CITY OF SPENCER - ORDINANCE NO. 923

ORDINANCE NO. 923 AN ORDINANCE VACATING THAT PART OF 4TH AVENUE SOUTHEAST APPROXIMATELY 724 FEET IN LENGTH AND 60 FEET IN WIDTH THAT IS LOCATED SOUTH OF THE SOUTH LINE OF 8TH STREET SOUTHEAST AND NORTH OF THE

SOUTH LINE OF MOOSE POND FIRST ADDITION, IN THE CITY OF SPEN-

CER, CLAY COUNTY, IOWA. WHEREAS, there is a City street right of-way easement described as that part of 4th Avenue Southeast approximately 724 feet in length and 60 feet in width that is located South of the South line of 8th Street Southeast and North of the South line of the proposed Moose Pond First Addition, in the City of Spencer, Clay County, Iowa (the "Proper-

WHEREAS, the City and Spencer Economic Development Corporation ("SEDC") have proposed to vacate the Property and to close it as a public street in order to relocate and reconstruct it as shown on the Final Plat of Moose Pond First Addition to the City of Spencer, Clay County, Iowa; and,

WHEREAS, at the special meeting of the Spencer City Council on August 11, 2025, the City Council set a public hearing on this proposed vacation of City street right-of way to be held at the regular City Council meeting on Monday, August 18, 2025 at 6:30 o'clock p.m., and directed publication of Notice of

said hearing as required by law; and WHEREAS, the City Attorney prepared, and the City Clerk caused to be published a Notice of the proposed vacation and public

WHEREAS, the public hearing has now

been held and no objections were presented to the proposed street vacation.

NOW, THEREFORE BE IT ORDAINED by the Spencer City Council as follows: Section 1. That part of 4th Avenue South east approximately 724 feet in length and 60 feet in width that is located South of the South line of 8th Street Southeast and North of the South line of the proposed Moose Pond First Addition, in the City of Spencer, Clay County, Iowa, as more particularly described in Exhibit "A" attached hereto, is hereby

§364.12(2)(a) of the 2025 Code of Iowa. Section 2. The vacated street right-of-way shall become a part of the adjacent City park property under the jurisdiction of the City of Spencer, Iowa.

vacated and closed as a public street right-

of-way of the City of Spencer pursuant to

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. This ordinance shall be in effect following its final passage, approval and publication as provided by law

Passed by the Council the 15th day of September, 2025, and approved this 15th day of September, 2025. /s/ Tom Nelson, Mayor Pro Tem

Attest: Mary Beth Breidinger, City Clerk

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CITY OF SPENCER - NOTICE OF STORM WATER DISCHARGE

PUBLIC NOTICE OF

STORM WATER DISCHARGE The City of Spencer plans to submit a Notice of Intent to the Iowa Department of Natural Resources to be covered under the NPDES General Permit No. 2 "Storm Water Discharge Associated with Industrial Activity for Construction Activities". The storm water discharge will be from an 8-Plex Nested T-Hangar Project including site grading and a taxilane extension at the Northwest Iowa Regional Airport in Spencer, IA located in the NE 1/4 of Section 3, T96N, R37W of the 5th Principal Meridian, Clay County, Iowa. Storm water will be discharged from 1 point source and will be discharged to the following: Overland drainage to ditches and grass waterways to the Little Sioux River.

Comments may be submitted to the Storm Water Discharge Coordinator, IOWA DE-PARTMENT OF NATURAL RESOURC-ES, Environmental Protection Division, 502 E 9th Street, Des Moines, IA 50319-0034. The public may review the Notice of Intent from 8:00 a.m. to 4:30 p.m., Monday through Friday, at the above address after it has been received by the department.

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CLAY COUNTY BOARD OF SUPERVISORS MEETING #20 - SEPTEMBER 16, 2025 MEETING

Clay County Board of Supervisor's Minutes from Meeting #20 held

September 16, 2025 The Clay County Board of Supervisors met pursuant to adjournment September 16, 2025 at 8:30 am in the Boardroom with Chairperson Batschelet presiding and with the following other members present: Supervisors Anderson, Hamrick, Swanson and DeLoss, Assistant County Attorney Barry Sackett, and County Auditor Ann Baschke as Clerk for the meeting. Chairperson Batschelet led the meeting in the Pledge of

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Anderson, Hamrick, Swanson, DeLoss and Batschelet. Nays: None. Abstentions: None.

Motion by Hamrick, seconded by Swanson that the agenda of Board Meeting #20 for September 16, 2025 be received and placed on file with the County Auditor as approved. Motion carried.

