

**City of Spirit Lake
 Regular City Council Meeting 5:30 p.m.
 Tuesday, July 28, 2015
 City Council Chambers**

Present: Mayor Andera, Councilmembers Bice, Chappas, Fisher, Harbst and Thee.

MINUTES

Motion by Bice seconded by Chappas to approve the minutes of the July 14, 2015 council meeting.
 Motion carried unanimously.

BILLS

Motion by Bice seconded by Chappas to approve the bill list for the month of July, 2015. Motion carried unanimously.

BOMGAARS SUPPLY INC	SAFETY ALLOWANCE	1,318.92
CAMPUS CLEANERS & LAUNDERERS	MATS	68.98
CC SCREEN PRINTING	CLOTHING LOGO	40.32
CHEMCO, INC	48 YELLOW/96 GRAY TUBS	3,627.36
CUTTING EDGE SALES & SERVICE	FEED HEAD	28.99
DICKINSON CO NEWS	SUBSCRIPTION	44.00
EMC NATIONAL LIFE	LIFE INS POLICE - AUG	229.50
EMPLOYEE BENEFIT SYSTEM INC	ADMIN FEE AUG	275.50
FIEBIG/NICK	REIMB CELL PHONE JULY	10.00
GRAYMONT CAPITAL, INC	LIME	4,014.80
HACH COMPANY	CHEMICALS	173.03
HANSON/BILL	CLOTHING ALLOW WALMART	163.92
HOUSEMAN OIL COMPANY INC	STANDBY GENERATOR FUEL	1,230.00
IA DEPT PUBLIC HEALTH	RENEW CERTIF BACKFLOW	72.00
IA ONE CALL	LOCATES	101.90
IA RURAL WATER ASSOCIATION	DUES 2015	300.00
INLAND TRUCK PARTS	FILTER KIT	52.40
IOWA LAKES REGIONAL WATER	UTILITIES	54.59
JAYCOX IMPLEMENT WGTN	O-RING, SEAL	27.76
JIMENEZ/JOHN	REIMB CELL PHONE JULY	10.00
KOENING PORTABLE TOILETS LLC	CAR SHOW	125.00
L & C TIRE SERVICE	REPAIR TIRE-LIME HAULER	36.75
LAWSON PRODUCTS INC.	GLOVES, TOOL SET	116.21
MARCO	COPIES 6/9-7/8	136.14
MR DRAIN MAN LLC	ISTHMUS PARK MEN'S ROOM	90.00
MUESKE ELECTRIC INC.	BULBS	220.75
OFFICE SYSTEMS CO	MAINT CONTRACT	299.21
PLIC - SBD GRAND ISLAND	TERM LIFE AUG	830.27
PLUMB SUPPLY CO.	PIPE	56.91
REGIONAL TRANSIT AUTHORITY	4TH QTR FY15 SUPPORT	2,250.00
RODRIGUEZ/HEIDI	DEPOSIT REF 2330 QUAIL R	50.00
SANITATION PRODUCTS	CAMERA SYSTEM	771.50
SIMMERING-CORY INC	URBAN RENEW PLAN BERKLEY	3,135.00
SPIRIT LAKE KIWANIS	20.43 TONS PAPER	306.45
STATE HYGIENIC LAB	TESTING	279.50
SWIMMING POOL SUPPLY CO	O-RINGS, TUBES	154.68
TRILIX	WEB UPDATES	21.17
UNIVERSAL, INC	TISSUE, TOWELS	760.48
VERIZON WIRELESS	CELL PHONE	187.13
WALMART COMMUNITY/GEMB	INK	63.17
WASTE MANAGEMENT OF WI-MN	LANDFILL FEE 7/1-7/15	11,222.05
WELLMARK	HEALTH/DENTAL INS AUG	23,731.35
WINDSTREAM	PHONE	587.49
	Final Totals...	57,275.18

LIQUOR LICENSES

Motion by Bice seconded by Chappas to approve a Class C liquor license for Remington's Restaurant. Motion carried unanimously.

DICKINSON COUNTY COMMUNITY GARDENS

Amy Nyvall of the Dickinson County Community Gardens, explained the mission of the community gardens and requested continued funding for the community gardens. Motion by Chappas, seconded by Harbst, to approve funding of \$600 for the Dickinson County Community Gardens. Motion carried unanimously.

