

MILFORD CITY COUNCIL
 REGULAR AND SPECIAL JOINT MEETING WITH MMU
 JUNE 10, 2019
 6:15 PM

The Milford City Council met in regular session June 10, 2019 at 6:15 p.m. in the Community Center Board Room Mayor Steve Anderson presided.

Members present: Don Olsen, Doug Frederick, Andy Yungbluth and Bill Huse

Absent: Chris Hinshaw

Others present: City Administrator LeAnn Reinsbach, Kent Eilers, Bob Clark, City Attorney Dave Stein Jr., and Don Brinkley

Steve Anderson led the Pledge of Allegiance.

Motion by Olsen seconded by Yungbluth to approve the agenda. All voting aye: Motion carried.

Motion by Yungbluth seconded by Huse to approve consent agenda. All voting aye. Motion carried.

Items on the Consent Agenda were as follows:

- Minutes May 27, 2019, 2018 council meeting
- New liquor license for Oak Hill Outdoor
- Cigarette/ Tobacco Permit- Mill Creek Lounge- 908 9th St.
- Cigarette/ Tobacco Permit- Rax Billiards- 1015 Okobojo Lounge
- Cigarette/ Tobacco Permit: Luverne Supermarket Inc.- 1704 Okobojo Ave
- Cigarette/ Tobacco Permit- Okobojo Avenue Liquor- 1610 Okobojo Ave
- Cigarette/ Tobacco Permit: Casey's General Store-510 Okobojo Ave
- Cigarette/ Tobacco Permit: Dyno's- 602 Okobojo Ave
- Cigarette/ Tobacco Permit: The Outback Lounge- 1605 P Ave
- Cigarette/ Tobacco Permit: Boji Junction-2301 Okobojo Ave
- Letter of recommendation from P&Z on rezoning or RS lots to LI for Milford Municipal Utilities
- Monthly bills-approve and bills paid in vacation

AFLAC	AFLAC PRE TAX	\$854.10
ALLIANT ENERGY	SIGN UTILITY	\$24.41
ALLISON ANTOINE	LIBRARY PROGRAM KINDERMUSIK	\$50.00
AMAZON/SYNCB	LIBRARY SUPPLIES	\$157.52
ARNOLD MOTOR SUPPLY	MAY INVOICES	\$1,250.76
AWE ACQUISITION, INC	LIBRARY SUPPLIES	\$40.00
BAKER & TAYLOR INC.	LIBRARY BOOKS	\$1,013.30
BANKER'S TRUST	2013 GO REFNDING BONDS	\$377,861.25
BANKER'S TRUST	2016 GO CORP PURP & RNFND BND	\$178,493.75
BANKER'S TRUST	2012 GO STREET IMPROV BOND	\$58,202.50
BANKER'S TRUST	2010 GO STREET IMPROV BOND	\$63,818.75
BECK ENGINEERING INC	2019 H AVE RECON PRJCT	\$12,985.00
BERNING, SHELLY	LIBRARY BRD MTG 6/5/19	\$25.00
BLACK HILLS ENERGY	FIRE DEPT UTILITY	\$125.08
BLACKTOP SERVICES	STREET REPAIR	\$2,075.20
BOMGAARS	PARKS SUPPLIES	\$1,247.57
BRINKS CONSULTING	MAY SERVICES	\$191.50
C & B OPERATIONS, LLC	PARKS GATOR SUPPLIES	\$305.15
CARD SERVICES CENTER	PD CLOTHING/SUPPLIES	\$544.92
CENTRAL STATES SOUTHEAST & SOU	EE HEALTHCARE	\$17,222.40
CHRISTIANS SHEET METAL	SPRING SERVICE PLAN	\$928.52
CITY OF DENISON	WOLFF TRAINING REIMBURSEMENT	\$4,662.63
CITY OF SPENCER	COOP POST TEST	\$243.63
COOKINHAM, JEFF	LIBRARY BRD MTG 6/5/19	\$25.00
COOPERATIVE ENERGY COMPANY	MAY FUEL INVOICES	\$3,170.33
DANNATT, MARY	COMM CTR MTG 5/1/19	\$25.00
DEMCO	LIBRARY SUPPLIES	\$108.31
DENNIS E MERRY	MAY JANITORIAL SERVICES	\$1,700.00
DICKINSON COUNTY CONSERVATION	GREEN WASTE DISPOSAL	\$620.00
DICKINSON COUNTY EXTENSI	LIBRARY PROGRAM	\$50.00
DICKINSON COUNTY NATURE CENTER	LIBRARY PROGRAM	\$50.00
DICKINSON COUNTY NEWS	MAY PUBLICATIONS	\$497.49
DICKINSON COUNTY TREASURE	SAFARI TIF OVERPAYMENT	\$362.97