Motion by Anderson, seconded by De-Loss that the minutes of Board Meeting #19 held September 2, 2025 are hereby approved as submitted. Motion carried.

Motion by Swanson, seconded by Hamrick to adopt the following resolution: BE IT HEREBY RESOLVED by the Board of Supervisors to approve expenditures and that the County Auditor be hereby authorized and directed to issue warrants. against the various settlement of such claims allowed September 16, 2025. Ayes: Anderson, Hamrick, Swanson, DeLoss and Batschelet. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor A&M, Suppls, 260.38; Airgas, Rent, 259.49; Alliant, Suppls, 390.61; B An-

Travel, 352.50; Animal Med, derson, 300.00; Arnolds, Parts, 131.50; Ascentek, Lube, 4890.37; Bens Lock, Bldgs, 53.50; Black Hills, Gas, 1226.79; B Blom, Flex, 416.67; Bound Tree, Suppls, 889.32; Buds, Tow, 175.00; Carroll, Tools, 761.24; Cemstone, Patching, 8365.29; Everly, Elec, 94.23; Peterson, Edu, 1940.00; CCF, LOSST, 43922.90; Sec Roads, Fuel, 1873.83; CMBA, Const, 2145.00; Coast to Coast, Suppls, 249.99; Comm Health, Med, 20.00; Coop Energy, Fuel, 42023.61; Country Trailers, Part, 400.00; Crysteel, Parts, 217.46; Crysteel, Parts, 376.71; Language Link, Transl, 9.63; Custom Welding, Part, 60.80; De Jong Law, Legal, 764.60; Diamond Mowers, Parts, 2081.06; Foundation Lab, Suppls, 348.00; Howe, Sani, 66.00; Galls, Uniform, 288.17; W Gengler, Fuel, 12.90; GFC, Lease, 1000.00; Goosmann, Legal, 19485.50; GFC, Lease, 21.26; GRP, Sani, 55.00; H&N, Vehicle, 35973.63; Hartley Sent, News, 789.59; Heartland Tire, Tires, 1229.43; T Heck, Flex, 179.53; Hiway Truck, Part, 600.00; Holiday Inn, Travel, 250.88; Humboldt Co, Fee, 72.00; ILEC, Elec, 2498.00; IL Reg, Water, 632.58; Muni WC, Ins, 4385.00; ISACA, Dues, 90.00; JCL, Suppls, 90.88; T Johnson, Meals, 308.98; Johnston Auto, Parts, 2657.26; Karl, Vehicles, 13548.91; Ken Borth, Tires, 259.85; D Kiepe, Flex, 50.59; Kimley-Horn, Legal, 6875.00; Kwik Trip, Fuel, 163.22; Lawsons, Tools, 358.32; Lexis Nexis, Subs, 1138.00; Marcus News, News, 847.05; Menards, Bldgs, 837.58; C Meyer, ME Service, 100.00; Midwest Tech, Bldgs, 566.33; New Century, Fuel, 267.74; N Cent Intl, Parts, 852.15; Nuss Equip, Parts, 920.64;

YES Center, Juve, 9512.70; ODP, Suppls,

45.20; S Pingel, Bldgs, 1084.00; Planning

Solutions, Contract, 1445.58; Plumbing

& Heating, Bldgs, 40.00; Premier, Phone, 698.41; Quadient, Postage, 25.98; Quadient, Postage, 551.34; C Raveling, ME Service, 100.00; Rent-All, Equip, 545.00; Robinson, ME, 1775.00; J Rustad, Flex, 300.00; S&S, Pest Control, 325.00; Schumacher, Elevator, 1143.98; SOS, Fee, 30.00; Secure Shred, Shred, 85.00; Solutions, Data, 456.00; Chamber, Membs, 275.00; S Family Care, Med, 250.00; S Hospital, Pub Hlth, 8586.95; SMU, Elec, 14043.21; S Office, Suppls, 199.08; Reporter, News, 1129.18; Squire Shoppe, Uniform, 216.46; B Ter Horst, Consult, 2280.00; Thomson Reuters, Fee, 1299.41; Thrifty White, Med, 7.03; Tiger Pride, Bldgs, 463.05; Toft Elec, Bldgs, 360.00; Town & Co, Sani, 1611.46; State of Iowa, Motel Tax, 581.73; Truck Center, Parts, 1981.52; Vander Haags, Part, 140.77; Verizon, Cell, 230.70; Vetters, Parts, 175.89; VISA, Misc, 1495.46; Vogel Traffic, Pavement Marks, 19262.84; Warners, ME, 1099.00; Woodman, Bldgs, 280.15; Ziegler, Parts, 12156.05; Grand To-Brandy Chaffin - Langdon Nuisance

