

SPENCER CITY COUNCIL MEETING

December 6, 2021

SPENCER, IOWA

The City Council of the City of Spencer, Iowa, met on the 6th day of December , 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, Orrison, Larsen, Wunschel, Hanson, Reit, Moriarty

Absent: None

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

Approve City Council Minutes of November 15, 2021;

Licenses: Renewal of Class B Beer Permit with Sunday Sales for **Pizza Hut**; Renewal of Class C Beer Permit with Sunday Sales for **Brew Oil #31**; Renewal of Class E Liquor, Class C Beer and Sunday Sales for **Brew Oil #40** and Renewal of Class B Beer Permit with Sunday Sales for **Tienda Y Carniceria La Morenita**, subject to final approval by Iowa ABD;

RESOLUTION NO. 6256 RESOLUTION AUTHORIZING PERMANENT TRANSFER OF FUNDS OF BUDGETED TRANSFERS FOR MONTH ENDING NOVEMBER 30, 2021;

Approve Purchase of Cannon 5860i Copier/Printer/Scanner from Gordon Flesch for \$7234.00 (CIP Item);

RESOLUTION NO. 6257 RESOLUTION ACKNOWLEDGING RECEIPT OF CALENDAR YEAR 2021 BUDGET AMENDMENT AND CALENDAR YEAR 2022 BUDGET FOR SPENCER MUNICIPAL UTILITIES OF THE CITY OF SPENCER, IOWA;

Approve Application for Assistance to Firefighters Grant Program for New Rescue Truck (5% City Match);

Setting Public Hearing for December 20, 2021, 6:30 P.M. on Zoning Text Amendment to Provide for the Use Classification of "Custom Meat Business", as recommended by Planning & Zoning Commission / Committee of the Whole 11/22/2021;

RESOLUTION NO. 6258 A RESOLUTION SETTING A HEARING FOR 12/20/2021, 6:30 P.M. AND DIRECTING PUBLICATION OF NOTICE ON PROPOSED TEXT

AMENDMENTS TO TITLE 9 OF THE SPENCER ZONING CODE TO PROVIDE A NEW USE;

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

Ayes: Nelson, Orrison, Larsen, Wunschel, Hanson, Reit, Moriarty
Nays: None

Whereupon the Mayor declared the motion duly carried.

The Mayor announced that this was the time and place set for Public Hearing on Proposed Re-Districting Plan for the City of Spencer, Clay County, Iowa;

The Mayor declared the public hearing open.

Written comments were filed by the following:
None

Oral comments were made by the following:

None

The Mayor declared the public hearing closed.

Council Member Moriarty introduced and caused to be placed on file an ordinance entitled "An Ordinance Amending Title 1, Chapter 8, of the Spencer Municipal Code Regarding Changes in Precinct Boundaries in the City of Spencer, Iowa." Council Member Orrison seconded the motion. The Mayor put the question on the motion and the roll being called, the vote thereon was as follows:

Ayes : Nelson, Orrison, 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.

Council Member Hanson introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Wunschel; 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, Orrison, Larsen, Wunschel, Hanson, Reit, Moriarty
NAYS: None

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

RESOLUTION NO. 6259 A RESOLUTION OF THE CITY OF SPENCER, IOWA, AUTHORIZING THE ACCEPTANCE OF BIDS FROM CONTRACTORS FOR PROPERTY “11” AS PART OF THE SPENCER SUBSTANDARD HOUSING REHABILITATION PROGRAM;

It was moved by Council Member Orrison, seconded by Council Member Nelson to Approve Infringing Use Agreement with Gary & Patricia Rustwick at 2109 West 10th Street. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Reit introduced and caused to be placed on file an ordinance entitled “An Ordinance Amending Title 1, Chapter 7, Section 2, of the Spencer City Code by Adopting a new Subsection “N” Concerning the Human Resources Director.” 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, Orrison, 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.

