

MILFORD CITY COUNCIL  
 REGULAR MEETING  
 DECEMBER 10, 2018  
 6:30 PM

The Milford City Council met in regular session December 10, 2018 at 6:30 p.m. in the Community Center Board Room

Mayor Steve Anderson presided.

Members present: Chris Hinshaw, Doug Frederick, Andy Yungbluth, and Bill Huse.

Absent: Don Olsen.

Others present: City Administrator LeAnn Reinsbach, City Attorney David Stein, Don Brinkley, Bob Clark, Kent Eilers, Sue Richter, Emil Richter, Steve Heeg and Jason Eygabroad.

Steve Anderson led the Pledge of Allegiance.

Motion by Yungbluth second by Huse to approve the agenda. All voting aye: Motion carried.

Motion by Huse second Hinshaw to approve consent agenda. All voting aye. Motion carried.

Items on the Consent Agenda were as follows:

- Minutes November 26, 2018 council meeting
- Monthly bills as listed below: (approved) and bills paid in vacation

AFLAC	AFLAC PRE TAX	\$889.12
ALLIANT ENERGY	SIGN UTILITY	\$24.97
ANDERSON, GILLIAN	NEW LIBRARY LAPTOP	\$417.93
ARNOLD MOTOR SUPPLY	NOVEMBER INVOICES	\$743.45
BAKER & TAYLOR INC.	LIBRARY BOOKS	\$593.23
BANKER'S TRUST	GO OBLIG REFND BONDS 2013	\$17,861.25
BANKER'S TRUST	GO CORP PRPSE & REFND BND 2016	\$18,493.75
BANKER'S TRUST	GO STREET IMPROVE BOND 2012	\$3,202.50
BANKER'S TRUST	GO STREET IMPROVE BND 2010	\$3,818.75
BECK ENGINEERING INC	H AVE PHASE 3 RECON	\$1,350.00
BECK EXCAVATING INC.	2018 ALLEY RECONSTRUCT	\$114,863.74
BERGLUND, SCOTT	P & Z MTG 8/16/18	\$50.00
BERNING, SHELLY	LIBRARY BRD MTG 12/5/18	\$25.00
BLACK HILLS ENERGY	FIRE DEPT UTILITY	\$927.06
BOMGAARS	PARKS DEPT SUPPLIES	\$400.20
BRINKS CONSULTING	NOVEMBER SERVICES	\$376.50
BROWN SUPPLY	STREET MAINT	\$645.11
CARD SERVICES CENTER	FIRE DEPT INVOICES	\$778.08
CARD SERVICES CENTER	SUPPLIES/POSTAGE	\$453.98
CENTRAL STATES SOUTHEAST &	EE HEALTHCARE	\$17,222.40
CERTIFIED TESTING SERVICES INC	ALLEY RECONST 2018	\$55.00
CINTAS	CITY HALL/PW FIRST AID KITS	\$21.87
COOKINHAM, JEFF	LIBRARY BRD MTG 12/5/18	\$25.00
COOPERATIVE ENERGY COMPANY	NOVEMBER FUEL	\$4,883.48
CRYTEEL TRUCK EQUIPMENT	PW TRUCK REPAIRS	\$26,889.56
CUMMINS CENTRAL POWER	FIRE DEPT MAINT	\$312.35
DATA TECHNOLOGIES INC.	2019 LICENSE & SUPPORT FEE	\$3,129.51
DAVE'S REPAIR, INC.	PUBLIC WORKS MAINT	\$86.52
DENNIS E MERRY	NOVEMBER JANITORIAL	\$1,700.00
DICKINSON CNTY	PD LICENSE/VPN/SUPPORT	\$1,125.00
DICKINSON COUNTY CONSERVATIO	NOVEMBER GREEN WASTE/TUBES	\$677.00
DICKINSON COUNTY NEWS	MINUTES PUBLICATION	\$304.15
DICKINSON RECORDER	EASEMENT AGREEMENT RECORDING	\$22.00
DISCOVERY HOUSE INC.	18-19 CONTRIBUTION	\$1,750.00
DORSEY & WHITNEY LLP	18 URBAN RENEWAL PLAN SERVICES	\$6,500.00
DOTSON, DENNIS	LIBRARY BRD MTG 12/5/18	\$25.00
FRANKLIN, ELAINE	LIBRARY BRD MTG 12/5/18	\$25.00
FRONTLINE PLUS	SIREN REPAIR	\$4,615.00
GALEN'S PRO-MOW	PARKS SNOW BLOWER REPAIR	\$198.80
GANO, JOANN	LIBRARY BRD MTG 12/5/18	\$25.00
GENERAL DRIVERS UNION	UNION DUES	\$377.00
GREAT AMERICA LEASING CORP.	LIBRARY COPIER	\$110.43
GUNS GALORE	PD GUN REPAIRS/SUPPLY	\$255.00
HEIMAN INC.	FIRE DEPT SUPPLIES	\$795.00
HEIMAN INC.	FIRE DEPT SUPPLIES	\$33.90