AMENDMENT NO. 5 TO THE SPIRIT LAKE CONSOLIDATED URBAN RENEWAL PLAN PUBLIC HEARING

The Mayor announced this is the time and place to consider the proposed Amendment No. 5 to the Spirit Lake Consolidated Urban Renewal Plan. After receiving no oral or written comments, the Mayor closed the public hearing.

RESOLUTION NO. 2015-41

A RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 5 TO THE SPIRIT LAKE

CONSOLIDATED URBAN RENEWAL PLAN

Fisher introduced and caused to be read Resolution No. 2015-41 and moved for its adoption, which was seconded by Harbst. Aye: Fisher, Bice, Chappas, Harbst, Thee. Resolution duly adopted.

ORDINANCE NO. 4-2015

AN ORDINANCE AMENDING ORDINANCE NO. 9-89, 4-92, 2-96, 07-01, 03-02, 16-02, 02-04, 02-07, 04-2011 AND 14-2011, WHICH PROVIDE THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AMENDED SPIRIT LAKE CONSOLIDATED URBAN RENEWAL AREA, IN THE CITY OF SPIRIT LAKE, COUNTY OF DICKINSON, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF SPIRIT LAKE, COUNTY OF DICKINSON, SPIRIT LAKE COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO THE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE AMENDED SPIRIT LAKE CONSOLIDATED URBAN RENEWAL AREA AMENDMENT NO. 5 TO THE SPIRIT LAKE CONSOLIDATED URBAN RENEWAL PLAN

WAIVE FIRST AND SECOND CONSIDERATION

Motion by Chappas, seconded by Bice to waive the first and second consideration of Ordinance No. 4-2015. Motion carried unanimously.

ADOPT ORDINANCE NO. 4-2015

Motion by Thee, seconded by Fisher, to adopt the third consideration of Ordinance No. 4-2015. Motion carried unanimously.

**BERKLEY PLACE URBAN RENEWAL PLAN
PUBLIC HEARING**

The Mayor announced that this is the time and place to consider the proposed Berkley Place Urban Renewal Plan. Jerry Turner, President of Courtyard Estates at 1900 23rd Street, asked for information about the development and whether the neighboring property owners would be assessed for improvements made to the property being developed. City Administrator Gregg Owens explained the proposed project to the audience and reassured Jerry Turner the adjoining property owners would not be assessed for the improvements generated by Seemann. Jesse Jones, owner of Comfortec at 1819 18th Street expressed concern of the erection of a privacy fence between residential and his commercial business. Owens stated the zoning ordinance addresses that issue. Arla Stover, 2302 Quail Run Avenue, expressed concern if high rise buildings would be built in the proposed Berkley Place development. Owens stated the maximum height allowed in multi-family residential district is 35 feet. After receiving no further oral or written comments, the Mayor closed the public hearing.

RESOLUTION NO. 2015-42

A RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE BERKLEY PLACE URBAN RENEWAL PLAN

Fisher introduced and caused to be read Resolution No. 2015-42 and moved for its adoption, which was seconded by Bice. Aye: Fisher, Bice, Chappas, Harbst, Thee. Resolution duly adopted.

**AMENDMENT NO. 1 TO THE COMMERCIAL/INDUSTRIAL URBAN REVITALIZATION PLAN
PUBLIC HEARING**

The Mayor announced that this is the time and place to consider the proposed Amendment No. 1 to the Commercial/Industrial Urban Revitalization Plan. After receiving no oral or written comments, the Mayor closed the public hearing.

RESOLUTION NO. 2015-43

A RESOLUTION ADOPTING AMENDMENT NO. 1 TO THE SPIRIT LAKE COMMERCIAL/INDUSTRIAL URBAN REVITALIZATION PLAN

Thee introduced and caused to be read Resolution No. 2015-43 and moved for its adoption, which was seconded by Chappas. Aye: Fisher, Bice, Chappas, Harbst, Thee. Resolution duly adopted.

ORDINANCE NO. 5-2015

AN ORDINANCE DESIGNATING AMENDMENT NO. 1 TO SPIRIT LAKE COMMERCIAL/INDUSTRIAL URBAN REVITALIZATION AREA OF THE CITY OF SPIRIT LAKE, IOWA

WAIVE FIRST AND SECOND CONSIDERATION

Motion by Chappas, seconded by Harbst to waive the first and second consideration of Ordinance No. 5-2015. Motion carried unanimously.

