

MILFORD CITY COUNCIL  
REGULAR MEETING  
JULY 27, 2020  
6:30 PM

The Milford City Council met in regular session July 27, 2020 at 6:30 p.m. in the East 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: Chris Hinshaw, Andy Yungbluth, Jason Eckard and meeting electronically Doug Frederick and Aaron Gebhart.

Absent: None.

Others present: Mayor Steve Anderson, Carey Harguth, Kent Eilers, John Wills, Kris Fuhrman, Cortney Shryock, Brad Williamsson, Scott Seeger, Pastor Jennifer Hesebeck and Jason Eygabroad. Anderson were also available electronically along with City Administrator LeAnn Reinsbach, Don Brinkley, Steve Schwaller and Garth Wolff.

Steve Anderson led the Pledge of Allegiance.

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

Motion by Hinshaw second by Yungbluth 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 July 13, 2020 council meeting

### **CITIZEN OPPORTUNITY FOR COMMENT**

#### **PUBLIC HEARING**

Public hearing on considering a text amendment to the definitions in Article II, Section 2.1 for Short-Term Vacation Rentals and is considering adding Short-Term Vacation Rentals as a Special Exception Use Permit in the 3RM District in Article VI, Section 6.3 at 6:30 p.m.

Mayor Anderson opened the public meeting at 6:32 p.m. City Administrator Reinsbach mentioned no written comments were received at the City Clerk's office. Kris Fuhrman ask that the council consider the zoning amendment changes. Zoning Administrator Don Brinkley noted that even if the zoning amendment is approved a special exception use permit still needs to be turned in and the Board of Adjustments has the ability to add special conditions during the permitting process. With no other comments from the public Mayor Anderson closed the public hearing at 6:36 p.m.

### **ACTION AND DISCUSSION ITEMS**

First consideration of an ordinance amending the Zoning Ordinances of the City of Milford, Iowa, by adding a definition for Short-Term Vacation Rentals and allowing Short Term Vacation Rentals as a Special Exception Use Permit in the 3RM District.

Motion by Yungbluth second by Hinshaw to approve first reading of **Ordinance 7-27-20** amending the Code of Ordinances of the City of Milford, Iowa, by adding a definition for Short-Term Vacation Rentals and allowing Short Term Vacation Rentals as a Special Exception Use Permit in the 3RM District. 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 an ordinance amending the Zoning Ordinances of the City of Milford, Iowa, by adding a definition for Short-Term Vacation Rentals and allowing Short Term Vacation Rentals as a Special Exception Use Permit in the 3RM District.

Motion by Gebhart second by Yungbluth to waive the second and third reading of **Ordinance 7-27-20** amending the Code of Ordinances of the City of Milford, Iowa, by adding a definition for Short-Term Vacation Rentals and allowing Short Term Vacation Rentals as a Special Exception Use Permit in the 3RM District. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Motion by Gebhart second by Eckard to adopt **Ordinance 7-27-20** amending the Code of Ordinances of the City of Milford, Iowa, by adding a definition for Short-Term Vacation Rentals and allowing Short Term Vacation Rentals as a Special Exception Use Permit in the 3RM District. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried

Resolution setting public hearing to consider proposed plans, specifications, form of contract, estimated total cost of project, setting bid letting and public hearing to review and possibly accept bids for Milford Alley and Frontage Road Reconstruction Projects.

Motion by Yungbluth second by Eckard to approve **Resolution 20-40** Resolution setting public hearing to consider proposed plans, specifications, form of contract, estimated total cost of project, setting bid letting and public hearing to review and possibly accept bids for Milford Alley and Frontage Road Reconstruction Projects. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried. The public hearing is set for August 24, 2020 at 6:30 p.m.

Resolution setting public hearing to consider proposed plans, specifications, form of contract, estimated total cost of project, setting bid letting and public hearing to review and possibly accept bids for Milford Seal Coat Project.

Motion by Yungbluth second by Eckard to approve **Resolution 20-41** Resolution setting public hearing to consider proposed plans, specifications, form of contract, estimated total cost of project, setting bid letting and public hearing to review and possibly accept bids for Milford Seal Coat Project. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried. The public hearing is set for August 24, 2020 at 6:35 p.m.

Dickinson County Water Quality Commission-John Wills

John handed out information in regards to the history of the Water Quality Commission and explained the \$13,000 from city funding/donations every year goes towards project on Silver Lake, Iowa Great Lakes and Little Swan Lake. John also touched the amount of phosphorous that has been removed from the Iowa Great Lakes and spoke that next year they would like to remove curly leaf pondweed in the Lower Gar area. Councilman Hinshaw thanked John for coming and asked him to make an effort to attend a council meeting at least once a year.