HEMPHILL, LINDA	COMM CTR BRD MTG 12/5/18	\$25.00
HTM SALES INC.	SEAL RELAY	\$147.00
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$7,244.88
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$7,387.49
IPERS	IPERS PROTECTN	\$10,046.43
JCL SOLUTIONS-JANITORS CLOSET	JANITORIAL SUPPLIES	\$263.18
JENNINGS TOW & REPAIR	PW KEROSENE	\$21.00
KEN BORTH AUTO BODY LTD.	PW SKID SHOES	\$116.84
KILTS, RICK	LIBRARY BRD MTG 12/5/18	\$25.00
KIMBALL MIDWEST	PLOW SUPPLIES	\$128.50
KRIZ-DAVIS COMPANY	MEMORIAL PARK STREET LIGHTS	\$985.32
LAKES NEWS SHOPPER	NOVEMBER NEWSLETTER	\$380.00
LISA'S BAKE SHOP	GINGERBREAD COOKIES	\$25.00
LYNNETTE COOK	WINTER PLANTERS/GRESSLEYS SQR	\$150.00
M & T FIRE AND SAFETY	FIRE DEPT SUPPLIES	\$13.00
MCCREA, JIM	COMM CTR BRD MTG 12/5/18	\$25.00
MENARDS - SPENCER	AIRPORT SHED SUPPLIES	\$603.00
MID-AMERICAN RESEARCH CHEMIC	PW VEHICLE MAINT	\$263.57
MID-IOWA SOLID WASTE EQUIPMEN	SWEEPER VEHICLE MAINT	\$522.30
MIDWEST BREATHING AIR L.L.C.	FIRE DEPT SUPPLIES	\$761.18
MILFORD COMMERCIAL CLUB	LIBRARY MEMBERSHIP	\$100.00
MILFORD COMMUNICATIONS	FIRE DEPT INTERNET/CABLE	\$727.26
MILFORD ELECTRIC INC.	LIFT PUMP REPAIRS	\$75.00
MILFORD MUNICIPAL UTILITY	NOVEMBER UTILITIES	\$7,885.98
NELSON, WANDA	P & Z MTG 8/16/18	\$50.00
NORTHWEST READY-MIX CONCRET	FLORENCE PARK	\$375.00
OFFICE SYSTEMS COMPANY	PD COPIER	\$78.84
OKOBOJI AFTER PROM	2019 DONATION	\$100.00
ORTMAN, RICH	COMM CTR BRD MTG 12/5/18	\$25.00
OVERDRIVE INC.	LIBRARY BOOKS	\$16.99
PAPE, JULIE	P & Z MTG 8/16/18	\$50.00
PARACLETE PRESS INC	LIBRARY BOOKS	\$11.19
POSTMASTER	PO BOX LEASE	\$90.00
QUILL	LIBRART SUPPLIES	\$51.99
R & D INDUSTRIES	SERVICE AGREEMENT	\$774.50
CAMPUS CLEANERS	LIBRARY SERVICES	\$275.10
REGIONAL TRANSIT AUTHORITY	2ND QTR FY 19 PAYMENT	\$1,875.00
REINSBACH, LEANN	TRAVEL REIMBURSEMENT-BUDGT	\$52.87
RICK'S PEST CONTROL	FIRE DEPT SERVICES	\$95.00
SANDRY FIRE SUPPLY	FIRE DEPT SUPPLIES	\$496.30
SECURE BENEFITS SYSTEMS	EE FSA CONTRIBUTIONS	\$279.88
SEXTON, BRENT	P & Z MTG 8/16/18	\$50.00
SHORTLEY, MICHELE	LIBRARY BRD MTG 12/5/18	\$25.00
SMART APPLE MEDIA	LIBRARY BOOKS	\$228.75
SPENCER AUTO PARTS INC.	PW VEHICLE MAINT	\$40.14
STEIN LAW OFFICE	NOVEMBER LEGAL SERVICES	\$3,069.79
STOREY KENWORTHY	LIBRARY SUPPLIES	\$320.42
STUART C IRBY CO BR983	LIGHTING SUPPLY	\$1,950.00
SUNSHINE FOODS	MILFORD MEMORIAL LIBRARY SUPP	\$45.40
SUPERIOR EQUIPMENT & RENTAL	SUPPLIES	\$217.46
TREASURER, STATE OF IOWA	STATE TAX	\$2,650.00
TRUE VALUE-MILFORD	NOVEMBER INVOICES	\$410.75
UNITED COMMUNITY BANK FOR PE	POSTAGE	\$140.64
VERIZON WIRELESS	LAPTOP/CELL SERVICES	\$427.29
WINTER STAVE & CO. LLP	FY18 URBAN RENWAL REPORT	\$815.00
WTS MEDIA	LIBRARY SUPPLIES	\$114.50
TOTAL ACCOUNTS PAYABLE		\$290,203.32
PAYROLL CHECKS		\$42,697.08
**** PAID TOTAL ****		\$332,900.40

