

MILFORD CITY COUNCIL
 REGULAR MEETING
 November 14, 2016
 6:30 PM

The Milford City Council met in regular session November 14, 2016 at 6:30 p.m. in the Community Center Board Room.

Mayor Reinsbach presided.

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

Members absent: None

Mayor Reinsbach led the Pledge of Allegiance.

Mayor Reinsbach amended the agenda moving Jason with Beck Engineering for a project update after the public hearing. Motion by Simpson, second by Olsen to approve the agenda as amended. Roll call vote. All voting aye. Motion carried.

Motion by Simpson second by Olsen to approve the agenda. Roll call vote. All voting aye. Motion carried.

Motion by Rolling second by Huse to approve consent agenda. Roll call vote. All voting aye. Motion carried.

Items on the Consent Agenda were as follows:

Minutes October 24, 2016 meeting

Liquor license renewal for Mill Creek Lounge

Written recommendation from Planning & Zoning for the Urban Renewal Plan for Nature Trails Urban Renewal Area No. 2

Monthly bills-approve and bills paid in vacation

ADVANCED SYSTEMS INC	FIRE DEPT COPIER FEES	\$64.44
AFLAC	AFLAC PRE TAX	\$866.78
ALLIANT ENERGY	SIGN LIGHTING	\$22.43
AMAZON/GEGRB	LIBRARY SUPPLIES	\$674.03
ANDERSON, GILLIAN	LIBRARY SUPPLIES REIMBURSE	\$26.50
ANDERSON, STEVE	P&Z MTG 10/20/16	\$25.00
ARNOLD MOTOR SUPPLY	OCTOBER INVOICES	\$857.85
AUMER, BILL	10/31/16 BOA MTG	\$25.00
BAKER & TAYLOR INC.	LIBRARY BOOKS	\$1,203.95
BECK ENGINEERING INC	CITY ENGINEER DUTIES	\$4,030.00
BERNING, SHELLY	LIBRARY BRD MTG 11/2/16	\$25.00
BIRCH	OCTOBER SERVICES	\$561.28
BLACK HILLS ENERGY	FIRE DEPT SERVICES	\$174.96
BOMGAARS	PARKS SUPPLIES	\$1,001.53
BRINKS CONSULTING	OCTOBER SERVICES	\$1,183.50
CAMPUS CLEANERS	CITY HALL SERVICES	\$155.55
CARD SERVICES CENTER	FIRE DEPT CC	\$1,023.55
CENTER POINT LARGE PRINT	LIBRARY BOOKS	\$2,148.06
CENTRAL STATES SOUTHEAST & SO	EE HEALTHCARE	\$22,190.00
CERTIFIED TESTING SERVICES INC	ALLEY RECON TESTING	\$142.00
CINTAS	SEWER DEPT SUPPLIES	\$279.58
CLERK OF DISTRICT COURT	GROSSO COURT COSTS	\$90.00
COLEMAN, VAUGHN	AIRPORT SHED JANITORIAL	\$100.00
COOKINHAM, JEFF	LIBRARY BRD MTG 7/6/16	\$50.00
COOPERATIVE ENERGY COMPANY	OCTOBER INVOICES	\$1,255.72
CRYTEEL TRUCK EQUIPMENT	L26435	\$11,051.70
DANNATT, MARY	11/2/16 COMM CTR MTG	\$25.00
DCEMSA	AED REPLACE SUPPLIES	\$80.00
DEKOTER, THOLE, & DAWSON, P.L.	GENERAL FILE	\$3,485.44
DICKINSON COUNTY ANIMAL CLINI	ROCKY SERVICES	\$63.50
DICKINSON COUNTY CONSERVATIO	OCTOBER GREEN WASTE	\$640.00
ISU EXTENSION	MATT LOERTS RS CIC TRAINING	\$35.00
DICKINSON COUNTY NEWS	SEPTEMBER ADS	\$309.33
DICKINSON COUNTY NEWS	OCTOBER ADS	\$473.36
DICKINSON COUNTY RECORDER	DOCUMENTS RECORDED	\$208.00
DON PIERSON FORD	PD 08 EXPEDITION	\$785.09
DOTSON, DENNIS	LIBRARY BRD MTG 11/2/16	\$25.00
DUNINCK	PUBLIC WORKS MATERIAL	\$1,167.13
FRANKLIN, ELAINE	LIBRARY BRD MTG 11/2/16	\$25.00
GALE GROUP	LIBRARY BOOKS	\$104.96
GALEN'S PRO-MOW	PW CHAINSAW	\$18.67
GANO, JOANN	LIBRARY BRD MTG 11/2/16	\$25.00
GCS TECH INC.	LIBRARY SERVICES	\$855.00

