

SPENCER CITY COUNCIL MEETING

September 7, 2021

SPENCER, IOWA

The City Council of the City of Spencer, Iowa, met on the 7th day of September, 2021, 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 Robinson, in the Chair and the roll being called, the following Council Members were present:

Present: Nelson, Larsen, Wunschel, Hanson, Reit, Moriarty

Absent: Orrison

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

Approve City Council Minutes of August 16, 2021 and Special Meeting August 31, 2021;

RESOLUTION NO. 6229 RESOLUTION AUTHORIZING PERMANENT TRANSFER OF FUNDS OF BUDGETED TRANSFERS FOR MONTH ENDING AUGUST 31, 2021;

RESOLUTION NO. 6230 RESOLUTION AUTHORIZING AND DIRECTING THE TEMPORARY CLOSING OF PORTIONS OF CITY ALLEY IN THE CITY OF SPENCER, AS REQUESTED BY THE IOWA PROJECT BREWING COMPANY SEPTEMBER 11 & SEPTEMBER 18, 2021 FOR SPECIAL EVENTS;

Approve Temporary Outdoor Service Permits to cover September 11, 2021 and September 18, 2021, for Iowa Project, subject to final approval by Iowa Alcoholic Beverages Division;

Approve Sidewalk Construction and Assessment Agreements with Joe and Dawn DeBoer at 214 W. 1st Street and Heather Harrington at 210 West 1st Street;

RESOLUTION NO. 6231 RESOLUTION TO PROVIDE FOR A NOTICE OF HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE 2021 WEST LEACH PARK BOAT RAMP PROJECT, AND THE TAKING OF BIDS THEREFOR, AND THE TAKING OF BIDS THEREFOR (Letting Date 9/30/21, Hearing Date 10/4/21);

Approve Change Order No. 1 for 2019 Manhole Rehabilitation Project to reflect as-built quantities;

Approve Change Order No. 1 for 2021 Crack & Joint Sealing Project to reflect as-built quantities;

Approve Change Order No. 1 for 2021 PCC Patching Project to reflect as-built quantities;

RESOLUTION NO. 6232 A RESOLUTION PROPOSING THE VACATION AND TRANSFER OF JURISDICTION OF THE FOLLOWING DESCRIBED PORTIONS OF CITY STREETS; East 11th Street from Grand Ave. to 2nd Ave. East; 1st Avenue East From East 10th Street to East 11th Street; and 2nd Ave. East from East 11th Street to East 12th Street, WITH JURISDICTION OF THE VACATED STREETS TO BE TRANSFERRED TO THE SPENCER MUNICIPAL HOSPITAL (Set Hearing for 9/20/2021);

Approve Quote from Great Plains Structures for \$64,100 for resealing and scheduled maintenance on the bio-solids storage tank at the Waste Water Treatment Plant, CIP Project;

Approve Quote from Murphy Tractor & Equipment Co., Inc. for \$18,850, to Purchase Rebuilt Solid Waste Wheel Loader Engine ;

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

Ayes: Orrison, Larsen, Wunschel, Hanson, Reit, Moriarty

Nays: None

Whereupon the Mayor declared the motion duly carried.

Council Member Hanson moved that the proposed ordinance entitled “Ordinance Amending Title 9, Chapter 16 of the Spencer City Code Concerning Flood Plain Management” be placed on file for the second time. Council Member Wunschel seconded the motion. The Mayor put the question on the motion and the roll being called, the vote thereon was as follows:

Ayes : Nelson, Larsen, Wunschel, Hanson, Reit, Moriarty

Nays : None

Absent: Orrison

Whereupon, the Mayor declared the motion carried and said proposed ordinance was placed on file before the Council for the second time.

The Mayor announced that this was the time and place set for hearing on the 2021 Amendment to the Plan for the Spencer Urban Revitalization Area. All written objections, statements, and evidence heretofore filed were read, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

None

There being no further objections, comments, or evidence offered, the Mayor announced the hearing closed.

