

MILFORD CITY COUNCIL  
 REGULAR MEETING  
 MARCH 9, 2020  
 6:30 PM

The Milford City Council met in regular session March 9, 2020 at 6:30 p.m. in the Community Center Board Room. Mayor Steve Anderson presided.

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

Absent: None

Others present: City Administrator LeAnn Reinsbach, Bob Clark, Jason Eygabroad, Mary Dannatt, Katy Sporrer, Tom Sporrer, Sherri Jones, Linda Bronson, Eyleen Anderson, Mac Arndt, Kizze Hromatko, Skye Larson, Jackie Brevik, Donne Tielbur, Tia Hofmeyer, Emil Richter, Don Brinkley, Ashley Linguist, Jill Harms, Rich Ortman, Lucy Zimmerman, Mary Johnson, Eric Kinnetz, Jeanenne Kinnetz, Justin Bouse, Jen Bouse, Brenda Martin, Beth McCabe, Patricia Boggess, Lisa Peters, Angela Leman, Don Olsen, Andrew Fisher, Andy Wolf and Tim Kinnetz via cell phone.

Steve Anderson led the Pledge of Allegiance.

Motion by Yungbluth second by Eckard to approve the agenda. All voting aye.

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

Items on the Consent Agenda were as follows:

- Minutes of February 24, 2020 meeting
- Monthly bills as listed below: (approved) and bills paid in vacation

AFLAC	AFLAC PRE TAX	\$1,020.54
ALLIANT ENERGY	SIGN UTILITY	\$25.14
ALTEC INDUSTRIES, INC.	BUCKET TRUCK REPAIR	\$2,717.40
ANDERSON, GILLIAN	LIBRARY CRAFT REIMBURSE	\$93.31
ARNOLD MOTOR SUPPLY	FEBRUARY INVOICES	\$602.72
AUMER, CHERYL	P & Z MTG 2/20/2020	\$25.00
BAKER & TAYLOR INC.	LIBRARY BOOKS	\$913.93
BARCO MUNICIPAL PROD. INC	PW SUPPLIES	\$255.39
BECK ENGINEERING INC	AIRPORT RUNWAY PROJECT	\$3,667.50
BERG JANE	AIRPORT COMMISSION MTG 2/20/20	\$25.00
BERGLUND, SCOTT	P & Z MTG 2/20/2020	\$25.00
BERNING, SHELLY	LIBRARY BRD MTG 3/4/2020	\$25.00
BLACK HILLS ENERGY	FIRE DEPT UTILITY	\$869.92
BOMGAARS	PW SUPPLIES	\$569.01
BORDER STATES INDUSTRIES	STREET LIGHT SUPPLIES	\$411.59
BORDER STATES INDUSTRIES	FARMER STREET LIGHT DAMAGE	\$1,610.00
BRINKS CONSULTING	FEBRUARY SERVICES	\$25.00
CAMPUS CLEANERS	LIBRARY SERVICES	\$137.55
CANON FINANCIAL SERVICES	LIBRARY COPIER	\$71.83
CARD SERVICES CENTER	SUPPLIES/TRAINING	\$434.27
CENTRAL STATES SOUTHEAST & SO	EE HEALTHCARE	\$26,045.25
CHAPMAN CONTRACTING	PW BUILDING MAINT	\$602.23
CONSUMERS LUMBER	PW SUPPLIES	\$12.58
COOKINHAM, JEFF	LIBRARY BRD MTG 3/4/2020	\$25.00
COOPERATIVE ENERGY COMPANY	FEBRUARY INVOICES	\$3,278.29
DENNIS E MERRY	FEBRUARY JANITORIAL SERVICES	\$1,700.00
DICKINSON COUNTY	LOERTS APPLICATORS CLASS	\$35.00
DICKINSON COUNTY CONSERVATIO	FEBRUARY GREEN WASTE DISPOSAL	\$120.00
DICKINSON COUNTY NEWS	FEBRUARY PUBLICATIONS	\$499.89
DON PIERSON FORD	PD VEHICLE REPAIR	\$340.50
DOTSON, DENNIS	LIBRARY BRD MTG 3/4/2020	\$25.00
ELIZABETH CHEVROLET	PW VEHICLE MAINT SUPPLIES	\$717.89
FASTENAL	PW SHOP SUPPLIES	\$339.53
FASTENAL	PW SHOP SUPPLIES	\$82.31
FIRE SERV TRAINING BUREAU	ELLIS HAZMAT CLASS	\$50.00
FRANKLIN, ELAINE	LIBRARY BRD MTG 3/4/2020	\$25.00
GALBRAITH ELECTIC LLC	COMM CTR BALLAST	\$80.57
GALE	LIBRARY BOOKS	\$33.74
GALLES, MATT	P & Z MTG 2/20/2020	\$25.00
GALLS LLC	CLARK EE CLOTHING ALLOWANCE	\$67.48
GANO, JOANN	LIBRARY BRD MTG 3/4/2020	\$25.00
GENERAL DRIVERS UNION	UNION DUES	\$431.00
GORDON FLESCH COMPANY	LASERFICHE DUES	\$75.00
GRAHAM TIRE COMPANY	SEWER VEHICLE MAINT	\$1,285.68
HEMPHILL, LINDA	NON-MEETING COMM CTR ATTENDA	\$25.00
IA COMMUNITIES ASSURANCE POOL	ALBRECHT CLAIM DEDUCTIBLE	\$2,000.00
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$8,098.25
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$9,150.13
IOWA DEPARTMENT OF TRANSPORT	SALT & BLADES	\$2,720.43
IOWA LAKES ELECTRIC COOP	PHEASANT LANE LIGHTING	\$811.00
IOWA LIBRARY ASSOCIATION	LIBRARY MEMBERSHIP RENEWAL	\$110.00
IPAA	AIRPORT MEMBERSHIP FEE	\$100.00
IPERS	IPERS REGULAR	\$11,097.29
JAYCOX IMPLEMENT	PW VEHICLE MAINT	\$91.73
JCL SOLUTIONS-JANITORS CLOSET	FIRE DEPT SUPPLIES	\$74.85
KEN BORTH AUTO BODY LTD.	PW SNOW BUDGET SUPPLIES	\$628.53
KIMBALL MIDWEST	PW SHOP SUPPLIES	\$41.47
KNIGHT PROTECTION	COMM CTR FIRE SYSTEM MONITORI	\$550.00