GENERAL DRIVERS UNION	UNION DUES	\$358.00
GENERAL DRIVERS UNION	UNION DUES	\$358.00
GREAT AMERICA LEASING CORP.	LIBRARY COPIER	\$110.43
HEMPHILL, LINDA	11/2/16 COMM CTR MTG	\$25.00
HINSHAW, AMIE	OCTOBER JANITORIAL SERVICES	\$1,600.00
HOLIDAY INN DES MOINES AIRPORT	IMFOA HOTEL	\$190.40
HOUGE, LEANN	IMFOA MILEAGE/PD BLINDS	\$324.25
HULSTEIN EXCAVATING, INC.	ALLEY RECON WORK	\$55,728.33
HUNTRESS DAVID	10/31/16 BOA MTG	\$25.00
IA DEPT OF PUBLIC SAFETY	PD OCT-NOV TERMINAL	\$300.00
IAFC MEMBERSHIP	FD MEMBERSHIP DUES	\$234.00
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$8,049.48
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$14.68
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$8,033.39
INTERNAL REVENUE SERVICE	OVERPAYMENT	\$14.68
IOWA DEPARTMENT OF JUSTICE	TITLE TRANSFER	\$200.00
IOWA DEPARTMENT OF TRANSPORT	PD SUPPLIES	\$12.30
IOWA DEPARTMENT OF TRANSPORT	PW SNOW SUPPLIES	\$3,372.25
IOWA DIVISION OF LABOR SERVICE	FD BOILER INSPEC	\$120.00
IOWA GREAT LAKES SANITARY DIS	903 OKOBOJI AVE	\$94.85
IOWA ONE CALL	SEPT LOCATES	\$144.90
IPERS	IPERS PROTECTN	\$9,774.41
JOHNSON FEED, INC.	ROAD SALT	\$1,894.75
KEIZER, ROBB	11/2/16 COMM CTR MTG	\$25.00
KEN BORTH AUTO BODY LTD.	SNOW PLOW MOUNT	\$1,321.79
KILTS, RICK	LIBRARY BRD MTG 11/2/16	\$25.00
LAKES NEWS SHOPPER	OCTOBER ADS	\$228.60
LORENZEN, JASON	10/31/16 BOA MTG	\$25.00
LUCK COUNTRY INN	K-9 TRAVEL/TRAINING	\$140.00
MAXYIELD COOPERATIVE	FIRE DEPT FUEL	\$193.11
MAXYIELD COOPERATIVE	FD FUEL	\$137.60
MCCREA, JIM	11/2/16 COMM CTR MTG	\$25.00
MENARDS - SPENCER	PARKS SUPPLIES	\$76.49
MIDWEST FIRE EQUIPMENT & REPAI	FD ANNUAL SERVICE/PARTS	\$1,418.05
MILFORD COMMUNICATIONS	FD SERVICES	\$335.21
MILFORD ELECTRIC INC.	PARKS LIGHT SUPPLIES	\$644.21
MILFORD MUNICIPAL UTILITY	OCTOBER UTILITIES	\$8,629.48
N.W. IA. LEAGUE OF CITIES	2016-17 DUES	\$50.00
NELSON, WANDA	P&Z MTG 10/20/16	\$25.00
ORTMAN, RICH	11/2/16 COMM CTR MTG	\$25.00
PAPE, JULIE	P&Z MTG 10/20/16	\$25.00
PETE HOWE INDUSTRIAL INC.	SEWER LINES TELEVISED	\$750.00
PITNEY BOWES	POSTAGE LEASE	\$193.65
R & D INDUSTRIES	SERV AGR/SPAM/VIRUS FILTER	\$775.50
RICK'S PEST CONTROL	FD SERVICES	\$95.00
SANFORD HEALTH	HEARING TESTS	\$186.66
SCHLEY, CARLA	LIBRARY BRD MTG 11/2/16	\$25.00
SECURE BENEFITS SYSTEMS	EE FSA MED CONTRIB	\$352.96
SEXTON, BRENT	P&Z MTG 10/20/16	\$25.00
SHAMROCK RECYCLE INC.	OCT CURBSIDE RECYCLE	\$3,828.96
SHAW'S OF OKOBOJI INC.	903 OKOBOJI AVE	\$119.00
SHELEY, GEORGIA	10/31/16 BOA MTG	\$25.00
SIMINGTON, BRAD	P&Z MTG 10/20/16	\$25.00
SORENSEN, BETH	LIBRARY TRAVEL/SUPPLIES REI	\$600.77
SPIRIT LAKE PARTS CITY	PD PARTS	\$6.99
STOREY KENWORTHY	OFFICE SUPPLIES	\$670.88
TD TOOLS	SHOP SUPPLIES	\$196.60
TREAS. - STATE OF IOWA	QUARTERLY SALES TAX	\$2,411.00
TREASURER, STATE OF IOWA	STATE TAX	\$2,647.00
TREASURER, STATE OF IOWA	STATE TAX	\$4.00
TRUE VALUE-MILFORD	OCTOBER INVOICES	\$160.31
UNITED COMMUNITY BANK FOR	LIBRARY POSTAGE	\$158.86
UNITED COMMUNITY BANK FOR	CH PETTY CASH REPLACEMENT	\$41.35
VAHLSING'S CLEAN SWEEP	FD SEPT/OCT JANITORIAL SERVI	\$220.00
VALLEY CONTRACTING INC.	H AVE RECON WORK THRU	\$83,045.20
VERIZON WIRELESS	OCTOBER SERVICES	\$515.54
WASTE MANAGEMENT	SEPTEMBER GARBAGE	\$11,217.60
WASTE MANAGEMENT	OCTOBER GARBAGE	\$11,217.60
WATCH GUARD	PD SUPPLIES	\$1,820.00
WEDEKING PIT & PLANT	SAND FOR SALT	\$1,003.58
WELCO CONSTRUCTION	OLD CITY HALL WINDOW REPL	\$7,814.92
WITTRUCK LAWN SERVICE	CEMETARY MOW	\$375.00