DICKINSON RECORDER	EILERS RECORDING FEE	\$22.00
DOTSON, DENNIS	LIBRARY BRD MTG 6/5/19	\$25.00
ELIZABETH CHEVROLET	SEWER VEHICLE MAINT	\$1,051.91
FRANKLIN, ELAINE	LIBRARY BRD MTG 6/5/19	\$25.00
FREDERICK, DOUG	TRAINING REIMBURSEMENT	\$496.55
GALE GROUP	LIBRARY BOOKS	\$33.74
GALLS LLC	PD SUPPLIES/EVIDENCE KIT/TAPE	\$412.62
GANO, JOANN	LIBRARY BRD MTG 6/5/19	\$25.00
GENERAL DRIVERS UNION	UNION DUES	\$322.00
GRAHAM TIRE COMPANY	FIRE DEPT SUPPLIES	\$830.44
GREAT AMERICA LEASING CORP.	LIBRARY COPIER	\$110.43
HEIMAN INC.	FIRE DEPT SUPPLIES	\$1,784.00
HEMPHILL, LINDA	COMM CTR MTG 5/1/19	\$25.00
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$7,464.67
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$7,670.34
IOWA FINANCE AUTHORITY	H AVE SRF LOAN-C0837P	\$78,600.00
IOWA LAKES ELECTRIC COOP	KUCHEL TRL STREET LIGHTING	\$526.00
IOWA LEAGUE OF CITIES	19-20 MEMBERSHIP DUES	\$1,773.00
IOWA ONE CALL	APRIL LOCATES	\$129.60
IOWA WORKFORCE DEVELOP.	PENALTY FEE FOR LATE SUBMISSI	\$189.17
IPERS	IPERS REGULAR	\$10,112.04
JAYCOX IMPLEMENT	PARKS SUPPLIES	\$187.31
JCL SOLUTIONS-JANITORS CLOSET	PARKS SUPPLIES	\$439.84
KARL EMERGENCY VEHICLES	PD TRUCK EQUIPMENT	\$6,730.19
KEIZER, ROBB	COMM CTR MTG 5/1/19	\$25.00
KILTS, RICK	LIBRARY BRD MTG 6/5/19	\$25.00
LAKES NEWS SHOPPER	MAY ADS	\$237.60
LAKES REGIONAL HEALTHCARE	BAISH TESTING	\$81.00
LYNNETTE COOK	GRESSLEY PLANTERS	\$240.00
MAXYIELD COOPERATIVE	PARKS CHEMICALS	\$361.65
MCCREA, JIM	COMM CTR MTG 5/1/19	\$25.00
MENARDS - SPENCER	PARKS BALLFIELD SUPPLIES	\$347.72
MID-IOWA SOLID WASTE EQUIPMENT	SEWER VEHICLE MAINT	\$270.36
MILFORD COMMUNICATIONS	FIRE DEPT CABLE/INTERNET	\$729.61
MILFORD FIRE AND RESCUE	RESCUE TOOL CAMPAIGN DONATION	\$5,000.00
MILFORD MUNICIPAL UTILITY	APRIL UTILITIES	\$8,229.56
MILFORD MUNICIPAL UTILITY	MAY UTILITIES	\$7,118.75
MPH INDUSTRIES INC.	PD TRUCK EQUIPMENT	\$314.51
MUNICIPAL EMERGENCY SERVICES I	FIRE DEPT SAFETY VESTS	\$620.00
NWIPDC	SEWER/SSEWER CDBG H AVE PHSIII	\$7,091.00
OFFICE SYSTEMS COMPANY	PD COPIER	\$58.38
OTC BRANDS, INC	LIBRARY SUPPLIES	\$310.38
PARTYFUN RENTALS, LLC	LIBRARY PROGRAM	\$825.00
PEARSON LAKES ART CENTER	LIBRARY PROGRAM	\$100.00
PEDERSON ELECTRIC	LIBRARY LAMP & BALLAST	\$92.30
PHILIP L. ASCHEMAN, PH.D.	GARTH WOLFF MMPI-2 RELEASE	\$50.00
POSTMASTER	FIRE DEPT PO BOX	\$92.00
PURCHASE POWER	CITY HALL POSTAGE MACHINE	\$201.00
R & D INDUSTRIES	SERVICE AGREEMENT	\$774.50
CAMPUS CLEANERS	LIBRARY SERVICES	\$137.55
RED ROSES AND IVY	FLOWERS FOR FUNERAL	\$42.45
REGIONAL TRANSIT AUTHORITY	4TH QRT FY19 CITY SUPPORT	\$1,875.00
RICK'S PEST CONTROL	FIRE DEPT SERVICES	\$95.00
SANDRY FIRE SUPPLY	FIRE DEPT SUPPLIES	\$1,931.50
SCHULTZ, BECCA	EXPENSE REIMBURSE LIBRARY PRGM	\$297.05
SHERRILL-RANGE, TINA	COMM CTR CANCEL	\$175.00
SHORTLEY, MICHELE	LIBRARY BRD MTG 6/5/19	\$25.00
SMART APPLE MEDIA	LIBRARY BOOKS	\$425.31
SPIRIT LAKE PUBLIC LIBRAY	LIBRARY AUDIO BOOK	\$24.99
STEIN LAW OFFICE	MAY LEGAL SERVICES	\$1,892.80
SUNSHINE FOODS	LIBRARY SUPPLIES	\$3.00
SUPERIOR PLUMBING LLC	BALLFIELD DRINKING FOUNTAIN	\$377.00
THE DES MOINES REGISTER	LIBRARY SUBSCRIPTION	\$488.04
TITAN MACHINERY	SUPPLIES	\$265.84
TREASURER, STATE OF IOWA	STATE TAX	\$2,452.00
TRUE VALUE-MILFORD	MAY INVOICES	\$506.38
U.S. BANK EQUIP FINANCE	CITY HALL COPIER	\$201.15