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Chaffin, residents, and landowners in Langdon spoke with the board on a property that has been vacant since 2018. The vacant property owners have been notified to clean property up, but no clean up has occurred Chaffin expressed her concerns of the property being a health hazard. Others have the same concerns as there are animals living in the house and garage. Supervisor Swanson will have this as an agenda item at the next Board of Health Meeting and encouraged those present to attend. Supervisor Batschelet spoke of the process on nuisance properties and will visit with Attorney Sackett on how to move forward

County Sheriff, Chris Raveling

Motion by DeLoss, seconded by Anderson to approve the Employee Payroll Request promoting Tyler Heck to Sergeant effective July 2, 2025 at an hourly rate of \$38.48. Motion carried.

Ken Chalstrom - Pioneer Cemetery

Chalstrom, Chairman of the Pioneer Cemetery Board, informed board members of interest by individuals to be buried in Burr Oak Cemetery. The county's current ordinance does not allow for burials in Pioneer Cemeteries and only a few burials are allowed in a period of time for the cemetery to remain established as a Pioneer Cemetery. The supervisors will ask more questions of Attorney Sackett on how to proceed.

County Maintenance, Dewey Higgins Motion by Anderson, seconded by Hamrick to approve edging quote for the Admin-

istration Building & Courthouse from Turn & Burn in the amount of \$600.00. Motion Motion by DeLoss, seconded by Swan-

son to approve quote from Toft Electric of Royal, IA for wiring at the EOC building for \$6,200-\$7,200. Estimate includes adding receptacles and camper outlet for mobile trailer. Motion carried. Discussion was held on how to proceed

with lower-level repairs at the Clay County Attorney/VA Building. Higgins and Auditor Baschke will make some contacts and report back to the board. Higgins presented the board with a

drawing of a remodel for the driver's license area. Board asked Higgins to proceed and obtain quotes

Long Term Recovery Group, Sheriffa Jones - Update

Jones and staff shared with board members that two groups are in town assisting with work on homes. They are working on making preparedness kits and providing them to citizens. They spoke of donations and the great working relationship they

have with local businesses and individuals. Spencer Chamber & Tourism, Sheriffa Jones & Olivia Baxter – Update

Jones spoke about upcoming events and activities the Chamber will be involved in. Baxter provided members with a 2025-2026 Visitors Guide which is available at locations in town and digital on the web site. She received an Iowa Tourism Grant, is working on a new web site, and just returned from attending a tourism conference. First Children's Finance, Angie Dun-

can – Childcare Study Strategic Plan

Duncan gave a presentation of the findings from the Childcare Study that was recently conducted in the 51301 zip code area. She went over the key findings of study and shortages identified in the study, vision and goals to provide additional child-

Cole Budach, County Engineer

Motion by Hamrick, seconded by DeLoss to approve plans for BRM-7170(632)—8N-21(18th Street bridge replacement) and closure of 340th Street/ West 18th Street. Motion carried.

Motion by Swanson, seconded by Anderson to approve closure of 320th Street and 240th Avenue (EBW) for maintenance of bridge (NBIS #117471) and roadway. Work will involve patching bridge approaches and patching bridge deck by county crew. Detour will be established along 230th Avenue and 330th Street. Motion carried.

Engineer Budach gave construction updates on Cornell Bridge, culvert repairs, N14 patching, and driveway installs. Assistant County Attorney Barry Sackett gave the Board a departmental update from

the civil division of the County Attorney's County Auditor, Ann Baschke

Motion by DeLoss, seconded by Swanson to approve creation of fund 14021 Veteran Contribution Fund. The fund will be classified as a budgetary fund with a GASB54 assigned fund balance status that will account for revenue and expenditure transactions. The fund will be created with

a -0- (zero) balance. Motion carried. Motion by Anderson, seconded by Hamrick to approve creation of fund 54100 Clay County Group Insurance Fund. The fund will be classified as a non-budgetary fund with a GASB54 restricted balance status that will account for revenue and expenditure transactions. The fund will be created

with a -0- (zero) balance. Motion carried. Supervisors discuss/share information from committees and boards they have

Supervisor Batschelet attended a Conservation Board Meeting. Supervisor Swanson reported on an Airport Board Meeting. Supervisor DeLoss attended an EMS Meeting. Supervisor Anderson attended a DCAP Meeting.

Chairperson adjourned the meeting at 11:40 am to convene at the next Auditors called meeting September 30, 2025, at 8:30

/s/ County Auditor Ann Baschke /s/ Allen Batschelet, Chairperson Clay County Board of Supervisors

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