TOTAL ACCOUNTS PAYABLE	\$292,411.46
PAYROLL CHECKS	\$42,177.86
***** REPORT TOTAL *****	\$334,589.32

Paid from the following funds: General Fund: 103,979.09; Road Use Tax: 22,392.59; Employee Benefits: 18,821.89; K-9: 203.50; Police Forfeiture: 200.00; Capitol Equipment (LOST): 66,922.03; H Ave Project: 84,405.20; Koth Property: 177.85; Sewer Utility: 9,129.02; Garbage Utility: 27,157.15; Storm Water Utility Fund: 1,201.00

Monthly Clerk's/Treasurers Report with the following receipts: General Fund: 427,065.42; Road Use Tax: 31,066.03; Employee Benefits: 99,094.16; Hotel/Motel Tax: 23.62; Milford South Industrial Park: 96,544.38; Nature Trails TIF: 66,957.48; Meyer TIF: 11,606.37; Ponds Phase 1 TIF: 53,816.44; LMI Fund 153.51; K-9 Unit: .50; Debt Service: 82,272.67; Capitol Equipment (LOST) 44,724.18; Capital Project Reserve: 307.03; H Avenue Project: 48,615.00; Sewer Utility: 26,473.20; Garbage Utility: 16,904.22; Storm Water Utility: 9,122.05

CITIZEN'S APPEARANCES-PUBLIC COMMENTS

No public comments.

REPORTS

Board/Commission reports

Council reviewed the October Clerk/Treasurer report, October monthly expense and revenue reports, Police and Fire Department reports. October minutes from Board of Adjustments, Community Center, Park Board, Milford Planning & Zoning, Milford Memorial Library and Library events for November. Landfill Commission minutes/ Treasurer's report from September.

PUBLIC HEARING

Public hearing on proposal to establish the Nature Trails Urban Renewal Area No. 2 at 6:30 p.m.

Mayor Reinsbach opened the meeting at 6:33 p.m. With no comments from the audience or oral and written comments received at the City Clerk's office the public hearing was closed at 6:34 p.m.

ACTIONS & DISCUSSION ITEMS

Update on H Avenue and Alley Reconstruction Projects

Jason with Beck Engineering was in attendance to give the council a brief update on the H Avenue and Alley Reconstruction projects. Jason is hoping to be able to remove the H Avenue silt fence by the end of the week otherwise the project is complete. The Alley reconstruction project is complete and both projects were finished under budget.

Resolution to Declare Necessity and Establish an Urban Renewal Area, pursuant to section 403.4 of the Code of Iowa and Approve Urban Renewal Plan and Project for the Nature Trails Urban Renewal Area No. 2.

Motion by Walters second by Rolling to approve **Resolution 16-47**. Roll call vote. All voting aye. Motion passed.

Resolution Setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with Kuch Builders, Inc. Including Annual Appropriation tax Increment Payments an amount not to exceed \$1,090,000

Motion by Huse second by Olsen to approve **Resolution 16-48**. Roll call vote. All voting aye. Motion passed.