UNITED COMMUNITY BANK FOR PETT LIBRARY POSTAGE	\$136.55
UNITY POINT CLINIC-OCCUPATIONA DRUG TEST	\$42.00
WITTROCK LAWN SERVICE CEMETARY MOW/FILL/GRASS SEED	\$2,295.50
YOGA OKOBOJI LIBRARY PROGRAM	\$50.00
TOTAL ACCOUNTS PAYABLE	\$894,877.32
PAYROLL CHECKS	\$44,297.02
**** PAID TOTAL ****	\$939,174.34

Paid from the following funds: General Fund: 110,665.73; Road Use Tax: 17,496.68; Employee Benefits: 14,407.20; Hotel Motel Tax: 5,000.00; Tax Increment Financing: 362.97; Debt Service: 678,376.25 Capital Equipment (LOST) 682.50; Capitol Project Reserve: 7,044.70; H Avenue Project: 94,931.00; Sewer Utility Fund: 9,541.47; Garbage Utility: 265.84; Storm Water Utility Fund: 400.00

Monthly Clerk's/Treasurers Report with the following receipts: General Fund: 140,265.01; Road Use Tax: 34,937.49; Employee Benefits: 24,326.80; Hotel/Motel Tax: 297.08; TIF: 25,966.16; LMI Fund: 1,931.05; Debt Service: 18,329.75; Capitol Equipment (LOST): 1,485.42; Capital Project Reserve: 5,362.10; H Ave Project; 933,000.00; Sewer Utility: 25,742.63; Garbage Utility: 28.95; Storm Water Utility: 10,559.14

CITIZEN OPPORTUNITY FOR COMMENT

REPORTS

Council reviewed the May Bank Cash report, Clerks/Treasurer report, Monthly Expense and Revenue reports, Fire and Police reports. May minutes from Community Center, Park Board, and Library along with June events, Shield Board minutes from March and Dickinson County Sanitary Landfill Commission minutes/Treasurer's report from April.

PUBLIC HEARING

Public hearing to consider rezoning from RS to Light Industrial (LI) for the Westerly portion of Lot 11 and all of Lots 12,13,14,15 and 16 Block 1, Replat of Clyde's Addition at 6:30 p.m.

Mayor Anderson opened the public meeting at 6:31 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 6:32 p.m.

Council then joined Milford Municipal Utilities Board of Trustees in the West ½ of the Community Center for a joint meeting. Present were: Manager Eric Stoll, Attorney Abby Walleck, Keith Wurtz, Mike Anderson, Wanda Nelson, Sue Prunty, and Kevin Wharton

ACTION & DISCUSSION ITEMS WITH MILFORD MUNICIPAL UTILITIES

Discuss updating language on Annexation Agreement for water service outside of city limits

Milford Municipal Utilities Attorney Abby Walleck suggested making some language changes to the agreement or do away with it all together. There was discussion on amending the agreement to include sewer and also if changes were made that Ordinance 24.07(5) be reviewed as well. After some discussion Mayor Anderson suggested that the Infrastructure Committee meet with Eric, Abby Walleck and City of Milford Attorney David Stein to discuss revising the agreement.