LAKES NEWS SHOPPER	FEBRUARY ADS	\$118.80
LAKES PLUMBING HEATING AND CO	MENS RESTROOM REPAIR	\$183.34
M & T FIRE AND SAFETY	FIRE DEPT SUPPLIES	\$529.00
METICULOUS CLEAN	FIRE DEPT JANITORIAL	\$214.00
MID-IOWA SOLID WASTE EQUIPMEN	PW VEHICLE MAINT SUPPLIES	\$2,984.46
MILFORD COMMUNICATIONS	FIRE DEPT CABLE/INTERNET	\$767.36
MILFORD MUNICIPAL UTILITY	FEBRUARY UTILITIES	\$9,217.32
MUNICIPAL EMERGENCY SERVICES	FIRE DEPT HOOD	\$456.32
NWIPDC	FY2020 SHIELD 3RD DRAW	\$3,500.00
OTC BRANDS, INC	LIBRARY SUPPLIES	\$58.07
ORTMAN, RICH	NON-MEETING COMM CTR ATTENDA	\$25.00
PIONEER PRINTING	LIBRARY ENVELOPES	\$106.38
PURCHASE POWER	POSTAGE	\$201.00
R & D INDUSTRIES	POLICE COMPUTERS	\$8,295.99
REGIONAL TRANSIT AUTHORITY	3RD QRTR FY20 SUPPORT	\$1,875.00
RICK'S PEST CONTROL	FIRE DEPT SERVICES	\$95.00
SECURE BENEFITS SYSTEMS	EE FSA CONTRIBUTIONS	\$375.64
SEXTON, BRENT	P & Z MTG 2/20/2020	\$25.00
SMART APPLE MEDIA	LIBRARY SUPPLIES	\$192.59
SPENCER AUTO PARTS INC.	PW SUPPLIES	\$254.09
STEARNS, PAIGE	LIBRARY CRAFT REIMBURSEMENT	\$11.76
STEIN LAW OFFICE	LEGAL SERVICES	\$2,031.68
STEIN, CHRIS	AIRPORT COMMISSION MTG 2/20/20	\$25.00
STOREY KENWORTHY	LIBRARY SUPPLIES	\$130.94
SUNSHINE FOODS	PW SUPPLIES	\$32.91
TREASURER, STATE OF IOWA	STATE TAX	\$2,613.00
TRUE VALUE-MILFORD	FEBRUARY INVOICES	\$339.98
U.S. BANK EQUIP FINANCE	CITY COPIER	\$202.90
UNITED COMMUNITY BANK FOR PE	LIBRARY POSTAGE	\$15.30
VANDER HAAG'S INC.	PW MAINT SUPPLIES	\$8.63
VERIZON WIRELESS	CELL/LAPTOP SERVICES	\$673.81
WATCH GUARD	PD MOBILE CHARGING KIT	\$309.00
WORKMAN, MIKE	AIRPORT COMMISSION MTG 2/20/20	\$25.00
Accounts Payable Total		\$120,839.99
Payroll Checks		\$49,851.52
***** REPORT TOTAL *****		\$170,691.51