Adopt an Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Nature Trails Urban Renewal Area No. 2, Pursuant to Section 403.19 of the Code of Iowa

After the public hearing Councilman Walters introduced **Ordinance 11-14-16** an Ordinance providing for the division of taxes levied on taxable property in the Nature Trails Urban Renewal Area No. 2, pursuant to Section 403.19 of the Code of Iowa. A motion by Simpson and seconded by Huse that **Ordinance 11-14-16** be adopted. Roll call vote. All voting aye. Mayor Reinsbach entertained a motion to waive the requirements that **Ordinance 11-14-16** amending the existing zoning ordinances of the City of Milford be considered at two prior meetings. A motion by Simpson second by Huse to waive the requirement that the **Ordinance 11-14-16** amending the existing zoning ordinances of the City of Milford in accordance with Iowa Code section 380.3. A motion was made by Huse, second by Simpson to a final consideration and adoption **Ordinance 11-14-16** amending the existing zoning ordinances of the City of Milford. Roll call vote. All voting aye. Motion passed.

Resolution Establishing the Public Purpose for Current and Future Expenses incurred by the Milford City Council for Meal Expenses, Flowers, Goal Setting Sessions, Receptions, and other De Minimis Expenses).

Motion by Simpson second by Rolling to approve **Resolution 16-49**. Roll call vote. All voting aye. Motion passed.

Resolution Amending the Flexible Benefit Plan Unreimbursed Medical Limits.

Motion by Walters, second by Huse to approve **Resolution 16-50**. Roll call vote. All voting aye. Motion passed.

Resolution Approving Payment No. 4 to Valley Contracting, Inc.

Motion by Simpson, second by Olsen to approve **Resolution 16-51**. Roll call vote. All voting aye. Motion passed.

Resolution Approving Payment No. 2 to Hulstein Excavating, Inc.

Motion by Olsen, second by Huse to approve **Resolution 16-52**. Roll call vote. All voting aye. Motion passed.

Approve Hold Harmless agreement between City of Milford and D&W Development, Inc.

Motion by Olsen, second by Simpson to approve Hold Harmless agreement between City of Milford and D&W Development, Inc. Roll call vote. All voting aye. Motion passed.

Garbage Fees-Jan DeSpain

Jan DeSpain was not present to discuss.

YMCA annual update/funding-Andrew Fisher and Josh Carr

Interim CEO Andrew Fisher and Josh Carr provided the council with a brief update on funding for both the YMCA and Camp Foster and thanked the council for their ongoing support.

Blue Water Festival annual update/funding-Barry Sackett

Treasurer and past President of the Okoboji Protective Association Barry Sackett was present to update the council on upcoming events to raise funds for supporting clean water. The Blue Water Festival is asking local municipalities to donate \$5000 to keep this event active.

Okoboji After Prom donation

No one present to represent. Mayor Reinsbach purposed donating \$100.

Appoint Airport Board member to fill vacancy

Mayor Reinsbach made a recommendation to the council to appoint Rick Gould. A motion by Olsen to appoint Kirb Walters to the Airport Commission Board, with a lack of second the motion failed. A motion by Rolling, second by Simpson to appoint Rick Gould to fill the vacancy left by Norm Winters. Roll call vote. Voting aye: Simpson, Olsen, Rolling, and Huse. Abstained: Walters.

Discuss employee appreciation dinner

Mayor Reinsbach reviewed past locations of the employee appreciation dinners. After some discussion a motion by Olsen, second by Simpson to have the employee appreciation dinner at The Coffee Shop on Thursday January 26th, 2017. Roll call vote. All voting aye. Motion passed.

Discuss changing the December 26th council meeting date

Mayor Reinsbach discussed with the council the City Clerk's office is closed on the Monday December 26th meeting and recommended moving the council meeting to Tuesday December 27th, 2016. A motion by Simpson, second by Olsen to move the December 26th, 2016 council meeting to Tuesday December 27th, 2016. Roll call vote. All voting aye. Motion passed.

COMMENTS BY MAYOR, COUNCIL AND STAFF

City Administrator LeAnn Houge requested for Mayor Reinsbach to review with council that LeAnn and Public Works Supervisor Kent Eilers met with Tom Tourville and Tom Golden of Boji Bay. Boji Bay has a list of items to be completed in order for the City to accept their streets. Boji Bay is approximately half way done in completing the list. Reinsbach left it to the council to decide if they would like Boji Bay to also sign an Indemnification Clause regarding a Hold Harmless Agreement similar to the document D&W Development, Inc. signed. The council agreed that Boji Bay should sign an Indemnification Clause. Councilman Simpson and Walters updated the council on the meeting with D&W Development, Inc. and they both felt it was productive and went well. Simpson inquired on the status of the 903 Okoboji Avenue and Mayor Reinsbach updated. With no other discussion, motion to adjourn Olsen, second by Huse at 7:37 p.m. All voting aye. Motion carried.

Respectfully submitted,

Bill Reinsbach, Mayor

Carrie Funk, Deputy City Clerk