.84
60	SRTS RESERVE	480.25
61	ECONOMIC DEVELOPMENT	206.49
62	SHINE LOAN	2,187.50
90	QUALITY HSG INITIATIVE	10,000.00
92	TECHNOLOGY FUND	32,040.00
112	FICA/IPERS	19,807.21
114	UNEMPLOYMENT	16,500.37
117	CIVIL SERVICE	594.96
118	POLICE PENSION	10,659.71
120	FIRE PENSION	3,427.11
300	CAPITAL IMPROVEMENT	75,282.60
600	ENTERPRISE CAPITAL IMPR	97.50
615	WTP RESERVE	24,919.62
620	SANITARY SEWER	14,091.87
660	AIRPORT ENTERPRISE	3,514.32
670	SOLID WASTE	39,918.13
673	LANDFILL	30,598.88
682	ENVIRONMENTAL MANAGEMENT	1,076.00
690	REGIONAL COLLECTION CENTE	1,222.59
745	GOLF COURSE	25,211.01
949	CENTRAL GRAGE	591.52

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GRAND TOTAL:

697,052.48

**June 2018 Receipts**Month to Date  
Revenue

001-GENERAL FUND	325,826.14
020-PROPERTY INSURANCE	61,627.66
040-CEMETERY RESERVE	1,690.15
041-RIVERSIDE COLUMARIUM	15.00
045-LIBRARY RESERVE	2,166.08
047-COMMUNICATION CENTER	895.64
049-DRUG EDUCATION	7.40
050-POLICE RESERVE	18,186.76
052-FIRE RESERVE	12,743.46
053-CAPITAL IMPROVEMENT R	396,554.72
054-STR IMP RESERVE	30,957.43
055-SIDEWALK RESERVE	202.62
056-PARK RESERVE	10,685.04
059-TREES FOREVER	1.22
060-SRTS RESERVE	77,626.48
061-ECONOMIC DEVELOPMENT	106,141.27
062-SHINE LOAN	4,193.07
063-RENAISSANCE INITIATIV	25,025.86
064-CABLE TV	90.89
065-BRIDGE RESERVE	23.61
066-PUBLIC WORKS EQUIPMEN	33,780.18
068-CITY HALL RESERVE	2,633.05
070-STORM WATER DIST #1	1,843.55
080-STORM SEWER RESERVE	289,175.49
085-HOTEL/MOTEL TAX	279.76
087-SPENCER CARES	109.43
089-EMERGENCY FUND	495,603.81
090-QUALITY HSG INITIATIV	73.80
092-TECHNOLOGY FUND	42,685.94
093-ACCRUED BENEFITS	133.24
110-ROAD USE TAX	110,397.53
112-FICA/IPERS	49,695.43
113-WORK COMP	45,367.21
114-UNEMPLOYMENT	241.65
115-GROUP INSURANCE	213,436.25
117-CIVIL SERVICE	581.04
118-POLICE PENSION	2,253.86
119-POLICE SPECIAL PROCEE	28.24
120-FIRE PENSION	616.04
124-LOCAL OPTION SALES TA	163,039.44
125-T.I.F.	13,922.00
127-SALES TAX TIF	75.62
162-SSMID	726.38
200-DEBT SERVICE	346,438.14
300-CAPITAL IMPROVEMENT	2,101,682.59
501-RIVERSIDE TRUST	18.54

502-COLUMBARIUM VAULT	4.41
503-NORTHLAWN PERP CARE	63.53
504-GRIFFIN TRUST	55.60
505-LEACH TRUST	16.77
600-ENTERPRISE CAPITAL IM	1,095,676.17
615-WTP RESERVE	289,429.13
620-SANITARY SEWER	172,868.73
625-SANITARY SEWER RESERV	288,777.26
630-CSI RESERVE	66,353.08
635-SEWER DEBT SINKING FU	778,188.48
660-AIRPORT ENTERPRISE	18,281.20
661-AIRPORT RESERVE	51,514.41
670-SOLID WASTE	202,171.71
671-SOLID WASTE RESERVE	535,067.49
672-TRANSFER STATION CLOS	15.00
673-LANDFILL	130,313.99
674-LANDFILL RESERVES	705,438.71
677-LANDFILL PLANNING	236.50
678-ENVIRONMENTAL PROTECT	171.20
679-LANDFILL POST CLOSURE	48,322.62
680-LANDFILL CLOSURE	56,211.93
682-ENVIRONMENTAL MANAGEM	70,216.42
685-CELL CONSTRUCTION RES	175,453.87
690-REGIONAL COLLECTION C	108,625.78
745-GOLF COURSE	46,831.70
746-GOLF COURSE RESERVE	18,219.66
949-CENTRAL GRAGE	1,897.82
950-FUEL EQUIPMENT	37,079.55
GRAND TOTAL REVENUES	9,887,001.43