It was moved by Council Member Moriarty, seconded by Council Member Orrison to Approve Change Order #1 for 2021 7th Avenue S.W. Sewer Extension Project to reflect as built quantities. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Wunschel 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, Orrison, Larsen, Wunschel, Hanson, Reit, Moriarty
NAYS: None

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

RESOLUTION NO. 6260 ACCEPTING WORK COVERING THE 2021 7TH AVENUE S.W. SEWER EXTENSION PROJECT;

Council Member Hanson introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Orrison; 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, Orrison, Larsen, Wunschel, Hanson, Reit, Moriarty
NAYS: None

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

RESOLUTION NO. 6261 A RESOLUTION PROPOSING THE ESTABLISHMENT OF THE CITY OF SPENCER 7th AVENUE SOUTHWEST SANITARY SEWER DISTRICT AND THE ADOPTION OF CONNECTION FEES, SETTING A PUBLIC HEARING, AND DIRECTING THE PUBLICATION OF NOTICE (Public Hearing Date January 3, 2022, 6:30 P.M.);

It was moved by Council Member Reit, seconded by Council Member Nelson to Approve Subordination Agreement for Property included in the CDBG Owner Occupied Housing Rehabilitation Program #17-HSG-18, as requested by Northwest Bank in connection with mortgage refinancing. The motion was declared carried when all Council Members present voted aye on voice call vote.

Council Member Wunschel introduced and caused to be placed on file an ordinance entitled “An Ordinance Amending Title 5, Chapter 1B, Section 4, Subsection C of the Spencer City Code, Concerning Liability Insurance Requirements for Licensed Excavators”, 1st Filing. Council Member Nelson seconded the motion. The Mayor put the question on the motion and the roll being called, the vote thereon was as follows:

Ayes : Nelson, Orrison, 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.

It was moved by Council Member Orrison, seconded by Council Member Moriarty to Approve Professional Services Contract with Kruse, Cate & Nelson, PC for 2022 WWTP Driveway Replacement 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 Wunschel to Approve Professional Services Contract with Kruse, Cate & Nelson, PC for 2022 5th Ave. East Safe Routes Sidewalk Project. 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 Hanson to Approve Professional Services Contract with Kruse, Cate & Nelson, PC for 2022 Woodland Ave. Box Culvert Replacement Project. 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 Nelson to Approve Professional Services Contract with Kruse, Cate & Nelson, PC for 2022 HMA Overlay 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, PC for 2022 Breezy Meadows Flap Valve Project. The motion was declared carried when all Council Members present voted aye on voice call vote.

Department Head Reports

Planning Department
Library
Fire
Police
Public Works
Park & Recreation
Golf Course
City Attorney

Engineer's Reports:

City Manager's Report:

Mayor's Report:

Council Committee Reports:

Upcoming Meetings:

- Finance Committee Meeting 12/10/2021, 9:00 A.M.
- Long Term Planning Committee Meeting, 12/09/2021, 6:00 P.M.
- Public Works Committee Meeting, 12/15/2021, 6:30 P.M.
- NW Iowa League of Cities Meeting, 12/16/2021
- Regular City Council Meeting, 12/20/2021, 6:30 P.M.

It was moved by Council Member Orrison, seconded by Council Member Wunschel 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: Gary Rustwick, Infringing Use Agreement Approved Tonight.

It was moved by Council Member Wunschel and seconded by Council Member Larsen to adjourn the meeting of the Spencer City Council at 7:14 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.

12/06/2021

Vendor Name	Payable Description	Total Payments
A & M Inc	rugs/city hall	449.80
A-1 Portables	regular maintenance on portable unit	61.00
ABM Equipment & Supply LLC	boom rest	239.41
AFLAC	AFLAC INS	1,497.84
Airgas North Central	cut off wheels for tree grates	216.95
All Star Pro Golf	tees	264.41
Amazon Capital Services	teen programming	325.74
American Business Phones	service agreement dec 2021	200.00
Arnold Motor Supply LLP	pro anti-treeze	300.77
B & I Electric LLC	pedersen park - scoreboard removal	908.59
Baker & Taylor	children's books	326.27
Barco Municipal Products Inc	sign brackets	218.34
BD Construction Services LLC	pay est #1	201,907.93
Biblionix	automation system	2,782.00
Black Hills Energy	utilities	83.99
Blacktop Service Company	pay est #2	182,698.95

