

MILFORD CITY COUNCIL  
REGULAR MEETING  
AUGUST 24, 2020  
6:30 PM

The Milford City Council met in regular session August 24, 2020 at 6:30 p.m. in the East half of the Community Center.

Iowa Code Section 21.4 requires that each Council meeting shall be held at a place reasonably accessible to the public and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impracticable. Given the Governor's prohibition on gatherings of ten or more persons during the COVID19 outbreak and further given Section Nine of the Governor's March 19, 2020 proclamation suspending the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, the City Council has determined that a meeting at a physical place is impossible or impracticable and all Council meetings for the time being will be conducted electronically with the public allowed to attend per the instructions on this agenda. Meeting minutes will continue to be provided per the City's normal course of business. The agenda and the City's website had this message posted more than 24 hours in advance to give instructions on how others could participate in the meeting.

Mayor Steve Anderson presided.

Members present: Aaron Gebhart, Chris Hinshaw, Andy Yungbluth, Jason Eckard and meeting electronically Doug Frederick.

Absent: None.

Others present: Mayor Steve Anderson, Jason Eygabroad and George Bower. Anderson was available electronically along with City Administrator LeAnn Reinsbach, Tim Fairchild and Steve Schwaller.

Steve Anderson led the Pledge of Allegiance.

Motion by Hinshaw second by Eckard to approve the agenda. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Motion by Yungbluth second by Eckard to approve consent agenda. Voting aye. Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Items on the Consent Agenda were as follows:

- Minutes of August 10, 2020 council meeting
- YMCA support thank you letter

### CITIZEN OPPORTUNITY FOR COMMENT

#### PUBLIC HEARING

Public Hearing to consider proposed plans, specifications, form contract, estimated total cost of 2020 Milford Alley and Frontage Road Reconstruction Projects at 6:30 PM

Mayor Anderson opened the public meeting at 6:33 p.m. City Administrator Reinsbach mentioned no written comments were received at the City Clerk's office. With no other comments from the public Mayor Anderson closed the public hearing at 6:33 p.m.

Public Hearing to consider proposed plans, specifications, form contract, estimated total cost of 2020 City of Milford Seal Coat project at 6:35 PM

Mayor Anderson opened the public meeting at 6:35 p.m. City Administrator Reinsbach mentioned no written comments were received at the City Clerk's office. With no other comments from the public Mayor Anderson closed the public hearing at 6:36 p.m.

Public hearing amending Chapter 65, the stop or yield regulations, concerning stop signs at the intersection of 19<sup>th</sup> Street and N Avenue, Milford, Iowa at 6:40 PM

Mayor Anderson opened the public meeting at 6:40 p.m. City Administrator Reinsbach mentioned no written comments were received at the City Clerk's office. With no other comments from the public Mayor Anderson closed the public hearing at 6:40 p.m.

#### ACTION AND DISCUSSION ITEMS

Resolution awarding bid for the 2020 City of Milford Alley and Frontage Road Reconstruction project.

Motion by Yungbluth second by Hinshaw to approve **Resolution 20-45** Resolution awarding bid for the 2020 City of Milford Alley and Frontage Road Reconstruction project. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried. The project was awarded to Beck Excavating, Inc for \$401,639.20.

Resolution awarding bid for the 2020 City of Milford Sealcoat project.

Motion by Yungbluth second by Eckard to approve **Resolution 20-46** Resolution awarding bid for the 2020 City of Milford Sealcoat project. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried. The project was awarded to Blacktop Service Co for \$49,614.30. The sealcoat project will be done by the end of September.

First consideration of ordinance amending the Code of Ordinances of the City of Milford, Iowa, by amending Chapter 65, the stop or yield regulations, concerning stop signs at the intersection of 19<sup>th</sup> Street and N Avenue, Milford, Iowa

Council reviewed the ordinance and noticed that 65.02(98) reads Vehicles traveling north on **19<sup>th</sup> Street** shall stop at the intersection of N Avenue and 19th Street. It should say Vehicles traveling north on **N Avenue** shall stop at the intersection of N Avenue and 19th Street.

Motion by Gebhart second by Yungbluth to approve first reading of **Ordinance 8-24-20** changing the wording as stated above and amending the Code of Ordinances of the City of Milford, Iowa, by amending Chapter 65, the stop or yield

regulations, concerning stop signs at the intersection of 19<sup>th</sup> Street and N Avenue, Milford, Iowa Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried

Consider waiving the second and third reading and passage of ordinance amending the Code of Ordinances of the City of Milford, Iowa, by amending Chapter 65, the stop or yield regulations, concerning stop signs at the intersection of 19<sup>th</sup> Street and N Avenue, Milford, Iowa.

