

MILFORD CITY COUNCIL
REGULAR MEETING
OCTOBER 24, 2016
6:30 PM

The Milford City Council met in regular session October 24, 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.

Motion by Walters second by Rolling to approve the agenda. Roll call vote. All voting aye. Motion carried.

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

Items on the Consent Agenda were as follows:

- Minutes October 11, 2016 council meeting
- Commercial tax abatement for Michael & Julie Sexton

CITIZEN'S APPEARANCES-PUBLIC COMMENTS

Linda Weir representing D&W Development spoke in regards to the agenda item discussing lots D&W would like to offer the City in exchange of accepting the roads. Weir felt from previous meeting things seemed positive. If not she would like to see the council make a counter offer. Weir also reminded council during the August 29 minutes they approved to have City Administrator try and find a moderator for future discussions with D&W and lastly she felt there was some confusion on the Indemnity Harmless Agreement and ask the council if they would be willing to offer a second Indemnity Harmless Agreement that is not as restrictive.

ACTIONS & DISCUSSION ITEMS

Discuss police car purchase

The council reviewed the bids and recommendation from the Building & Equipment Committee on purchasing a new police car. Motion by Rolling, second by Simpson to go with the bid from Don Pierson Ford. Roll call vote. Simpson, Olsen, Rolling and Huse voted aye, Walters voted nay. Motion passed.

Discuss lots D&W would like to offer the City

The council reviewed information provided by City Engineer Brad Beck for Lot 1 and Outlet A in Hunter Hills Phase II. Information is based from looking at both the preliminary and final plats. Lot 1 is a buildable lot with some value. Outlet A is low area and accepts a lot of drainage from the north and also has easements on the south side of Outlet. Also to take into consideration the additional time for maintenance by city crew and possible additional liability on drainage flowing through the lots if the City were to accept. Simpson was concerned about a sewer easement. Developers from D&W thought it would make a nice walking area to walk dogs for Outlet A and possible future parking lot made out of Lot 1. Councilman Olsen made a motion to decline the offer of Outlet A and Lot 1 from D&W. Motion died due to lack of a second. Council feels snow removal is a priority, Rolling suggested trying to get some sort of guarantee on the overlay. Mayor Reinsbach reminded them there is still issues with the sewer that should be addressed. Simpson would like Brad Beck to give an overview of his findings. Motion by Walters, second by Simpson to table offer. Roll call vote. All voting aye, motion carried. Council would like City Attorney to redraft a second Indemnification Agreement that is not quite so broad.

Abandonment procedure on contents or property located at 903 Okoboji Avenue

City Attorney Harold Dawson passed out documentation section 556B.1 Removal—Notice to Sheriff. Gave a brief recap of the procedures that need to be followed. After further discussion the council asked the City Administrator to get in contact with the Civil Deputy for Dickinson County and Nattress Auction Service to set up a time to meet and get any suggestions on how to proceed with the contents of the building as it may take up to 6 months before contents can be sold by the sheriff at a public or private sale.

Discuss P&Z forming a committee to discuss elementary parking

Mayor Reinsbach reminded council a couple of years ago a committee was formed to address parking areas throughout the town and from there the Planning and Zoning Commission spent a lot of time going over the recommendations and made changes and took them to council for final approval in November 2014. Angle or diagonal parking is not allowed around the elementary school. Both City Administrator Houge and Zoning Administrator Brinkley had met with Superintendent Todd Abrahamson about enforcing the ordinance and planned to have the city crew repaint the lines from diagonal to parallel parking which drew concerns. Planning and Zoning Chairman Steve Anderson met with the Todd Abrahamson and Elementary Principal Justin Bouse last week and would like to set up a committee to talk about the parking and they would also like the city to delay painting. Todd Abrahamson attending the council meeting and

talked about the meeting he had with the City Administrator and Zoning Administrator and wanted to make it very clear that no one is the bad guy and he just wants to do what is right and also build relationships with the city. Abrahamson also appreciated the time Steve Anderson took to meet with both him and Justin Bouse bringing them up to speed on the parking issues and safety concern. Mayor Reinsbach thanked him for coming to the meeting. Motion by Rolling, second by Huse to hold off painting until the committee can meet. Roll call vote. All voting aye. Motion carried. Motion by Walters, second by Rolling to have Steve Anderson spearhead the committee and appoint Councilman Bill Huse to that committee. Roll call vote. All voting aye. Motion carried.

COMMENTS BY MAYOR, COUNCIL AND STAFF

Mayor Reinsbach wanted to let council know he was approached by a member of the Dickinson County Tax Payers Association in regards to what was going on with D&W because something was brought up during their last meeting. Reinsbach was also approached by a local newspaper for comments. Reinsbach asked council for their thoughts on this as well as the City Attorney from a legal standpoint. The general consensus is to make no comment because we are trying to work things out with D&W and if the local media wants to know what's going on there is plenty of information out there to research from minutes for city council sessions, prior court cases etc.

Gaye Ann Demuth representing D&W commented they would like to sit down and talk with some of the council members. Rolling asked if this could be done without attorneys to cut down on cost for both parties. Members of D&W said they would be willing to do that. Attorney Dawson said this is fine because it's the parties that have to come to an agreement. Attorneys can't talk to other parties unless their attorney is present. Simpson and Walters agreed to sit in on future meetings with D&W if their schedules allow it.

City Administrator Houge updated council on the Airport Easements Agreements. In her absence last week she had asked Deputy City Clerk, Carrie Funk to reach out to Rod and Kathy Lockey to try and meet up with the residents whom we are waiting for signed agreements. Houge and City Engineer Brad Beck have met with Gladys Walters on Monday October 17th and Dennis Koelling this afternoon to try and clear up any questions or concerns. Brad is out the rest of the week and will try and get in touch with remaining homeowner's when he returns. Houge said she will have Carrie work on setting up meetings.

With no other discussion, motion to adjourn by Rolling, second by Simpson at 7:52 p.m. All voting aye. Motion carried.

Respectfully submitted,

William Reinsbach, Mayor

LeAnn Houge, City Administrator/Clerk