Paid from the following funds: General Fund: 104,289.76; Road Use Tax: 7,201.48; Employee Benefits: 21,161.77; Capital Equipment (Lost): 2,717.40; Sewer Utility Fund: 13,063.34; Storm Water Utility Fund: 199.99

Monthly Clerk's/Treasurers Report with the following receipts: General Fund: 131,577.11; Road Use Tax: 35,752.96; Employee Benefits; 1,888.54; Hotel/Motel Tax: 11,501.17; TIF: 4,855.30; LMI Fund: 819.65; Debt Service: 32,092.72; Capitol Equipment (LOST) 630.50 ; Capital Project Reserve: 1,639.29; Sewer Utility: 27,588.79; Storm Water Utility: 10,184.52

## CITIZEN OPPORTUNITY FOR COMMENT

### REPORTS

#### Board/Commission Reports

Council reviewed the February Bank Cash report, Clerks/Treasurer report, Monthly Expense and Revenue reports, Police report, Fire Department January and February call logs. December-February Fire Department minutes. February minutes from Airport Commission, Park Board, Planning & Zoning, and Library along with March events. January Dickinson County Sanitary Landfill Commission minutes and Treasurer's report.

### PUBLIC HEARING

Public hearing on proposal to enter into a General Obligation Loan Agreement and taking additional action with respect thereto 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. With no other comments from the public Mayor Anderson closed the public hearing at 6:35 p.m.

### ACTION & DISCUSSION ITEMS

Resolution taking additional action with respect to a proposal to enter into a Loan Agreement and borrow money thereunder in a principal amount not in excess of \$3,000,000

Motion by Hinshaw second by Yungbluth to approve **Resolution 20-14** Resolution taking additional action with respect to a proposal to enter into a Loan Agreement and borrow money thereunder in a principal amount not in excess of \$3,000,000 Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried

#### Discuss Sternberg's 6<sup>th</sup> subdivision

City Attorney Dave Stein spoke about the city code subdivision regulations in regards to the preliminary and final platting. From a legal standpoint if the final plat is approved before all the improvements are done, we need to have a development agreement and some type of surety bond/cash bond or irrevocable letter of credit. Jason with Beck Engineering reviewed a list of items from the preliminary plat in relation to the city and the developer responsibilities. Attorney Stein noted at this point it comes to communication between the developer and city engineer to make sure everyone is on the same page from a timing perspective on the punch list of items.

Resolution authorizing payment No.3 (Final) to Visu-Sewer, Inc for the 2019 City of Milford CIPP lining project

Motion by Yungbluth second by Hinshaw to approve **Resolution 20-15** Resolution authorizing payment No.3 (Final) to Visu-Sewer, Inc for the 2019 City of Milford CIPP lining project. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried

City of Milford, Iowa Resolution to adopt Fire Protection Agreement

Motion by Yungbluth second by Hinshaw to approve **Resolution 20-16** City of Milford, Iowa Resolution to adopt Fire Protection Agreement. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried

Resolution against the use of eminent domain by the Okoboji Community School Board

Motion by Hinshaw second by Frederick to approve **Resolution 20-17** Resolution against the use of eminent domain by the Okoboji Community School Board. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. After the vote councilman Hinshaw asked about a joint meeting. Mayor Anderson noted with respect to an email that was circulated after the last council meeting the school board chooses not to meet with the council in a public setting. There was also discussion in regards parking around or at the elementary school and the fact they have done nothing to improve the situation. It was noted that the angle parking around the school is city property and that the additional parking needs to be added around the administration building in order to meet the required parking needs. The school has been aware of this for several years however keeps putting it off.