Motion by Gebhart second by Eckard to waive the second and third reading of **Ordinance 8-24-20** amending the Code of Ordinances of the City of Milford, Iowa, by amending Chapter 65, the stop or yield regulations, concerning stop signs at the intersection of 19<sup>th</sup> Street and N Avenue, Milford, Iowa Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Motion by Yungbluth second by Gebhart to adopt **Ordinance 8-24-20** amending the Code of Ordinances of the City of Milford, Iowa, by amending the Code of Ordinances of the City of Milford, Iowa, by amending Chapter 65, the stop or yield regulations, concerning stop signs at the intersection of 19<sup>th</sup> Street and N Avenue, Milford, Iowa Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried

Resolution requesting reimbursement from the Iowa COVID-19 government relief fund.

Motion by Yungbluth second by Gebhart to approve **Resolution 20-47** Resolution requesting reimbursement from the Iowa COVID-19 government relief fund. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Council to consider waiving sewer charges for swimming pools at 2501 Boji Bend Drive.

Motion by Yungbluth second by Hinshaw to approve waiving the sewer charges for swimming pools at 2501 Boji Bend Drive. City Administrator Reinsbach mention she had spoken with Linda Ruble with MMU and Tim is going to replace the current meter with a water add meter off the clubhouse main service. The question was raised as why we should approve waiving sewer charges back to 2018 when the ordinance states any recalculation of charges should be submitted within 30 days of the due date on bill. After further review Yungbluth rescinded his motion. Yungbluth then made a motion to approve waiving the sewer charges for 2020 only if the meter has been changed out to avoid waiving any future sewer service charges for the pools 2501 Boji Bend Drive. Eckard second the motion. All voting aye. Motion carried.

Review quote from Sullivan Concrete for street work on 28<sup>th</sup> St. and additional street patching project to be paid for from LOST capital improvements.

City Administrator Reinsbach explained that 28<sup>th</sup> St. is owned by both the city and county. The council reviewed the quote and Reinsbach mentioned that Kent had spoken with Dickinson County Engineer Dan Eckert and he is willing to split the cost 50/50. Motion by Hinshaw second by Eckard to approve the quote from Sullivan Concrete with the city portion not to exceed \$5000.00. All voting aye. Motion carried. Kent is also wanting to patch a couple larger street area due to water main breaks but they are too big for the equipment he has. He spoke with Fuller & Sons and it will be about \$6000.00 to have them fix. Reinsbach reviewed the budget items and there is money in the LOST capital improvement fund to pay for the street patching. Motion by Yungbluth second by Hinshaw to approve street patching not to exceed \$10,000.00. All voting aye. Motion carried.

Further discussion on clean up days.

City Administrator Reinsbach asked the council to review options again in regards to clean up days and explained doing curbside bulk pick up is not in the current budget. She reviewed cost estimates for 3 different options for cost anywhere from \$4400.00 to approximately \$13,500.00. Options 1 and 2 were city drop off sites they would require a city employee be on site. Council felt this was asking a lot of our employees. After much discussion motion by Yungbluth second by Eckard to reach out to Waste Management to schedule clean up days yet this fall. Once those dates are coordinated and confirmed a publication will go to the paper and the information will be on the city website.

Discuss street lights along 6<sup>th</sup> St. going west.

City Administrator Reinsbach mention she has been talking with Logan Davids and Kent Eilers about possible adding 3 additional street lights from the intersection of 6<sup>th</sup> and H Ave. going west to better light the sidewalk towards the new middle school. The cost for the poles and LED lights is approximately \$5500.00. Reinsbach commented after talking with Logan last week we could cut close to \$1000.00 of this price because we have some lights from H Avenue project. The other suggestion was to see if MMU could just do all the needed prep work this year to include pouring the concrete and running conduit. This would be done before the sidewalk is poured. Motion by Yungbluth second by Gebhart to ask MMU to do the prep work this fall and the city will budget for poles during next year. All voting aye. Motion carried.

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

Reinsbach let council know all the new LED lights have been replaced on the last portion of H Ave. The parks department has filled a position they had open for part time seasonal help. Both Memorial Park and Florence Park have had some vandalism again in the last couple of weeks. Reinsbach communicated the school district has applied for a fence permit and have been informed they need to apply for a special exception use permit and to allow 4-6 weeks for approval because the request needs to be reviewed by the P&Z Commission first with a recommendation to the Board of Adjustments. Due to the time frame of publication and meeting with both boards it takes a while. Gebhart asked that the council move the meeting back to the council chambers. Council members had no issues with doing this. Council wants to open city hall by appointment only after Labor Day to be in line with the Library. Mayor Anderson suggests we have Dave write up a document for the school to sign off on in regards to the sidewalk. Council agreed it would be best to have something in black and white. Jason with Beck will provide more information to the cost to be included in the document. Council agreed it would be best to have something in black and white. Gebhart asked to have a discussion on nuisance abatement process on the next council agenda.

With no other discussion, motion to adjourn by Yungbluth second by Hinshaw at 8:05 p.m. All voting aye. Motion carried.

Respectfully submitted,

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Steven R. Anderson, Mayor

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LeAnn Reinsbach, City Administrator/Clerk