

MILFORD CITY COUNCIL
REGULAR MEETING
MAY 29, 2018
6:30 PM

The Milford City Council met in regular session May 29, 2018 at 6:30 p.m. in the Community Center Board Room Mayor Steve Anderson presided.

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

Absent: None

Others present: Don Brinkley

Steve Anderson led the Pledge of Allegiance.

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

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

Items on the Consent Agenda were as follows:

- Minutes of May 14, 2018 council meeting
- Dickinson County Landfill Commission minutes and Treasurer's report April
- Liquor license renewal-The Outback Lounge
- Liquor license renewal- Casey's Marketing Company
- Cigarette/Tobacco Permits for Sunshine Foods, Dollar General Store, Dyno's, Casey's General Store, Boji Junction, The Outback Lounge, Mill Creek, Okoboji Avenue Liquor and Rax Billiards.

CITIZEN OPPORTUNITY FOR COMMENT

ACTION & DISCUSSION ITEMS

Resolution to allow parking for the 2018 Soccer Tournament and 2018 U of O Campus Bike Ride

Motion by Olsen second by Huse to approve **Resolution 18-22** Resolution to allow parking for the 2018 Soccer Tournament and 2018 U of O Campus Bike Ride. Roll call vote: Voting aye: Hinshaw, Olsen, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

Approve FY2019 RIDES contract

Motion by Yungbluth second by Olsen to approve FY2019 RIDES Contract. All voting aye: Motion carried. Council member Hinshaw would like to see a representative from Rides attend an upcoming council meeting.

Resolution to approve Milford H-Ave Phase III Environmental Assessment Contract Agreement

Motion by Hinshaw second by Frederick to approve **Resolution 18-23** Resolution to approve Milford H-Ave Phase III Environmental Assessment Contract Agreement. Roll call vote: Voting aye: Hinshaw, Olsen, Frederick, Yungbluth and Huse. Nay: None. Motion carried.

Approve NWIPDC Environmental Agreement Phase III H Ave Storm Water, Storm Sewer project

Motion by Hinshaw second by Frederick to approve the Northwest Iowa Planning and Development Commission Environmental Agreement Phase III, H Avenue Storm Water, Storm Sewer project. All voting aye: Motion carried.

Set public hearing for H Avenue Phase III on CDBG application June 25th at 6:30 p.m.

Motion by Yungbluth second by Hinshaw to set the public hearing date for H Avenue Phase III CDBG application June 25th at 6:30 p.m. All voting aye. Motion passed

Ordinance Amending Chapter 105 Solid Waste Control; 105.10 (1) Waste Storage Containers; Subsections B.

Commercial and C. Construction

Councilmember Yungbluth introduced Ordinance amending Chapter 105 Solid Waste Control; 105.10 (1) Waste Storage Containers; Subsections Commercial and C. Construction and moved that the ordinance be passed to a second reading. Councilmember Hinshaw seconded the motion to pass the ordinance to a second reading. Roll call vote: Voting aye: Hinshaw, Olsen, Frederick, and Huse. Nay: None. Motion carried.

Ordinance amending Chapter 106 Collection of Solid Waste

Councilmember Yungbluth introduced Ordinance amending Chapter 106 Collection of Solid Waste and moved that the ordinance be passed to a second reading. Councilmember Frederick seconded the motion to pass the ordinance to a second reading. Roll call vote: Voting aye: Hinshaw, Olsen, Frederick, and Huse. Nay: None. Motion carried.

Discuss and approve City attorney services

Motion by Olsen second by Huse to hire Dalton Kidd. Councilmember Hinshaw spoke on behalf of the Personnel Committee and explained the reason they made the recommendation to hire Stein Law Office was because he was in town. Hinshaw went on to further explain the Personnel Committee has no issues with current City Attorney Harold Dawson and was concerned about the municipal experience from Dalton Kidd with Kidd Law Firm and April Bosma with Michael J. Chozen & Associates. Councilmember Frederick felt it was a benefit to hire Stein Law Office because they are local. Councilmember Olsen felt Dalton Kidd was very qualified for the attorney position and was very concerned that if Stein Law Office was hired David would run the meetings. Councilmember Huse stated his concerns about the attorney was initially because of cost and based on that concern Kidd had the best rate. There were also concerns if there would be a conflict of interest if Stein was hired as he currently represents both Okoboji and West Okoboji. Mayor Anderson felt if that was a concern maybe April Bosma would be a good choice, working with Chozen provides her with access to someone with years of experience. Administrator Reinsbach commented that the council is to appoint the city attorney by majority vote. Mayor Anderson called for a vote. Voting aye: Olsen and Huse. Nay: Hinshaw, Frederick and Yungbluth. Motion failed. Based on the recommendation of the Personnel Committee Yungbluth made a motion to hire David Stein with Stein Law Office, Hinshaw seconded the motion. Voting aye: Hinshaw, Frederick, Yungbluth. Nay: Olsen, Huse. Motion carried. The transition will take place effective July 1st, 2018.

Discussion on angle parking on the north side of Okoboji Elementary School

Motion by Olsen to make a change to the ordinance on diagonal parking to allow diagonal parking on the north and west side of the school. Motion died for lack of a second. Hinshaw said he called and talked with Todd Abrahamson for an hour. A couple of things discussed was that the school lost 23 spots removing the diagonal parking and they really don't have extra room for parking at the administration building. Councilman Frederick said he had spoken with Todd as well and the school was looking to buy property to make additional parking available. Zoning Administrator Don Brinkley stated that was not allowed in a residential area. Mayor Anderson reacted and said that we can't tell them they need more parking and then when they have a plan to add parking the city tells them they can't put parking in that area. Anderson also stated another issue that school has is they don't have enough parking on the own property like they are required to have, all the parking around the school is city right of way. Brinkley reminded council that when they adopted SUDAS diagonal parking is not recognized in residential areas. Hinshaw suggested we revisit the parking after the joint city/school board meeting and the rest of the council agreed.

COMMENTS BY MAYOR, COUNCIL, AND STAFF

Administrator Reinsbach notified council that we were having electrical problems with the lift station across from the nursing home and because of that the public works has not been able to finish some street patching in town and on Airport Drive. Yungbluth asked if there is any speed limit signs on Airport Drive because it appears to be a speedway. The Cherish Center is putting on an addition and it was brought to the city's attention they might have encroached onto the Milford Municipal Utilities easement. It was also discovered between our Park Supervisor Matt Loerts and MMU there is a water leak at 99 Helen Avenue, this was brought up because there was concern over a water meter reading for the sprinklers in South Shore that the city maintains. Hinshaw asked how things are going since the last joint meeting with MMU. Reinsbach commented she was concerned after reading the MMU minutes why they did not approve the water main portion of 3rd Phase from Beck Engineering and when she approach Manager Eric Stoll about it he commented a board member felt the city should be responsible for the fire hydrants. That reminded Mayor Anderson about a conversation he had with Fire Chief Jim Carpenter in regards to a fire on Q Avenue last fall and there should be another fire hydrant installed between 4th and 6th St on Q Avenue. Whelen Outdoor Warning Signs came and tested the emergency sirens and all batteries are fine and sirens are operational with the exception of the siren at the public works building as it needs new speakers and the siren located out in the Woodlyn Drive area. The battery could not be checked because there is no power to the siren. It was suggested to get in touch with Michael Ehret to see if he had any advice on the replacement speakers.

With no other discussion, motion to adjourn by Yungbluth second by Olsen at 7:30 p.m. All voting aye: Motion carried.

Respectfully submitted,

Steven R. Anderson, Mayor

LeAnn Reinsbach, City Administrator/Clerk