Approve Transient Merchant license- Papa's Smokin Meat

Motion by Hinshaw second by Yungbluth to approve the Transient Merchant license- Papa's Smokin Meat. All voting aye. Motion carried.

Approve letter of request to be sent to the Water Quality Commission

Motion by Yungbluth second by Hinshaw to approve sending letter of request to the Water Quality Commission. All voting aye. Motion carried

Approve Deputy City Clerk to attend the Iowa Municipal Professionals Institute July 27<sup>th</sup>-29<sup>th</sup>

Motion by Yungbluth second by Hinshaw to approve Deputy City Clerk to attend the Iowa Municipal Professionals Institute July 27<sup>th</sup>-29<sup>th</sup>. All voting aye. Motion carried

Approve City Administrator to attend the Iowa Professionals Academy July 29<sup>th</sup>-31<sup>st</sup>

Motion by Eckard second by Gebhart to approve City Administrator to attend the Iowa Professionals Academy July 29<sup>th</sup>-31<sup>st</sup>. All voting aye. Motion carried

Mayor's appointment to the Milford Library Board of Trustees

Mayor Anderson recommended to appoint Deborah Johnson to the Milford Memorial Library Board of Trustees. This appointment will fill the vacancy of Michele Shortley with a term ending June 30, 2025. Motion by Yungbluth second by Eckard to approve the recommendation made by Anderson. All voting aye: Motion carried.

Further discussion on funding pools in former Boji Bay location

Councilman Hinshaw feels that council needs to reconsider supporting the project for the full amount of \$20,000 instead of the \$7500.00 that was decided for the FY2021 budget. Councilman Gebhart expressed his concern as to what happens if the pools don't pass inspection. A member from the YMCA noted the pools would not open and the money would come back to the city. The YMCA is responsible for staffing and any revenue that is made from this first year of operations would stay with the pool fund. A question was raised about using hotel/motel tax. The city has already divided up the hotel/motel tax for the next year's budget. By law 50% must be used for improving, operating cultural/recreational entertainment. There is \$25,000 that has been set aside to fund the Milford Commercial Club, Okoboji Tourism, Okoboji Blue Festival, Pearson Lake Art Center, Dickinson County Trials Board and the CAT Grant repayment. There is \$25,000 the city has set aside for the Florence Park Shelter house addition and remaining hotel motel tax money has been set aside to do some crack filling. Mayor Anderson also noted the we have contributed to the parks department extra funding with hotel motel money. Discuss took place in regards to parking and how to access the pools. Mayor Anderson asked Tim Kinnetz about possibly using the portion of N Avenue that was vacated and conveyed to LucileMae, LLC back in 2017. As part of the pool discussion an agreement needs to be put in place prior to funding. Tim Kinnetz assured the council that the pool equipment would be operational and that if for whatever reason the decision is made not to open the pools all the money would be returned to the city. Tim also stated that at the end of the year when we reconcile the numbers if the revenue numbers do not equal the expenses Tim will backfill so that the dollars come out even and made a \$10,000 promise to the YMCA for the efforts on the program. Yungbluth asked Hinshaw what would be cut out of the budget. City Administrator Reinsbach commented whatever the council decides to do with respect to funding that if a budget amendment is needed, she would prefer to do it over one budget cycle instead of two. After further discussion there was a motion made by Hinshaw second by Gebhart to fund the pools for the asking amount of \$20,000 by making up the difference of \$12,500 to be paid out of this year's budget. Also, an agreement detailing the breakdown of the how the money will be spent will be provided so council can review during the March 23, 2020 council meeting. All voting aye. Motion carried. The original \$7500.00 will be paid after July 1<sup>st</sup>, 2020. City Administrator asked Andrew Fisher if there was a possibility to use the agreement that the City of Spencer has as a template for an agreement. Andrew said he would look into it.

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

City Administrator Reinsbach mentioned Maribeth Clarke from Faith Community Church had stopped by the office to let us know at some point they will be looking at amending the parking lot agreement to include the school. There has not been a set date as they would like to reach out to their attorney first. City Administrator Reinsbach mentioned she is trying to set up a Florence Park committee meeting yet this week and bring an update to council during the March 23<sup>rd</sup> meeting. Mayor Anderson also discussed concerns with the Millstone Park project that what was proposed isn't what has done and has drafted a letter to be sent to the State CAT Grant committee.

With no other discussion, motion to adjourn by Yungbluth second by Eckard at 8:12 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