Paid from the following funds: General Fund: 103,103.41; Road Use Tax: 36,876.83; Employee Benefits: 14,407.20; Hotel/Motel Tax: 100.00; Debt Service: 43,376.25; Capitol Equipment LOST: 126,485.97; H Ave project: 1,350.00; Sewer Utility Fund: 7,000.75; Storm Water Utility Fund: 199.99

Monthly Clerk's/Treasurers Report with the following receipts: General Fund: 162,452.76; Road Use Tax: 32,571.09; Employee Benefits: 25,354.55; Hotel/Motel Tax: 36,858.26; TIF: 46,658.80; LMI Fund: 1,428.06; Debt Service: 21,161.56; Capitol Equipment (LOST) 26,958.90; Capital Project Reserve: 2,856.13; Sewer Utility: 26,153.21; Garbage Utility: 312.22; Storm Water Utility: 10,881.38

**CITIZEN OPPORTUNITY FOR COMMENT**

## REPORTS

### Board/Commission Reports

Council reviewed the November Bank Cash report, Clerks/Treasurer report, Monthly Expense and Revenue reports, and Fire, Police reports. November minutes from Community Center, Park Board, Planning & Zoning and Library along with December events, Dickinson County Sanitary Landfill Commission minutes/Treasurer's report from October, Shield Board minutes from October 2018.

## ACTION & DISCUSSION ITEMS

### ICAP denial letter claimant Don Origer

Council reviewed the denial letter from ICAP.

### Resolution setting public hearing on proposal to rezone land titled in Okoboji Community School District from (AG) Agricultural District to (3RM) Multi-Family Residential District

Motion by Yungbluth second by Hinshaw to approve **Resolution 18-60** Resolution setting public hearing on proposal to rezone land titled in Okoboji Community School District from (AG) Agricultural District to (3RM) Multi-Family Residential District. Roll call vote. Voting aye: Hinshaw, Frederick, Yungbluth and Huse. Nay: None. Motion carried

### Reconsideration of motion to table/ referral back to Planning and Zoning Commission of sign ordinance amendment.

City Attorney David Stein noted that during the previous council meeting the council tabled the ordinance and requested that the Planning & Zoning Commission revisit issues related to the larger signs. One of the primary concerns raised at the previous council meeting were DOT regulations and city zoning ordinance requirements regarding larger signs including the 100 sq. foot sign Emil Richter places for Okoboji High School students wishing them "Good Luck at State". Dave did some checking and there is an exception under DOT rules and the zoning ordinance for community recognition signs that are directed by the city or a public officer of the city if the signs are not placed within the right of way. If the council decides they want to move forward with the ordinance they could reconsider the motion to table and referral back to Planning & Zoning. Council discussed timing for approval and all agree to keep the approval simple. Motion by Yungbluth second by Huse to withdraw the previous tabling of the reading of the ordinance and send it back to Planning and Zoning. Roll call vote. Voting aye: Hinshaw, Frederick, Yungbluth and Huse. Nay: None. Motion carried. Zoning Administrator reviewed with council some pictures that he has taken in previous years on temporary signs that were put up without permits and noted that if the temporary sign permit process would have taken place a lot of the concerns would go away. Some of the pictures the council reviewed had stakes pounded into ground right by electrical boxes and no locates were called in. Don also noted that the temporary sign permits process is not only for safety but to help individuals better understand where signs can be placed. Yungbluth made a motion that we write Emil a letter for one year to allow him to put signs up from January 1 until December 31<sup>st</sup> for the larger sign and if other entities want to do the same thing they can come in and ask for a letter. This way it would alleviate the concerns on contacting a city official on short notice. Stein commented this isn't an agenda item but we could put it on the next agenda. Yungbluth withdrew his motion. Council asked Stein to put something together to review during the December 26<sup>th</sup> meeting.

