

MILFORD CITY COUNCIL  
 REGULAR MEETING  
 APRIL 11, 2016  
 6:30 PM

The Milford City Council met in regular session April 11, 2016 at 6:30 p.m. in the Community Center Board Room. Mayor Bill Reinsbach presided.

Members present: Jason Simpson, Don Olsen, Mary Kay Rolling, John Walters, and Bill Huse

Others present: City Attorney Harold Dawson

Absent: None

Bill Reinsbach led the Pledge of Allegiance.

Motion by Olsen second by Simpson to approve the agenda. Aye: Simpson, Olsen, Rolling, Walters and Huse. Motion carried.

Motion by Olsen second by Rolling to approve consent agenda. Aye: Simpson, Olsen, Rolling, Walters and Huse. Motion carried.

Items on the Consent Agenda were as follows:

- Minutes March 28, 2016 meeting
- Liquor license renewal- The Coffee Shop
- Monthly bills as listed below: (approved) and bills paid in vacation

ACCURATE COATS	STOP LIGHT POLE & STEEL PLGS	\$822.60
AFLAC	AFLAC PRE TAX	\$838.22
ALLIANT ENERGY	SIGN UTILITY	\$21.31
AMAZON/GEIC	LIBRARY BOOKS/DVDS	\$228.24
ANDERSON, STEVE	3/17/16 P & Z MTG	\$25.00
ARNOLD MOTOR SUPPLY	MARCH INVOICES	\$1,740.76
BAKER & TAYLOR INC.	LIBRARY BOOKS	\$1,469.58
BALLAH ELECTRIC	FIRE DEPT SUPPLIES	\$64.26
BECK ENGINEERING INC	CITY ENGINEER SERVICES	\$1,925.00
BELL, RUSS	TRAINING ROOM CHARGE	\$193.60
BERNING, SHELLY	4/6/16 LIBRARY BRD MTG	\$25.00
BIBLIONIX	LIBRARY ANNUAL SUBSCRIPTION	\$1,800.00
BIRCH	MARCH SERVICES	\$554.19
BLACK HILLS ENERGY	FIRE DEPT UTILITY	\$515.02
BOB'S AUTO BODY	05 CHEV SILVERADO REPAIR	\$646.40
BOHLMANN	SOUTH SHORE PARK TABLES	\$250.15
BOMGAARS	PARK SUPPLIES	\$1,603.30
BRINKS CONSULTING	MARCH SERVICES	\$1,439.00
CAMPUS CLEANERS	CITY HALL SERVICES	\$155.55
CARD SERVICES CENTER	FIRE DEPT TRAINING	\$1,002.23
CENTRAL STATES SOUTHEAST & S	EE HEALTHCARE	\$13,414.80
CLARK EQUIPMENT CO.D/B/A BOB	PUBLIC WORKS BOBCAT	\$1,000.00
CONSUMERS LUMBER	SUPPLIES	\$150.22
CONTINENTAL RESEARCH CORPOR	SEWER CHEMICALS	\$860.00
COOKINHAM, JEFF	4/6/16 LIBRARY BRD MTG	\$25.00
COOPERATIVE ENERGY COMPANY	MARCH FUEL INVOICES	\$2,390.05
CUTTING EDGE SALES & SERVICE	PARK SUPPLIES	\$54.42
DATA TECHNOLOGIES INC.	SOFTWARE USER TRAINING	\$170.00
DEKOTER, THOLE, & DAWSON, P.L.	UNION NEGOTIATION	\$2,863.12
DICKINSON COUNTY CONSERVATIO	MARCH RECYCLING	\$330.00
DICKINSON COUNTY NEWS	MARCH ADS	\$505.48
DISPLAY SALES COMPANY	FLAG SUPPLIES	\$3,203.00
DOTSON, DENNIS	4/6/16 LIBRARY BRD MTG	\$25.00
EILERS, KENT	PICK UP OF XMAS DECOR	\$64.87
FRANKLIN, ELAINE	4/6/16 LIBRARY BRD MTG	\$25.00
GANO, JOANN	4/6/16 LIBRARY BRD MTG	\$25.00
GCS TECH INC.	LIBRARY SERVICES	\$206.00
GENERAL DRIVERS UNION	UNION DUES	\$298.00
GREAT AMERICA LEASING CORP.	LIBRARY COPIER	\$110.43
HEARTLAND SECURITY SERVICES	SERVICES	\$311.40
HINSHAW, BRIAN	MARCH JANITORIAL SERVICES	\$1,600.00
HIWAY TRUCK EQUIPMENT INC.	PLOW TRUCK MAINT	\$188.25
HORSTMAN, DENNY	3/17/16 P & Z MTG	\$25.00
IMFOA	IMFOA RENEWAL DUES	\$50.00
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$9,548.46
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$7,232.46
INTERSTATE ALL BATTERY CENTER	FIRE DEPT SUPPLIES	\$33.05
IOWA CODIFICATION INC.	PREP OF FEB-16 SUPPLEMENT	\$1,500.00
IOWA PRISON INDUSTRIES	SAFETY SIGNS	\$110.00
IPERS	IPERS PROTECTN	\$9,849.79
KILTS, RICK	4/6/16 LIBRARY BRD MTG	\$25.00