Discussion on water system assets

General Manager Eric Stoll expressed his concern in regards to housing developments and the cost to install the water lines and inquired what the city had on their books. City Administrator Reinsbach noted the city doesn't have anything on our books in regards to water and it's not part of the annual audit report. Reinsbach also made a phone call to Arvin Druvenga with Winther and Stave to confirm. There was some discussion on TIF agreements that were done back in 2007 that would show the approximate cost of water installation. Reinsbach will send an email to MMU acknowledging the fact the city has never had water on the books and from there the utilities will come up with a plan to address water assets on their financials.

Review of proposed resolution acknowledging the management, control, and operation of the Milford Municipal water utility and approving and authorizing transfer of all parts of the Municipal water distribution system from the books and records of the City to the books and Records of the Milford Municipal water utility

No action took place.

ROW agreements with utilities/Fire protection

MMU General Manager Eric Stoll requested that if the city expands and a new development is formed the city look into a fire protection requirement. Reinsbach noted she would talk with Zoning Administrator Don Brinkley to see if this should be addressed at the next Planning and Zoning meeting.

RDI Contract

MMU General Manager Eric Stoll said he is working with R&D Industries to install fiber from the power plant to the RDI building. City Administrator Reinsbach talked about the contract, banked hours, separate billings and the benefit of RDI hosting the main server and the email server will be cloud based. Motion by Olsen second by Yungbluth to move forward with the new agreement. All voted aye. Motion carried. The MMU board approved the agreement as well.

Solar farm update

Eric said MMU did a study and location south of town can hold approximately 1 megawatt of solar panels which would equate to one fifth of Milford's energy use. Milford Utilities owns a piece of a transmission line and because of this it gives access to renewal energy and when it comes to energy they can purchase wind energy one third of the price to install solar. The board has decided they are not ready to impact the rates for customers to install a solar field.

Green utility boxes south of substation

Councilman Yungbluth expressed concern from a couple of residents in that area about the looks/aesthetics and wondered if a fence could be installed. Eric said they are transformers and they have been stored there for a long time and to build a fence would be a safety hazard. The utilities does not have a lot of land or storage space and noted if they did they could look at possibly moving them elsewhere. This then led into a conversation about the status of old Dickinson County Maintenance Building. After further discussion it was suggested to coordinate a time when it would work for both entities to attend a Dickinson County Board of Supervisors meeting.

Street lighting from 28th St. - 202nd St.

Councilman Yungbluth questioned the potential of adding street lights. Eric thought that a study was done by SEH 5-6 years ago and the cost at the time was close to \$300,000. Today it would probably be close to \$350,000. The consensus from both boards it to look into this as a joint project and reach out to the DOT for assistance.

5-10 year plan

On the water side for MMU they plan to do upgrades on water main extensions on H Avenue, 13th St and Airport Drive. Also possible water plant improvement projects. The city is finishing H Avenue, 13th St. and looking into P Avenue. Zoning Administrator Don Brinkley mentioned to look into the comprehensive plan.

H Avenue project

Mayor Anderson noted the H Avenue project is moving forward. This will be done in two phases starting at the south end.

Middle School project

Eric Stoll communicated the project is going well with respect to the electric portion. The contractor has been very accommodating with MMU.

Other/ Miscellaneous items

Abby Wallack gave a brief overview of a conversation Tim Sather had with MMU in regards to the sign recently installed. Abby just wanted to make sure that moving forward any permits should be signed by both MMU and the City and any phone calls should be followed up with an email. There was discussion on the overall cost 10th St lighting project cost and the city's plans for the former Smith lot. Mayor Anderson said it will be discussed again during the July 8th council meeting. Discussion also took place on a street light that was damaged last fall and the city has filed the claim with ICAP. City Administrator Reinsbach said she will be reaching out to the utilities to get a quote for repair.

After the joint meeting the Milford City Council moved back into the Community Center Board Room to carry on with business as normal.

ACTION & DISCUSSION ITEMS

Ordinance approving application for rezoning and amending the City's zoning map in Accordance therewith

First consideration on ordinance approving application for rezoning and amending the City's zoning map in Accordance therewith

Motion by Olsen second by Frederick to approve first reading of **Ordinance 6-10-2019** Ordinance approving application for rezoning and amending the City's zoning map in Accordance therewith. Roll call: Voting aye: Olsen, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

Consider waiving the second and third readings and possible passage of ordinance approving application for rezoning and amending the City's zoning map in Accordance therewith

Motion by Yungbluth second by Frederick to consider the second reading of **Ordinance 6-10-2019** Ordinance approving application for rezoning and amending the City's zoning map in Accordance therewith during the next council meeting. Roll call: Voting aye: Frederick, Yungbluth. Nay: Olsen, Huse.