Council Member Hanson introduced the resolution next hereinafter set out, and moved that the said resolution be adopted; seconded by Council Member Reit; and after due consideration thereof by the City Council, the Mayor put the question upon the motion and the roll being called, the following named Council Members voted:

Ayes: Nelson, Larsen, Wunschel, Hanson, Reit, Moriarty

Nays: None

Whereupon, the Mayor declared the said resolution adopted, as follows:

RESOLUTION NO. 6233 RESOLUTION ADOPTING RESTATED PLAN FOR THE SPENCER URBAN REVITALIZATION AREA;

Council Member Moriarty introduced and caused to be placed on file an ordinance entitled "An Ordinance Amending Ordinance No. 736 Designating an Area of Spencer, Iowa, as the Spencer Urban Revitalization Area, 1st Filing. Council Member Wunschel seconded the motion. The Mayor put the question on the motion and the roll being called, the vote thereon was as follows:

Ayes : Nelson, Larsen, Wunschel, Hanson, Reit, Moriarty

Nays : None

Whereupon, the Mayor declared the motion carried and said proposed ordinance was placed on file before the Council for the first time.

The City Council investigated and found that notice of the intention of the City Council to conduct a public hearing on the urban renewal plan amendment had been published according to law and as directed by the City Council and that this is the time and place at which the City Council shall receive oral or written objections from any resident or property owner of the City. All written objections, statements, and evidence heretofore filed were reported to the City Council, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

None

There being no further objections, comments, or evidence offered, the Mayor announced the hearing closed.

Council Member Larsen moved the adoption of a resolution entitled "Resolution to Approve Urban Renewal Plan Amendment for the Spencer Consolidated Urban Renewal Areas,"

seconded by Council Member Nelson. After due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Nelson, Larsen, Wunschel, Hanson, Reit, Moriarty

Nays: None

Whereupon, the Mayor declared the resolution duly adopted and signed approval thereto.

RESOLUTION NO. 6234 RESOLUTION TO APPROVE URBAN RENEWAL PLAN AMENDMENT FOR THE SPENCER CONSOLIDATED URBAN RENEWAL AREAS;

The Mayor announced that this was the time and place set for Public Hearing on Proposed Development Agreement with Schoeneman Bros. Company;

Written comments were filed by the following:

None

Oral comments were made by the following:

None

The Mayor announced the hearing closed.

Council Member Hanson introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Nelson; 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, Larsen, Wunschel, Hanson, Reit, Moriarty

NAYS: None

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

RESOLUTION 6235 RESOLUTION APPROVING DEVELOPMENT AGREEMENT WITH SCHOENEMAN BROS. COMPANY, AUTHORIZING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT;

The Mayor announced that this was the time and place set for Public Hearing on Proposed Development Agreement with New Tec;

Written comments were filed by the following:

None

Oral comments were made by the following:

None

The Mayor announced the hearing closed.

Council Member Hanson 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, Larsen, Wunschel, Hanson, Reit, Moriarty

NAYS: None

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

RESOLUTION 6236 RESOLUTION APPROVING DEVELOPMENT AGREEMENT WITH NEW TEC, INC., AUTHORIZING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT;

The Mayor announced that this was the time and place set for Public Hearing on 2021 West 4th Street and 32nd Avenue West Storm Sewer Improvements Project;

Written comments were filed by the following:

None

Oral comments were made by the following:

None

The Mayor announced the hearing closed.

Council Member Reit introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Moriarty; 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, Larsen, Wunschel, Hanson, Reit, Moriarty

NAYS: None

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

RESOLUTION NO. 6237 RESOLUTION FINALLY APPROVING AND CONFIRMING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE FOR 2021 WEST 4TH STREET & 32ND AVENUE WEST STORM SEWER PROJECT (Bids will be received 9/16/2021);

It was moved by Council Member Nelson, seconded by Council Member Wunschel to Approve Letter of Support for Spencer Main Street's Application to Iowa Economic Development Authority for a Main Street Challenge Grant to renovate the two-story apartment above Hansen's Clothing. 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 Reit to Approve Agreement for Professional Services for Design of Grand Avenue Corridor Signal Equipment Upgrades and ICAAP Grant Requirements with Bolton & Menk, Inc. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Larsen, seconded by Council Member Wunschel to Approve Agreement with Iowa DOT for an Iowa's Clean Air Attainment Program (ICAAP) Federal-aid Swap Project for the Downtown traffic Light System Upgrade Project. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Moriarty, seconded by Council Member Nelson to Approve Professional Services Contract with Kruse, Cate & Nelson, P.C. for 2023 East Side Reconstruction & Sewer Separation Project, recommended by Public Works Committee. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Wunschel, seconded by Council Member Reit to Approve Professional Services Contract with Kruse, Cate & Nelson, P.C. for 2021 Drainage District No. 47 Outlet 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 Moriarty to Award Quote for 2021 Rocket Slide Restoration Project to MLS Landscape and Design, Inc. for \$35452.50.