KNIGHT PROTECTION	ANNUAL FIRE DEPT ALARM TEST	\$500.00
LAKES NEWS SHOPPER	MARCH ADS	\$38.10
MID-AMERICAN RESEARCH CHEMIC	CHEMICALS	\$903.70
MIDAMERICA BOOKS	LIBRARY BOOKS	\$730.89
MILFORD COMMUNICATIONS	FIRE DEPT SERVICES	\$331.03
MILFORD ELECTRIC INC.	SUPPLIES	\$5.94
MILFORD MUNICIPAL UTILITY	MARCH UTILITIES	\$9,091.32
NELSON, WANDA	3/17/16 P & Z MTG	\$25.00
NORTHERN LIGHTS DISPLAY	XMAS LIGHTS REFURB	\$335.00
NOTEBOOM IMPLEMENT LLC	PARKS SUPPLIES	\$2,254.88
OFFICE SYSTEMS COMPANY	CITY HALL COPIES	\$865.26
PAPE, JULIE	3/17/16 P & Z MTG	\$25.00
R & D INDUSTRIES	SERVICE AGRMNT/WATERPLNT C	\$821.65
RICK'S PEST CONTROL	FIRE DEPT SERVICES	\$95.00
SHAMROCK RECYCLE INC.	MARCH CURBSIDE RECYCLE	\$3,828.96
SPENCER AUTO PARTS INC.	PUBLIC WORKS SUPPLIES	\$102.86
STOREY KENWORTHY	CITY HALL SUPPLIES	\$239.07
SUPERIOR EQUIPMENT & RENTAL	PUBLIC WORKS SUPPLIES	\$9.42
TD TOOLS	PUBLIC WORKS SUPPLIES	\$448.95
THE ANDERSONS	FIRE DEPT FUEL	\$116.00
TREASURER, STATE OF IOWA	STATE TAX	\$2,380.00
TRUE VALUE-MILFORD	MARCH INVOICES	\$776.14
U.S. TOY CO/CONST PLAY	LIBRARY SUPPLIES	\$69.94
UNITED COMMUNITY BANK FOR PET	LIBRARY POSTAGE	\$213.46
UPBEAT INC.	PARKS SUPPLIES	\$816.70
VERIZON WIRELESS	MARCH SERVICES	\$515.69
WASTE MANAGEMENT	MARCH LANDFILL FEES	\$5,641.63
WEDEKING CONSTRUCTION INC.	TANDEM TRUCKING	\$1,045.00
WEDEKING PIT & PLANT	GRAVEL FOR ALLEYS	\$195.66
WESTERN IOWA TECH COMMUNITY	MCINTYRE ARNDT TRAINING	\$75.00
WINTHER STAVE & CO. LLP	MARCH SERVICES	\$525.00
TOTAL ACCOUNTS PAYABLE		\$104,535.46
PAYROLL CHECKS		\$50,403.13
***** REPORT TOTAL *****		\$154,938.59

Paid from the following funds: General Fund: 115,727.00; Road Use Tax: 16,592.95; Sewer Utility: 7,059.53; Garbage Utility: 15,559.11

Monthly Clerk's/Treasurers Report with the following receipts: General Fund: 79,782.57; Road Use Tax: 30,793.54; Employee Benefits: 7,311.21; Hotel/Motel Tax: 8,509.32; Milford South Industrial Park: 13,460.34; Nature Trails: 4,372.41; Meyer TIF: 91.07; Ponds 1 TIF: 1,715.77; LMI Fund 3,742.10; K-9 Unit: .73; Fire Works: 100.00; Debt Service: 9,584.70; 6<sup>th</sup> St. Debt & Service Sinking Fund: 8,931.71; 6<sup>th</sup> St. Debt & Service Reserve Fund: 23.05; Capitol Equipment (LOST):50.08; Capitol Project TIF Supported: 5.34; Capital Project 2010 St. Project: 2.09; Capital Project Reserve: 322.92; Capitol Project 6<sup>th</sup> St Utility: 1.51; 2012 Street Project: 16.42; H Ave. Project: 26,161.00; Airport Runway project: 277.08; Sewer Utility: 22,442.42; Garbage Utility: 24,057.42; Storm Water Utility: 9,272.59; Equipment Revolving: 2.56

## REPORTS

### Board/Commission Reports

Council reviewed March Clerks/Treasurer report, Monthly Expense and Revenue reports, Police and Fire department reports. March minutes from Community Center, Planning & Zoning, Milford Memorial Library, and Park Board.