Bolton & Menk Inc	traffic light project	2,441.50
Bomgaars	ice melt	2,014.34
Bound Tree Medical LLC	halo vent/halo seal/bandages	218.58
Campbells Tree Service	tree removal & trimming	18,395.00
Center Point Large Print	LP books	1,121.76
Christiansen Construction Company	pay est #8	373,806.37
Clay County Auditor	monthly share of LOST - December 2021	20,074.64
Clay County Recorder	copy of subdivision plat	4.00
Colonial Life Insurance	insurance payments	87.84
Cooperative Energy Company	fuel for lift stations	2,334.33
Crescent Electric	bulbs for central garage	111.22
Dels Garden Center Inc	downtown planter boxes	364.00
Department of Human Services	child support	409.90
Dickinson County EMS Association	EMT Refresher	320.00
Don Pierson Ford Lincoln Inc	seat cover	226.60
Ecolab Pest Elimination	airport - pest control	125.29
Elliott Equipment Company	new rollers for #818	844.52
Emagine	site administration software	76.45
Emmetsburg Swanson Hardware	recycle carts	39.98
Employee Benefit Services	mo group ins	138,830.57
Evora Consulting	operator training-Linda/Nate	500.00
Farmers Trust & Savings Bank	payroll taxes	37,918.57
Fast Lane Motor Parts LLC	tire repair supplies	29.97
Fastenal Company	shop supplies	143.56
Fire Proof Plus Inc	inspection - unit 850	253.75
Fleetpride Inc	hydraulic fittings for #174	290.95

Fox International Inc	electricl repair 28	1,375.86
Gale/Cengage Learning	large print book	170.94
Galens Pro Mow LLC	grasshopper repair/blades/parts	282.49
GPM	sampler	3,445.00
Graettinger Hardware	grease gun coupler - shop	104.84
Graettinger Market	coffee - office	36.96
Graham Tire Company of Spencer Inc	tires for #803	1,513.50
Great Lakes Concrete Inc	concrete around manhole	797.50
Gregs Repair	cable for mower	17.09
GRP & Associates Inc	sharp disposal	382.00
Head Start	griffin trust dist 2021	149.32
Hy-Noon Kiwanis	hoepner trust distribution	2,500.00
Hy-Vee Food Stores #1636	teen programming	66.26
ICAN Inc	contract 51682	400.00
IGL Construction LLC	IGL Westfield contribution	132,711.97
Ingram Library Services	large & regular print materials	227.28
Iowa Department of Agriculture and Land Stewardship	sw scale	106.50
Iowa Department of Agriculture and Land Stewardship	landfill scale	106.50
Iowa Finance Authority	semi annual interest	87,348.04
Iowa Lakes Community College	patient care report documentation	30.00
Iowa Lakes Electric Cooperative	monthly utilites	760.00
Iowa Outdoors	magazine subscription	15.00
Iowa Public Employees Retirement System	IPERS	44,354.92
Iowa State University Extension Office Clay County	training	315.00
Janitors Closet	bath tissue	65.14
Keystone Laboratories Inc	well testing - bi annual	5,202.03

Kieslers Police Supply Inc	ammo - shotgun	269.40
Knight Protection Inc	water monitoring	300.00
Koenig Portable Toilets	clean pots	1,952.00
Kristat Auto Parts LLC	fuel pump filter	45.74
Living Word Outreach Ministires-Feed Our Children	hoeppner trust distribution	2,500.00
Lube Tech	tractor fluid	930.14
MacQueen Equipment LLC	throttle cable - #86 sweeper	233.72
Magnolia Journal	magazine subscription	21.40
Maxyield Cooperative-Acct 4529	fuel-vehicles	3,011.86
Menards -Spencer	rcc bathroom/trim	743.34
MichaelSon Inc	class c gravel - road	998.67
MissionSquare Retirement - 457	ICMA	510.00
MLS Landscaping & Design	PAY EST #1	5,143.01
Municipal Fire & Police Retirement System of Iowa	CIVIL SERVICE	49,368.53
Napa Auto Parts	tire balancer	5,981.72
New Cooperative Inc	diesel dump	16,237.22
Northwest Iowa League of Cities	meeting registration	30.00
NSG LLC	icing sand	2,008.70
Pixler Electric	rcc bathroom elect	3,988.30
Quadient Leasing USA	qtrly lease - postage mach	461.34
R & R Products Inc	bednives/screws/couplings/wrench set/battery tend	1,009.21
Rent All Inc	air compressor	240.84
Ricks Pest Control	bug kill	45.00
Rooneys Auto & Tire Center	spring and latch kit #856	22.41
Schoeneman Bros Company	grab bars for toilet/shelf brackets for water heat	149.04
Sebco Books	children's books	983.10