Upon roll call vote, the vote thereon was as follows:

AYES: None

NAYS : Nelson, Larsen, Wunschel, Hanson, Reit, Moriarty

The motion was declared **not carried**.

It was moved by Council Member Moriarty, seconded by Council Member Hanson to Table Action on Awarding Quote for Rocket Slide Poured-in-Place Rubber Safety Surfacing. 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 Nelson to Approve Sidewalk Café Refunds of \$1,500 each to El Tapatio, Godfather's and Weasy's, as recommended

by Finance Committee. 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 Change Order #2 to Wastewater Treatment Plant Improvement Project, Phase for control building drain line replacement and additional brick masonry for color blending at control building, for a total increase of \$12,879.39, to be paid trough the contingency allowance. The motion was declared carried when all Council Members present voted aye on voice call vote.

Department Head Reports: Table to 9/20/2021 Meeting

Engineer's Reports:

City Manager's Report:

Mayor's Report: Tabled Appointment to Compensation Advisory Board, Ward 1

Council Committee Reports:

Upcoming Meetings:

-Regular City Council Meeting, 9/7/2021, 6:30 P.M.

It was moved by Council Member Nelson, seconded by Council Member Moriarty 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 Wunschel and seconded by Council Member Larsen to adjourn the meeting of the Spencer City Council at 7:33 o'clock P.M. The motion was declared carried when all Council Members present voted aye on voice call vote.

Kevin Robinson, Mayor

ATTEST:

Theresa Reardon, City Clerk

(SEAL)

Minutes are subject to approval by the Spencer City Council.

Claims 09/07/21

Vendor Name	Payable Description	Total Payments
A & M Inc	laundry svce	430.31
A-1 Portables	mo porta rental	61.00
AFLAC	emee share ins	821.88
AgSource Cooperative Services	chemical test	25.50
Airgas North Central	welding supplies	160.33
Allegiant Technology	mo fax svce	44.50
Alpha Wireless Communications Co	miobile install/repair/parts	154.75
Amazon Capital Services	various supplies/library mtl	938.16
Animal Medical Center PC Hartley/Spencer	animal control	1,520.00
Arnold Motor Supply LLP	misc parts/supplies	631.15
ASCAP	radio lic fee	369.51
Asp Promotions	logo chip clips	495.40
AT & T Mobility	mo phone/computer cd chges	1,013.88
Avera Medical Group Spencer-Department SMH	hep b vaccine	42.00
Baker & Taylor	books	468.29
BD Construction Services LLC	pay est	6,033.82
Black Hills Energy	mo utility charges	450.31
Blacktop Service Company	hot mix asphalt	1,513.60
Bomgaars	misc parts/supplies	514.53
C & B Operations LLC	filters/mower parts	214.41
Carroll Construction Supply	rebar/joint sealer	1,338.74
Central Iowa Distributing Inc	misc supplies	252.00
Certified Laboratories	tuf grit shop	358.90
Christians Sheet Metal HVAC Inc	svce call	308.95
Christiansen Construction Company	pay est	165,646.87
City of Rolfe	darp grant reimbursement	8,550.00
Clay County Auditor	mo share local option sales tax/true up pymt	34,886.91
Clay County Regional Event Center	monthly contribution	4,166.66
Clay County Treasurer	annual property tax pymt	5,762.35
Coffmans Locksmith Shop	keys	39.50
Colonial Life Insurance	emee share ins	43.92
Community Insurance	broker fee	1,000.00
Corn Belt Power Cooperative	property tax	21.33
Culligan of Spencer	water	49.95
Cummins Sales and Service	svce call	670.46
Deboer, Dawn	reimburse curb/gutter replacement	385.00