## PUBLIC HEARINGS

Public Hearing on: City of Milford Zoning Ordinance Article II, sections 2.1 amending the definitions of 17.) Building Height Of, 52.) Grade, and adding definitions 123.) Swimming Pools. 124.) Swimming pool, Indoor and 125.) Swimming pool, Outdoor. Also to amend section 12.7 Steps, Decks, Patio and Pools, Subsection 4, Swimming pools. Mayor Reinsbach opened the public hearing at 6:32 p.m. No comments written or verbal were received. Reinsbach closed the meeting at 6:33 p.m.

## ACTIONS & DISCUSSION ITEMS

Ordinance Amending Milford Zoning Ordinances Article II, Section 2.1, Definitions, New Subsections 123, 124 and 125: and Article XII, Supplemental District Regulations, Section 12.7 Steps, Decks, Patio and Pools, Subsection 4, Swimming Pools.

After public hearing Mayor Reinsbach entertained a motion to waive the requirements that **Ordinance 4-11-16A** Amending Milford Zoning Ordinances Article II, Section 2.1, Definitions, New Subsections 123, 124 and 125; and Article XII, Supplemental District Regulations, Section 12.7 Steps, Decks, Patio and Pools, Subsection 4, Swimming Pools be considered at two prior meetings. A motion by Olsen second by Huse to waive the requirement that the **Ordinance 4-11-16A** be considered at two prior council meetings. Roll Call: Ayes: Simpson, Olsen, Rolling, Walters, and Huse. Nays: None motion passed.

Reinsbach entertained a motion to adopt **Ordinance 4-11-16A** Amending Milford Zoning Ordinances Article II, Section 2.1, Definitions, New Subsections 123, 124 and 125; and Article XII, Supplemental District Regulations, Section 12.7 Steps, Decks, Patio and Pools, Subsection 4, Swimming Pools. A motion was made by Olsen seconded by Huse to adopt **Ordinance 4-11-16A** Roll Call: Ayes: Simpson, Olsen, Rolling, Walters, and Huse. Nays: None motion passed.

Ordinance Amending Milford Zoning Ordinances Article II, Section 2.1, Definitions, Subsection 17, Building, Height Of and Subsection 52, Grade

Mayor Reinsbach entertained a motion to waive the requirements that **Ordinance 4-11-16B** Amending Milford Zoning Ordinances Article II, Section 2.1, Definitions, Subsection 17, Building, Height Of and Subsection 52, Grade be considered at two prior meetings. A motion by Olsen second by Huse to waive the requirement that the **Ordinance 4-11-16B** be considered at two prior council meetings. Roll Call: Ayes: Simpson, Olsen, Rolling, Walters, and Huse. Nays: None motion passed.

Reinsbach entertained a motion to adopt **Ordinance 4-11-16B** Amending Milford Zoning Ordinances Article II, Section 2.1, Definitions, Subsection 17, Building, Height Of and Subsection 52, Grade. A motion was made by Olsen seconded by Huse to adopt **Ordinance 4-11-16B** Roll Call: Ayes: Simpson, Olsen, Rolling, Walters, and Huse. Nays: None motion passed.

Ordinance Readopting the Existing City Code of the City of Milford, Iowa as the Code of Ordinances of The City of Milford, Iowa

Mayor Reinsbach entertained a motion to waive the requirements that **Ordinance 4-11-16** Readopting the Existing City Code of the City of Milford, Iowa as the Code of Ordinances of The City of Milford, Iowa be considered at two prior meetings. A motion by Olsen second by Huse to waive the requirement that the **Ordinance 4-11-16** be considered at two prior council meetings. Roll Call: Ayes: Simpson, Olsen, Rolling, Walters, and Huse. Nays: None motion passed.

Reinsbach entertained a motion to adopt **Ordinance 4-11-16** Readopting the Existing City Code of the City of Milford, Iowa as the Code of Ordinances of The City of Milford, Iowa. A motion was made by Olsen seconded by Huse to adopt **Ordinance 4-11-16** Roll Call: Ayes: Simpson, Olsen, Rolling, Walters, and Huse. Nays: None motion passed.

Okoboji Tourism- Director Rebecca Peters

Rebecca introduced herself as the new Okoboji Tourism Director while handing out a copy of the Vacation Okoboji magazine. She also thanked that council for their FY2017 commitment.

