

MILFORD CITY COUNCIL
 REGULAR MEETING
 JUNE 27, 2016
 6:30 PM

The Milford City Council met in regular session June 23, 2016 at 6:30 p.m. in the Community Center Board Room. Mayor Reinsbach presided.

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

Members absent: Don Olsen

Mayor Reinsbach led the Pledge of Allegiance.

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

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

Items on the Consent Agenda were as follows:

Minutes June 13, 2016 meeting

Monthly bills as listed below: (approved) and bills paid in vacation

ALPHA WIRELESS COMM. CO.	FIRE DEPT SUPPLIES	\$86.00
AUMER, BILL	BOARD OF ADJUST MTG 6/22/16	\$25.00
AWE	LIBRARY SUPPLIES	\$28.00
BLACK HILLS ENERGY	CITY HALL UTILITY	\$34.09
BOMGAARS	PARKS DEPT SUPPLIES	\$1,065.47
BOULDERS INN	JUNE 2016 TIF	\$15,973.52
CARD, TIM	COMM CTR RENT REIMBURSE	\$125.00
CARPENTER, JIM	FIRE DEPT LIGHTING	\$1,104.67
CITY OF ESTHERVILLE	R. ZALABOWSKI TRAINING COST	\$14,244.03
CORNERSTONE CONST. INC	INSTALL OF NEW CITY SIGNS	\$1,870.00
COTTAGE GARDENS	BOYSCOUT FLOWERS	\$291.38
CRYSTEEL TRUCK EQUIPMENT	PUBLIC WORKS	\$9,440.00
CUTTING EDGE SALES & SERVICE	POWER PRUNER	\$627.53
D & W DEVELOPMENT	JUNE 2016 TIF	\$26,418.19
DEKOTER, THOLE, & DAWSON, P.L.	GENERAL FILE	\$2,991.66
DICKINSON COUNTY CONSERVATIO	CITY GREEN/BROWN DISPOSAL	\$1,031.00
E & F INVESTMENTS	JUNE 2016 TIF	\$6,000.00
EASTVIEW INC & UNITED COM	JUNE 2017 TIF	\$43,270.07
GENERAL DRIVERS UNION	UNION DUES	\$298.00
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$8,675.07
IOWA CODIFICATION INC.	JUNE 2016 SUPPLEMENT	\$194.00
JCL SOLUTIONS-JANITORS CLOSET	SUPPLIES	\$379.65
KAPP'S FIRE EQUIP. & SERV.	ANNUAL INSPECTION	\$235.50
LORENZEN, JASON	BOARD OF ADJUST MTG 6/22/16	\$25.00
MAYER, BOB	JUNE 2016 TIF	\$7,797.33
MILFORD MUNICIPAL UTILITY	LED LIGHTS	\$363.80
NORTHWEST READY-MIX CONCRET	RECYCLING WALL	\$1,260.00
PEDERSON ELECTRIC	NORTH CITY SIGN	\$1,913.82
POLARIS INDUSTRIES	JUNE 2016 TIF	\$15,848.23
POLARIS INDUSTRIES	2016/2017 LEASE PAYMENT	\$1.00
RICK'S PEST CONTROL	FIRE DEPT SERVICES	\$95.00
SAFARI CHILDCARE CENTER-CASSI	JUNE 2016 TIF	\$1,392.79
SCHMELLING, BOBBI	JUNE 2016 TIF	\$1,487.30
SHELEY, GEORGIA	BOARD OF ADJUST MTG 6/22/16	\$25.00

SUNSHINE FOODS	LIBRARY SUPPLIES	\$77.53
SVOBODA, DENISE	COMM CTR CXL REIMBURSE	\$37.50
WASTE MANAGEMENT	LANDFILL FEES 6/1-6/15	\$3,778.47
WITTROCK LAWN SERVICE	MILFORD CEMETARY WEED CONTR	\$1,400.00
TOTAL ACCOUNTS PAYABLE		\$169,910.60
PAYROLL CHECKS		\$22,463.03
**** PAID TOTAL ****		\$192,373.63

Paid from the following funds: General Fund: 48,443.42; Road Use Tax: 14,273.70; Hotel/Motel: 3,783.82; Debt Service: 118,187.43; Sewer Utility: 1,533.59; Garbage Utility: 6,151.67

CITIZEN'S APPEARANCES-PUBLIC COMMENTS

PUBLIC HEARING

City of Milford proposes to transfer real estate to Philip and Mary Kay Rolling.