ADOPT ORDINANCE NO. 5-2015

Motion by Bice, seconded by Chappas to adopt Ordinance No. 5-2015. Motion carried unanimously.

**DEVELOPMENT AGREEMENT WITH SEEMANN PROPERTIES, LLC
PUBLIC HEARING**

The Mayor announced that this is the time and place to consider the Development Agreement with Seemann Properties, LLC. After receiving no oral or written comments, the Mayor closed the public hearing.

RESOLUTION NO. 2015-44

A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF SPIRIT LAKE AND SEEMANN PROPERTIES, LLC.

Harbst introduced and caused to be read Resolution No. 2015-44 and moved for its adoption, which was seconded by Thee. Aye: Fisher, Bice, Chappas, Harbst, Thee. Resolution duly adopted.

**REZONING CERTAIN PROPERTY WITHIN THE LIMITS OF SPIRIT LAKE
PUBLIC HEARING**

The Mayor announced that this is the time and place to consider the rezoning of certain property within the limits of Spirit Lake known as Berkley Place. After receiving no oral or written comments, the Mayor closed the public hearing.

ORDINANCE NO. 6-2015

AN ORDINANCE OF THE CITY OF SPIRIT LAKE, IOWA, REZONING CERTAIN PROPERTIES LOCATED WITHIN THE CORPORATE LIMITS OF SPIRIT LAKE, DICKINSON COUNTY, IOWA

WAIVE FIRST AND SECOND CONSIDERATION

Motion by Bice, seconded by Chappas, to waive the first and second considerations of Ordinance No. 6-2015. Motion carried unanimously.

ADOPT ORDINANCE No. 6-2015

Motion by Thee, seconded by Chappas, to adopt Ordinance No. 6-2015. Motion carried unanimously.

RESOLUTION NO. 2015-45

RESOLUTION APPROVING PRELIMINARY PLAT OF BERKLEY PLACE SUBDIVISION

Fisher introduced and caused to be read Resolution No. 2015-45 and moved for its adoption, which was seconded by Chappas. Aye: Fisher, Bice, Chappas, Harbst, Thee. Resolution duly adopted.

RESOLUTION NO. 2015-46

RESOLUTION APPROVING WELLMARK HEALTH INSURANCE RENEWAL AND EMPLOYEE BENEFIT SYSTEMS RENEWAL

Chappas introduced and caused to be read Resolution No. 2015-46 and moved for its adoption, which was seconded by Thee. Aye: Bice, Fisher, Chappas, Harbst, Thee. Resolution duly adopted.

ORDINANCE NO. 7-2015

**AN ORDINANCE AMENDING THE CODE OF ORDINANCE OF THE CITY OF SPIRIT LAKE, IOWA, 2010
BY REVISING CHAPTER 165, SPIRIT LAKE, IOWA ZONING ORDINANCE**

WAIVE FIRST AND SECOND CONSIDERATION

Motion by Bice, seconded by Chappas to waive the first and second consideration of Ordinance No. 7-2015. Motion carried unanimously

ADOPT ORDINANCE No. 7-2015

Motion by Thee, seconded by Fisher, to Ordinance No. 7-2015. Motion carried unanimously.

STREET CLOSURE REQUEST

Todd Larson, 1405 35th Street, addressed the council with a request to close a portion of 35th Street on August 15, 2015 from 6pm-9pm for a neighborhood block party. Motion by Thee, seconded by Bice to approve the street closure request for a portion of 35th Street on August 15th from 6pm-9pm. Motion carried unanimously.

APPOINTMENT TO SPIRIT LAKE LIBRARY BOARD

Motion by Thee, seconded by Harbst, to approve the appointment of Roger Brockshus to the Spirit Lake Library Board. Motion carried unanimously.

COMMENTS BY MAYOR, COUNCIL AND STAFF

Harbst reported the Dickinson County Emergency 911 response is expanding the program, on a trial period, to include government entities, as the discretion of the city council. Owens commended the Council for taking the action to address the housing shortage within the city and working towards the proposed housing development.

ADJOURNMENT

Motion by Bice seconded by Thee to adjourn the meeting. Motion carried unanimously.

Blain Andera, Mayor

ATTEST:

Gregg L. Owens, City Administrator