### Second consideration of amendment to Article XVI Sign Regulations of the City of Milford, Iowa 2011; Consider waiving the third reading and passage of Ordinance amending zoning ordinances of the City of Milford, Iowa 2011 by amending Article XVI Sign Regulations

Motion by Yungbluth seconded by Hinshaw to consider approval of Ordinance (second consideration) contingent upon deleting the section that pertains to the permit fees being waived by the City or Zoning Administrator. Roll call vote. Voting aye: Hinshaw, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

Motion by Huse second by Yungbluth to waive the third consideration of Ordinance contingent upon deleting the section that pertains to the permit fees being waived by the City or Zoning Administrator. Roll call vote: Voting aye: Hinshaw, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

Motion was made Yungbluth second by Hinshaw to adopt Ordinance contingent upon deleting the section that pertains to the permit fees being waived by the City or Zoning Administrator. Roll call vote. Voting aye: Hinshaw, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

### Resolution authorizing economic development forgivable loan agreement with Grapetree Medical Staffing, LLC

Steve Heeg with Grapetree commented they currently have 140 employees and are hiring another 5 more next week. Steve also noted the plan is for a mid-January Phase I move in and by end of February all employees will be working out of the newly remodeled building and thanked council for their support. Motion by Huse second by Yungbluth to approve **Resolution 18-61** Resolution authorizing economic development forgivable loan agreement with Grapetree Medical Staffing, LLC. Roll call vote. Voting aye: Hinshaw, Frederick, Yungbluth and Huse. Nay: None. Motion carried

### Resolution of the City Council of Milford, Iowa to request the assistance of the staff of the Northwest Iowa Planning and Development Commission

Motion by Hinshaw second by Frederick to approve **Resolution 18-62** Resolution of the City Council of Milford, Iowa to request the assistance of the staff of the Northwest Iowa Planning and Development Commission. Roll call vote. Voting aye: Hinshaw, Frederick, Yungbluth and Huse. Nay: None. Motion carried

Resolution authorizing fund transfers for FY 2019

Motion by Yungbluth second by Hinshaw to approve **Resolution 18-63** Resolution authorizing fund transfers for FY 2019. Roll call vote. Voting aye: Hinshaw, Frederick, Yungbluth and Huse. Nay: None. Motion carried

Resolution setting public hearing on proposed amendment to the parking regulations- Chapter 69 of the Milford City code of Ordinances

Motion by Yungbluth second by Hinshaw to approve **Resolution 18-64** Resolution setting public hearing on proposed amendment to the parking regulations- Chapter 69 of the Milford City code of Ordinances. Roll call vote. Voting aye: Hinshaw, Frederick, Yungbluth and Huse. Nay: None. Motion carried

Resolution accepting work completed/accomplished through October 27, 2018 and approving Payment No. 2 on 2018 City of Milford Alley Reconstruction project

Motion by Yungbluth second by Huse to approve **Resolution 18-65** Resolution accepting work completed/accomplished through October 27, 2018 and approving Payment No. 2 on 2018 City of Milford Alley Reconstruction project. Roll call vote. Voting aye: Hinshaw, Frederick, Yungbluth and Huse. Nay: None. Motion carried

Review H Avenue Phase III LID options project

Mayor Anderson noted this is the information he discussed during the November 12th council meeting in regards to options the city can look at to relieve some of the storm water runoff on H Avenue. Jason with Beck Engineering went over different scenarios on provided map and cost. Anderson was concerned that the soils along H Avenue are different than areas north of town. After further discussion it was suggested to get some percolation testing done and bring information back to council for further review based on the testing results. Mayor Anderson would like to take Public Works Supervisor Kent Eilers to some other areas in local towns that currently have the types of Bio Retention cells (rain gardens).

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

Councilman Hinshaw commented that Holiday Fantasy went well. Mayor Anderson spoke about the Healthy Hometown meetings he has been attending. The next thing they are working on is to get bikes to donate to kids/parents that may not have the financial ability to purchase bikes. There was also discussion about giving the bikes away at the YMCA and include bike helmets. Anderson also said he has had conversations with Police Chief Bob Clark to let him know if the police department comes across any bikes to let him know. City Administrator Reinsbach noted she sent information if for an ICAP grant for the public works department and in January will turn in another request for a \$1000.00 grant from ICAP for bulletproof vest on behalf of the police department. With no other discussion, motion to adjourn by Yungbluth second by Hinshaw at 7:51 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