Shield Technology Corporation	shieldware	13,310.00
Speed Printers Inc	receipt books for office	352.50
Spencer Auto Parts	batteries & cble - unit 850	1,384.70
Spencer Community Schools	Monthly share of LOST - December 2021	50,186.61
Spencer Daily Reporter	publications and job ads	1,448.89
Spencer Daybreakers Kiwanis Club	hoeppner trust distribution	2,500.00
Spencer Family YMCA	Hoepner Fund Distribution	2,649.32
Spencer Jaycees	hoeppner trust distribution	2,649.32
Spencer Main Street Company	nw ia league gift basket	56.58
Spencer Municipal Hospital	pre-employment drug screen	237.78
Spencer Office Supplies	copy paper - 2 privacy computer screens	1,427.50
Star Tribune	subscription - 5/6/21-8/4/2021	130.59
State of Iowa Treasurer	payroll taxes	15,595.00
State Steel of Spencer	steel for floor grates	212.40
The Cartridge Connection Inc	laser cartridges	327.85
The Des Moines Register	newspaper subscription	885.94
The Lakes News Shopper	recruiting: advertisement	124.20
The Retrofit Companies Inc	retrofit expense (recycling)	860.08
The Water Connection Inc	cups for water dispenser in office	32.00
Tiger Pride Lawn Care LLC	late fall application	51.44
Titan Machinery/Productivity Plus Account	water/fuel sensor 75	131.16
Truck Center Companies	coolant sensor for #818	96.38
Truck Equipment Inc	after initial invoice sent, prices changed	40.63
Tyler Technologies Inc	software support	34,997.55
UMB Bank	semi annual interest	54,545.00
Unity Point Clinic-Occupational Medicine	random drug testing	210.00

Upper Des Moines Opportunity Inc	hoepner fund distribution 2021	2,500.00
Vander Haags Inc	lift gate components	72.77
Verizon Wireless	pole cameras	199.97
Virtru Corporation	virtru annual subscription	5,249.00
Visa (Admin)	annual dues, supplies	526.90
Visa (Fire)	service pins	416.20
Visa (Golf)	fuel, supplies	83.36
Visa (Landfill)	hp color laserjet pro	523.23
Visa (Library)	kids/teen programming	589.29
Visa (Planning)	webinar training	25.00
Visa (Police)	supplies, postage, training	951.49
Visa (Public Works)	winter maintenance class	228.57
Werts Window and Awning Cleaning Inc	window cleaning city hall	500.00
Wex Bank-Wright Express FSC	monthly fuel charges	23.19
White Glove Janitorial Services & Building Svces	paper towels, tp, gloves	399.40
Ziegler	gasket and o ring	227.69

Fund Summary

Fund	Payment Amount
001 - GENERAL FUND	227,004.51
054 - STR IMP RESERVE	17,947.96
066 - PUBLIC WORKS EQUIPMENT	3,799.00
092 - TECHNOLOGY FUND	5,449.00
115 - GROUP INSURANCE	138,830.57
124 - LOCAL OPTION SALES TAX	70,261.25
200 - DEBT SERVICE	81,045.00
300 - CAPITAL IMPROVEMENT	752,438.59

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350 - CAPITAL IMP RESERVE	132,711.97
501 - RIVERSIDE TRUST	364.00
504 - GRIFFIN TRUST	447.96
506 - HOEPPNER TRST	15,000.00
620 - SANITARY SEWER	4,240.80
625 - SANITARY SEWER RESERVE	3,445.00
635 - SEWER DEBT SINKING FUND	60,848.04
660 - AIRPORT ENTERPRISE	464.02
670 - SOLID WASTE	17,356.10
673 - LANDFILL	19,491.09
690 - REGIONAL COLLECTION CENTE	1,735.51
949 - CENTRAL GRAGE	976.40
950 - FUEL EQUIPMENT	<u>16,237.22</u>
	1,570,093.99