Mayor Reinsbach opened the public hearing at 6:34. There were no written or oral objections, Reinsbach closed the hearing at 6:35.

ACTIONS & DISCUSSION ITEMS

Resolution 16-29 to transfer real estate to Philip and Mary Kay Rolling

Motion by Walters second by Huse to adopt **Resolution 16-29**. Roll call. Ayes: Simpson, Walters, Huse. Abstain: Rolling Nay: None. Motion passed.

Resolution 16-30 setting employee salaries and wages FY 2017

Motion by Huse second by Rolling to adopt **Resolution 16-30**. Roll call. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

Resolution 16-31 ratifying council boards and commission appointments

Motion by Walters second by Huse to adopt **Resolution 16-31**. Roll call. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

Resolution 16-32 writing off accounts

Motion by Simpson second by Huse so adopt **Resolution 16-32**. Roll call. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

Resolution 16-33 to Thorstad for final payment on Phase 1 of H Avenue

Mayor Reinsbach asked Jason from Beck Engineering if this included the penalty for not meeting the completion deadline, Jason said it did. Motion by Simpson second by Walters to adopt **Resolution 16-33**. Roll call. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

Approve change order for 2016 City of Milford sanitary and storm sewer lining project-Hydro-Klean

Reinsbach explained that the bid to do some sanitary sewer lining came in under what the city had budgeted for during FY 2017. We instructed Beck Engineering to get with Kent Eilers and come up with more lines to do to get close to meet what we had budgeted. Mayor Reinsbach thanked Jason with Beck Engineering for the great job they have done on the City's last two projects. Motion by Simpson second by Huse to adopt **Resolution 16-34**. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

YMCA- Norm Johnson (Thank you)

Norm Johnson was present to thank the City of Milford for all of their past support of the local YMCA. Norm has taken a job in Louisville, Kentucky and said he enjoyed working with the area cities. The council wished him good luck with the move.

Tree in city right of way- Don Origer

Don Origer has a tree stump on the city right of way that he wants to have a chain saw sculpture done to it. Administrator Houge said the council had tabled this until she could check with our insurance carrier to make sure there were no liability issues of anything. Having none, Councilman Huse expressed concerns over limiting the height of the sculpture due to issues of drawing too much attention while driving. Motion by Simpson to allow the sculpture. After

some discussion, Simpson amended his motion to allow the sculpture with the height restriction of 10 feet. Second by Huse. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

ICAP Insurance and IMWCA Insurance renewals (MHR- Russ Beckendorf)

Russ Beckendorf with MHR Insurance was on hand to go over our rates and coverage for FY2017. He first took time to fill in Huse as a new councilman. After the presentation, a motion by Simpson second by Rolling to accept the insurance premiums for 2017. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

Ann Leo sign- extension

Administrator Houge explained to the council that Don Roling with Roling Signs was contacted to raise the business sign at 1905 Okoboji Avenue. During the June 22, 2015 council meeting Tim Kinnetz, owner of AnnLeo was granted an extension date of July 1st 2016. Councilman Huse expressed his frustration because at the time he was on the Board of Adjustments the sign permit was denied and Kinnetz was given 45 days to either have sign be in compliance with our city code or remove it. His frustration was that the city then gave the extension. Attorney Dawson also expressed concern over that decision adding that while representing 7 cities, Dawson stated that the Milford City Council is very, very lenient to its citizens compared to other cities. Councilman Rolling stated she would like to see the city kick in some money to help Kinnetz out with the sign. Attorney Dawson informed her that it is very difficult for the city to contribute taxpayer monies to a private business. After some discussion there was a motion by Walters, second by Huse to allow an extension until July 31st and no more. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

FY 2017 Rides Contract for transportation services

Administrator Houge presented the contract with RIDES for 2017. Motion by Walters second by Huse to accept the RIDES contract for 2017. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

Pioneer Days 5K Run/Walk

Lakes Regional Health Care wants to host a 5K run/walk for Pioneer Days. They are asking for assistance from the Milford Police to monitor a couple of intersections and borrow some orange cones to mark the path. Motion by Rolling second by Simpson to support the run and provide the assistance. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