Department of Human Services	child support pymts	409.90
Diamond Vogel Paint Center # 289	paint supplies	20.27
Dorsey & Whitney LLP	bond legal fees	8,500.00
Ecolab Pest Elimination	pest control	125.29
Elm USA Inc	mo disc cleaner contract	350.00
Emmetsburg Reporter Democrat	advertising	124.00
Emmetsburg Swanson Hardware	office furniture	99.99
Employee Benefit Services	mo group ins	143,724.82
Engineering Design Associates Inc	pro svces	815.00
Fareway Stores Inc #788	food/supplies	77.32
Farmers Trust & Savings Bank	payroll taxes	43,449.63
Fastenal Company	misc supplies	215.59
Feld Fire	standard front config/switch assembly	70.25
Fire Proof Plus Inc	inspection/ext replacement	506.20
Fox International Inc	svce call/misc parts	959.22
FullLife Safety Center	gas monitor	794.50
Gale/Cengage Learning	books	518.09
Galens Pro Mow LLC	repair/parts	411.39
Galls LLC	boots,belt,pants	249.05
Global Equipment Company	safe	397.94
Graettinger Hardware	weed sprayer/bolts & nuts	48.15
Graettinger Market	office supplies	26.56
Graham Tire Company of Spencer Inc	tires/tire repair	2,823.86
Great Lakes Concrete Inc	concrete	4,851.00
Hansons Plumbing & Heating Inc	svce call/filters	912.10
ICMA Retirement Trust - 457	emee contribution	560.00
Ingram Library Services	books	46.00
Iowa Communication Networks	mo telephone/internet chges	35.85
Iowa Department of Natural Resources	npdes permit	1,275.00
Iowa Department of Revenue	mo sales tax	11,003.00
Iowa Department of Transportation	sign stakes	105.55
Iowa Lakes Electric Cooperative	mo utilities	760.00
Iowa One Call	mo one calls	430.50
Iowa Public Employees Retirement System	ipers	22,841.45
Jacks Uniforms & Equipment	flashlight	141.94
Janitors Closet	misc supplies	883.05
Johnston AutoStores	misc parts/supplies	1,063.24
Kieslers Police Supply Inc	pepperball accessories	543.41
Kimball Midwest	hand cleaner	34.49
Knight Protection Inc	svce call	210.00
Koenig Portable Toilets	cleaning lift st/porta rentals	1,927.00
Krier & Blaine Inc	pay est	1,890.00

September 7, 2021

10

Kristat Auto Parts LLC	misc parts/supplies	175.59
Larry Lair Excavating Inc	excavating	500.00
Leading Edge Aviation	mo mgmt fees	3,104.17
Lube Tech	oil,grease,tran fluid/anti freeze	2,210.05
Manwarren, Andy	svce call repair	550.00
Maxyield Cooperative-Acct 4529	fuel	8,404.03
Menards -Spencer	misc parts/supplies	1,041.61
Michael Todd & Company	signage	371.28
Midwest Coatings Co	retainage	2,176.91
Midwest Turf & Irrigation Pattlen Enterprises Inc	mowers/svce call	85,025.45
Midwestern Mechanical of Iowa Inc	backflow inspections	225.00
Miller, Bernard	refund	105.00
Modern Marketing	mood pencils	360.59
Moermond, Jacob	aha cpr renew	40.00
Montage Enterprises Inc	mower blades	233.00
MPH Industries Inc	radar	1,470.00
Municipal Fire & Police Retirement System of Iowa	civil svce p & f	23,917.56
Murphy Tractor - Power Plan	excavator rental	587.50
Napa Auto Parts	misc parts/supplies	526.33
Ness, Curt	c & g replacement	525.00
New Cooperative Inc	fuel	21,978.65
NFPA	annual membership renew	175.00
Northern Lights Distributing Inc	food exp/concession supplies	866.54
Northern Tool & Equipment	fuel pump	325.96
Northwest Glass LLC	misc	26.38
Northwest Iowa League of Cities	membership dues	75.00
Northwest Iowa Planning & Development Commission	cpr trng	624.00
Otto Lawn Care	replacement ck - lawn svce	311.05
Palo Alto County Solid Waste	reimburse 50% e waste	659.63
People for Pets	mo agmt	600.00
Performance Car & Truck Acc	ramps	123.96
Petty Cash-Spencer Municipal Golf Course	replenish golf ck bk	4,675.88
PFM Financial Advisors LLC	bond fin svces/annual retainer	14,500.00
Plumbing & Heating Wholesale Inc	power cord	135.00
Pocahontas County Solid Waste	reimburse 50% e waste	911.70
POSM Software LLC	posm software supprt	2,000.00
Productivity Plus Account/Spencer Red Power	oil cap	30.75
Quadient Finance USA Inc	postage replenishment	800.00
Quadient Leasing USA	qtrly lease	461.34
Ricks Pest Control	pest control	45.00
River Valley Telecommunications	mo phone/internet	101.10
Rossie Feed & Grain	tree site weed control	1,172.47