Milford Commercial Club/Pioneer Days-Dawn Powell and Chris Hinshaw

Dawn Powell with the Milford Commercial Club informed the council that this year they are trying to promote vendors. Her concern was would the vendors be required to fill out the peddlers permit and pay a fee. After much discussion motion by Olsen, second by Simpson to charge \$15.00 per vendor for the entire weekend and just have the Commercial Club provide a list to the city of all vendors who sign up and cut a check back to the city. Ayes: Simpson, Olsen, Rolling, Walters and Huse. Nay: None motion passed. Discussion took place on the streets that need to be closed off for Pioneer Days. Dawn will get a list to Police Chief Vernon Flack. Motion by Olsen, second by Rolling to close roads as needed during Pioneer Days. Aye: Simpson, Olsen, Rolling, Walters and Huse. Nay: None motion passed.

ATV/UTV Ordinance-Shane Hoffman/Brandon Murphy

Shane Hoffman and Brandon Murphy asked that the council consider changing the time in which ATVS/UTVS can operate within the City limits of Milford. Currently under Hours of Operation the ordinance reads that ATVS/UTVS shall not operate anywhere within the City limits of Milford, Iowa after sunset and before sunrise. They proposed to change the Hours of Operation to be able to ride from 6am to sunset. Police Chief Flack was concerned about making any changes to the time of operation due to safety reasons and the amount of traffic during the summer months. Councilman Simpson thought if any changes were made to the time they should consider the operation times of the second shift employees at Polaris. After further discussion motion by Olsen, second by Walters to change to Hours of Operation to 5:30AM to sunset. Aye: Simpson, Olsen, Rolling, Walters and Huse. Nay: None motion passed.

Ordinance Amending Chapter 75, All Terrain Vehicles and Snowmobiles: Section 75.06, Manner of Operation of ATVS and UTVS: Subsection 9, Hours of Operation

Mayor Reinsbach entertained a motion to waive the requirements that **Ordinance 4-11-16C** Amending Chapter 75, All Terrain Vehicles and Snowmobiles: Section 75.06, Manner of Operation of ATVS and UTVS: Subsection 9, Hours of Operation be considered at two prior meetings. A motion by Olsen second by Simpson to waive the requirement that the **Ordinance 4-11-16C** be considered at two prior council meetings. Roll Call: Ayes: Simpson, Olsen, Rolling, Walters, and Huse. Nays: None motion carried.

Reinsbach entertained a motion to adopt **Ordinance 4-11-16C** Amending Chapter 75, All Terrain Vehicles and Snowmobiles: Section 75.06, Manner of Operation of ATVS and UTVS: Subsection 9, Hours of Operation. A motion was made by Olsen seconded by Walters to adopt **Ordinance 4-11-16C** Roll Call: Ayes: Simpson, Olsen, Rolling, Walters, and Huse. Nays: None motion carried.

#### Union Arbitration decision

Attorney Harold Dawson explained to Council while they were trying to be fair and reasonable to the tax payers the Arbitrators decision to side with the union on a 3.25% increase in wages basically boils down to wage comparisons with other department in neighboring communities based on the 9-Step plan the city uses. In essence “apples to apples” comparisons are best, and surrounding towns use smaller step plans. Mayor Reinsbach commented he would like to see if there is any way we could change our plan to a more comparable 5- step plan.

#### Discussion on hiring a full time police officer

City Administrator Houge shared with Council the letter that was received in March from Arnolds Park City Clerk, Wanda Thielen. The City of Arnolds Park thanked the City of Milford for their partnership since 2007 and the 28E Agreement will terminate effective July 1, 2016. Motion by Rolling, second by Simpson to have Police Chief Vernon Flack start the process of looking for another full time officer. Ayes: Simpson, Olsen, Rolling, Walters and Huse. Nay: None motion passed.

#### Replacement of 6<sup>th</sup> St. South bound traffic light

City Administer Houge briefed Council the south bound traffic light that was damaged last year during a traffic accident is schedule to be replaced next Wednesday April 20<sup>th</sup>. The city received a check from ICAP last fall but wasn't able to make the repair due to the weather.

#### **COMMENTS BY MAYOR, COUNCIL AND STAFF**

Mayor Reinsbach reminded Police Chief Vernon Flack to get a bike safety class scheduled from a donation that we should have received from Boji Bay last fall. He also wanted to let the council know he was approached by and had a meeting with the developers of D&W. There was some concern about 50ft vs 60ft right of ways that were never recorded. He asked they bring whatever documentation they have to the office so we could check that against past council minutes. Both the Mayor and City Council would like to see something be done with the streets in Hunter Hills and decided it should be put on an upcoming agenda to discuss further.

City Administrator Houge told Council she had a conference call at 11:00 with Micheal Raner who is the Safety Director with SHIELD. One of the 12 members has opted out of renewing their membership for FY2017, because of this our premium will increase about \$925.00

With no other discussion, motion to adjourn by Simpson second by Huse at 8:10 p.m. Motion carried.

Respectfully submitted,

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Bill Reinsbach, Mayor

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LeAnn Houge, City Administrator/Clerk