Discussion concerning Okoboji Community School District use of Faith Community Church Parking-Pastor Jennifer Hesebeck

Pastor Jennifer Hesebeck spoke to council in regards to the parking lot south of the Community Center that is owned by the church. The school has been using this parking lot a number of years and is wanting to get some sort of formal agreement in place for continued use. Currently they use about 20 parking spots. The school attended a church council meeting and suggested paying 1/3 of the cost for liabilities and responsibility for the use of the lot. From the city standpoint we want to continue snow removal. Kent Eilers commented expenses would include the cost to haul away snow if needed, painting, sealcoat or crack sealing. The church is very happy with the agreement that is in place with the city and wants to keep the great working relationship. After some discussion the council felt the city will continue to do snow removal and cost share 1/3 with the school and church on maintenance and in the event the city has to hire to haul away snow that cost would be split between the city and the school. The church would not be charged. The church with consult with their legal counsel. No formal action took place.

Second consideration of ordinance amending the Code of Ordinances of the City of Milford, Iowa, by amending the sewer service charges in section 99.02 rate by increasing the charges by 6% per year for the next four (4) years in Milford, Iowa.

Motion by Yungbluth second by Gebhart to approve second reading of **Ordinance 7-13-20** amending the Code of Ordinances of the City of Milford, Iowa, by amending the sewer service charges in section 99.02 rate by increasing the charges by 6% per year for the next four (4) years in Milford, Iowa. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried

Consider waiving the third reading and passage of ordinance amending the Code of Ordinances of the City of Milford, Iowa, by amending the sewer service charges in section 99.02 rate by increasing the charges by 6% per year for the next four (4) years in Milford, Iowa

Motion by Hinshaw second by Yungbluth to waive the third reading and passage of ordinance amending the Code of Ordinances of the City of Milford, Iowa, by amending the sewer service charges in section 99.02 rate by increasing the charges by 6% per year for the next four (4) years in Milford, Iowa. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried

Discussion on possible clean up days

This agenda item was added at the request of councilman Yungbluth due to the amount of phone calls he has received from residents. Somewhat tied to COVID-19 residents are home, cleaning house and want to get rid of items. Council reviewed options provided from Waste Management. The general consensus is to go with option # 3 of Curbside Bulk pick up. The finance committee will meet and review before moving forward. Reinsbach will ask Carrie to reach out to Jay with Waste Management in regards to a time frame in August or September that would work best.

Review quote to install a fire hydrant on Q Avenue

The cost to install the fire hydrant is approximately \$7200.00. The council does not want to wait until next year to put in the fire hydrant so the finance committee will meet to review options. Motion by Gebhart second by Frederick to move forward with the fire hydrant installation. All voting aye. Motion carried.

Discussion on adding a stop sign at the intersection of N Avenue and 19<sup>th</sup> St.

Council discussed replacing the yield sign at this intersection with a stop sign. Motion by Yungbluth second by Gebhart to address this at the next council meeting to set a public hearing on making an ordinance change.

Update on Florence Park shelter house

City Administrator Reinsbach noted things are running on schedule. The sink cabinet and counter tops were picked out last week.

Appoint P & Z Commission member

The planning and zoning commission is down to only 2 members out of 5. We have not received any female applications so it's hard to follow the gender balance guidelines. Motion by Yungbluth second by Gebhart to appoint both McIntyre Arndt and Tom Jorgensen to the Planning and Zoning Commission. All voting aye. Motion carried.

Administrator Reinsbach spoke in regards to the joint meeting with the school. It was suggested to look into adding angle parking around Florence Park. After reaching out to the city engineer the only street that would accommodate this is 10<sup>th</sup> St. Discussion was had on which side of the street this would work best on the north or the south. The general consensus would be to put add the angle spots on the south side. If there is done there would be no parking on the north side. Council felt the property owners should be notified and see what their thoughts are. After further discussion Mayor Anderson asked the city engineer to bring us back some drawing to look at so we know how many additional spots would be added.

Reinsbach also mentioned she has been emailing Brad Droegmiller in regards to the sidewalk going west at the intersection of 6<sup>th</sup> and H. The school is getting cost estimates for a 5-foot sidewalk and hopes to having something after the construction meeting on July 28<sup>th</sup>.

Aaron Gebhart commented the new playground equipment at Memorial Park has been installed.

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

Respectfully submitted,

---

Steven R. Anderson, Mayor

---

LeAnn Reinsbach, City Administrator/Clerk