Schoeneman Bros Company	misc parts/supplies	554.67
Schomaker Construction	street/sidewalk repair/replacement	11,391.37
Shine Brothers Inc	cardboard processing	8,286.72
Solutions Inc	firewall upgrade	1,845.58
Speed Printers Inc	receipt books	352.50
Spencer Auto Parts	misc parts/supplies	428.58
Spencer Community Schools	mo share local option sales tax/true up pymt	82,008.95
Spencer Daily Reporter	legal ads/publications/sub renew	851.39
Spencer Family YMCA	aquatic center operation contract	23,369.00
Spencer Office Supplies	office supplies	732.16
Stanard & Associates Inc	post testing	171.50
State of Iowa Treasurer	state wh	8,347.46
State Steel of Spencer	metal	2,545.95
Summit Fire Protection	inspect fire system	255.00
The Cartridge Connection Inc	laser cartridges	359.85
The Graettinger Times	advertising	25.00
The Lakes News Shopper	advertising	331.00
The New Sioux City Iron Company	concrete bits	24.59
The Pavement Doctor	pavement maint	4,912.00
The Retrofit Companies Inc	rcc disposal costs	552.23
The Water Connection Inc	water	165.00
Tiger Pride Lawn Care	lawn svce	2,724.91
Toft Electric	svce call	116.28
Toyne	pump test	1,981.25
Tri County Equipment & Repair	misc parts	4,800.38
Truck Equipment Inc	rocker switch u #71	53.99
Tyler Technologies Inc	ess time & attend/incode fin suite	1,202.51
Unity Point Clinic-Occupational Medicine	pre-employ drug screens	42.00
Vans Sanitation Inc	mo recycling chges	1,525.92
Verizon Wireless	pole cameras	120.05
Visa (Admin)	various credit card chges	4,576.12
Visa (Fire)	various credit card chges	529.91
Visa (Golf)	various credit card chges	510.81
Visa (Library)	various credit card chges	242.52
Visa (Planning)	various credit card chges	199.62
Visa (Police)	various credit card chges	3,322.79
Visa (Public Works)	various credit card chges	49.00
Wex Bank-Wright Express FSC	fuel	143.52
Woodford Equipment Inc	snap rings	4.00
Woodman Controls Company	hvac upgrades	11,250.00
Ziegler	svce call/oil sample kits	832.64
Zimco Supply	chemicals	1,824.54

Fund Summary

Fund	
001 - GENERAL FUND	187,338.43
045 - LIBRARY RESERVE	13,955.00
049 - DRUG EDUCATION	201.13
050 - POLICE RESERVE	543.41
055 - SIDEWALK RESERVE	918.00
056 - PARK RESERVE	6,582.00
061 - ECONOMIC DEVELOPMENT	5,101.57
085 - HOTEL/MOTEL TAX	4,166.66
115 - GROUP INSURANCE	144,724.82
117 - CIVIL SERVICE	295.50
124 - LOCAL OPTION SALES TAX	114,812.53
300 - CAPITAL IMPROVEMENT	194,248.97
600 - ENTERPRISE CAPITAL IMPR	803.81
620 - SANITARY SEWER	13,159.14
660 - AIRPORT ENTERPRISE	4,807.96
670 - SOLID WASTE	29,041.23
673 - LANDFILL	22,195.14
682 - ENVIRONMENTAL MANAGEMENT	10,121.33
690 - REGIONAL COLLECTION CENTE	1,202.77
746 - GOLF COURSE RESERVE	81,828.00
949 - CENTRAL GRAGE	1,400.25
950 - FUEL EQUIPMENT	21,879.56
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	859,327.21