Resolution approving Land Mark Products, Inc's request to be allowed to connect to the City's public sewer

Motion by Olsen second by Frederick to approve **Resolution 19-34** Resolution approving Land Mark Products, Inc's request to be allowed to connect to the City's public sewer Roll call vote: Voting aye: Olsen, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

Resolution to allow parking for the 2019 U of O Campus Bike Ride

Motion by Olsen second by Yungbluth to approve **Resolution 19-35** Resolution to allow parking for the 2019 U of O Campus Bike Ride. Roll call vote: Voting aye: Olsen, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

Resolution authorizing payment to BlackTop Service Co. for the 2019 patch work on Helen Ave.

Motion by Olsen second by Yungbluth to approve **Resolution 19-36** Resolution authorizing payment to BlackTop Service Co. for the 2019 patch work on Helen Ave. Roll call vote: Voting aye: Olsen, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

Resolution authorizing fund transfers for FY 2019

Motion by Yungbluth second by Olsen to approve **Resolution 19-37** Resolution authorizing fund transfers for FY 2019. Roll call vote: Voting aye: Olsen, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

Resolution approving the acceptance of the donation of airport vehicle and authorizing vehicle to be added to the City's insurance policy

Motion by Olsen second by Frederick to approve **Resolution 19-38** Resolution approving the acceptance of the donation of airport vehicle and authorizing vehicle to be added to the City's insurance policy. Roll call vote: Voting aye: Olsen, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

Resolution authorizing and approving a community attraction and tourism program agreement

Motion by Yungbluth second by Olsen to approve **Resolution 19-39** Resolution authorizing and approving a community attraction and tourism program agreement. Roll call vote: Voting aye: Olsen, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

Review sewer analysis rate study from Piper Jaffray and discuss rates

City Administrator Reinsbach reviewed the sewer rate analysis that was compiled from Tim Oswald with Piper Jaffray. The study included operating disbursements of a jetter vac truck, maintenance building, A34 street project, televising sanitary sewer, sanitary sewer lining, miscellaneous expenses and our current debt service payment with an assumed 3% cost of inflation and operating receipts using an assumed rate increase of 6%.

Resolution setting public hearing on proposed amendment to the Milford City Ordinances Chapter 99: Sewer Service Charges, Section 99.02: Rate

Motion by Olsen second by Yungbluth to approve **Resolution 19-40** Resolution setting public hearing on proposed amendment to the Milford City Ordinances Chapter 99: Sewer Service Charges, Section 99.02: Rate. Roll call vote: Voting aye: Olsen, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

Approve Transient Merchant license- The Daily Donut

Motion by Yungbluth second by Olsen to approve Transient Merchant license for The Daily Donut. All voting aye. Motion carried.

Approve Transient Merchant license- Big Acai Bowl

Motion by Olsen second by Yungbluth to approve Transient Merchant license for Big Acai Bowl. All voting aye. Motion carried.

Discussion on mailbox reimbursement for Robert Valley

Motion by Yungbluth second by Olsen to approve reimbursement request for damaged mailbox/post for Robert Valley. Voting aye: Olsen, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

Discussion in regards to future storm water and sanitary sewer evaluations

Mayor Anderson suggested that we have a study done similar to the sanitary sewer analysis. Council discussed and decided to hold off at this time.

Discussion in regards to letter from Ryan Mohr on Danbom Properties, LLC

After the council reviewed that letter from Ryan Mohr council asked that the City Administrator reach out to Mr. Mohr and find out if the scrap dock lumber could be cleaned up or consider putting a fence around it so it's not noticeable from Hwy 86.

COMMENTS BY MAYOR, COUNCIL, AND STAFF

Administrator Reinsbach talked about the Hill Drive mix project and let council know she will be attending the Dickinson County Board of Supervisors meeting to discuss removing the dumpsters by the public works building. Don Brinkley talked about a situation with camper in the Hill Drive area and suggested the city come up with a document outlining the jurisdiction of utilities. Mayor Anderson reminded council the final meeting on the Iowa Great Lakes Watershed will be June 26th at 1:30 at the Sami Bedell Center in the Spirit Lake High School and also talked about an erosion problem he is having around his driveway and would like to discuss this at the next meeting.

With no other discussion, motion to adjourn by Yungbluth seconded by Huse at 8:30 p.m. All voting aye: Motion carried.

Respectfully submitted,

Steven R. Anderson, Mayor

LeAnn Reinsbach, City Administrator/Clerk