Pioneer Days street closure

Administrator Houge explained to the council the Milford Commercial Club has asked for the standard street closures for Pioneer Days. Motion by Simpson second by Huse to allow the street closures. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

Review quotes on street paving/patching

After reviewing the quotes to do patchwork on M Avenue and P Avenue from Blacktop Paving Fuller & Sons and OMG Midwest, Inc. there was motion by Rolling, second by Simpson to award the bid to Fuller and Sons. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

Milford Communications Ordinance franchise agreement

Mayor Reinsbach told the council that the final ordinance-contract has omitted the paragraph about holding a public hearing. Reinsbach entertained a motion to waive the requirements that Ordinance 6-27-16 be considered at two prior council meetings. Motion by Huse, second by Walters to waive the requirements that Ordinance 6-27-16 be considered at two prior council meetings. Roll Call. Ayes: Rolling, Walters, Huse. Nay: None. Simpson abstained. Motion passed. Motion by Walters second by Huse to adopt **Ordinance 6-27-16** Ayes: Rolling, Walters, Huse. Nay: None. Simpson abstained. Motion passed.

Approve Union Contract

Reinsbach told the council that the contract has all of the changes that were agreed upon. Attorney Dawson reiterated the same. Motion by Walters second by Huse to accept the contract. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

Waive sewer permit fee at 1902 N Avenue- Bob Yeske

Administrator Houge told the council that Bob Yeske wanted to have a floor drain in a building dump into the sanitary sewer. He wants the permit fee waived as he has paid some sewer fees. He said he had Wedeking Construction camera or snake it and Kent Eilers dumped some water with dye and they couldn't see it where it comes out. They think it dumps into a septic tank. Houge commented that septic tanks are not allowed. There was a question to whether he can even dump into the sanitary sewer. Don Brinkley was there and said he thought they could if they met the standards. Simpson asked if his building permit was even valid any more as they are only good for 2 years. Reinsbach recommended that this be tabled until they can check on the validity of the permit, and to have a clear plan from Yeske as to what he is doing. Motion by Simpson, second by Walters to table the action until Yeske provides a clear plan on what he wants to do, make sure he has a valid building permit, meet the standards for a drain if its allowed, and have the septic tank removed by October 1st 2016. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

Tuck Pointing- Old Town Hall

Administrator Houge told the council that the Vinton Tuck Pointing Inc. estimated the amount of bricks that needed to be replaced on the contract that was signed last fall to fix up the Old Town Hall. After getting into the job, they found that there are more bricks that need replacing. Matt Howe from Vinton Tuck Pointing thinks there were some bad bricks installed at some point as they are very chalky and breaking down. After some discussion the council decided we need to get this done while they're here as we have been trying to do this for some time. Houge also told the council she was going to have to do a budget amendment anyway as it was budgeted for this year and hopes were the project would have been completed by end of June. Motion by Walters second by Huse to allow the purchasing of more bricks and do the job right. Ayes: Simpson, Rolling, Walters, Huse. Nay: None. Motion passed.

COMMENTS BY MAYOR, COUNCIL AND STAFF

Mayor Reinsbach said he would like to have Attorney Dawson look into setting a process to handle old, tattered, poor looking buildings. Don Brinkley said he finds it difficult to hold anyone accountable when he sends letters. After some discussion, direction was given to have Brinkley, Houge, and Dawson work and getting a process and procedure in place so we can deal with these situations.

Simpson thanked the council for accepting the contract fee and asked if there was a certain place to use the franchise fees. Dawson explained that there are certain codes designate where you can use the franchise fees on. Part of it is to maintain the right of ways. The other utilities need to have an agreement in place also. If there is one not charging a fee, we need to go in and amend them charging the 3%. Simpson also asked if Houge had talked to the police about the speeding issue. She said speeding has been addressed with the police chief before and she will talk to him again.

Houge told the council the DOT will not allow us to put the flashing lights around the 25 MHP speed limit signs on Hwy 71. She also mentioned that she has spoke to County Engineer Dan Eckert about putting one on A34 east of town. It was decided to talk to the police about supporting speed limits first. Rolling said she saw about 7 people on 6th street going very fast one day last week.

With no other discussion, motion to adjourn by Simpson second by Huse at 8:36 p.m. Motion carried.

Respectfully submitted,

William Reinsbach, Mayor

LeAnn Houge, City Administrator/Clerk