

MILFORD CITY COUNCIL
 REGULAR MEETING
 MAY 10, 2021
 6:30 PM

The Milford City Council met in regular session May 10, 2021 at 6:30 p.m. in the Community Center Board Room.

Iowa Code Section 21.4 requires that each Council meeting shall be held at a place reasonably accessible to the public and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impracticable. Given the Governor's prohibition on gatherings of ten or more persons during the COVID19 outbreak and further given Section Nine of the Governor's March 19, 2020 proclamation suspending the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, the City Council has determined that a meeting at a physical place is impossible or impracticable and all Council meetings for the time being will be conducted electronically with the public allowed to attend per the instructions on this agenda. Meeting minutes will continue to be provided per the City's normal course of business. The agenda and the City's website had this message posted more than 24 hours in advance to give instructions on how others could participate in the meeting.

Mayor Steve Anderson presided.

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

Absent: None

Others present: Mayor Steve Anderson, City Administrator LeAnn Reinsbach, Police Chief Bob Clark, Public Works Director Kent Eilers, Jason Eygabroad and Ben Groen of Beck Engineering, Dudley Hussong, Steve Schwaller, Brad Willemsen and via Zoom LeAnn Reinsbach, Mayor Anderson.

Steve Anderson led the Pledge of Allegiance.

Motion by Gebhart second by Eckard to approve the agenda. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Motion by Yungbluth second by Eckard to approve consent agenda. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Items on the Consent Agenda were as follows:

- Minutes of April 26, 2021 special budget council meeting
- Monthly bills as listed below: (approved) and bills paid in vacation

AFLAC	AFLAC PRE TAX	\$939.42
ALLIANT ENERGY	SIGN UTILITY	\$24.18
ALPHA WIRELESS COMM. CO.	FIRE DEPT RADIOS	\$1,423.65
AMAZON/SYNCB	LIBRARY SUPPLIES	\$27.90
AMY'S SIGN DESIGN	FLORENCE PARK DONATION SIGN	\$594.00
ANDERSON, GILLIAN	LIBRARY SUPPLIES REIMBURSE	\$169.03
ARNDT, MCINTYRE	P&Z MEETING 4/20/21	\$25.00
ARNOLD MOTOR SUPPLY	APRIL INVOICES	\$1,147.78
ARTHUR J. GALLAGHER RISK MNGMT	21-22 AIRPORT LIABILITY POLICY	\$2,820.00
AT&T MOBILITY	PD CELL/LAPTOP SERVICES	\$413.93
BAKER & TAYLOR INC.	LIBRARY BOOKS	\$873.86
BARGEN INCORPORATED	REPLAY SEALCOAT PROJECT	\$2,000.00
BEACON ATHLETICS	FOAM BASE PLUGS	\$207.00
BECK ENGINEERING INC	P AVE & 13TH RECON PROJECT	\$17,751.25
BECK EXCAVATING INC.	2020 ALLEY RECON PRJCT PMNT 2	\$16,745.62
BLACK HILLS ENERGY	FIRE DEPT UTILITY	\$245.22
BLACK HILLS ENERGY	FIRE DEPT UTILITY	\$378.05
BOMGAARS	APRIL INVOICES	\$782.71
BRINKS CONSULTING	APRIL SERVICES	\$652.00
BROWN SUPPLY	PW VEHICLE MAINT	\$286.61
CAMPUS CLEANERS	CITY HALL SERVICES	\$100.15
CAMPUS CLEANERS	LIBRARY SERVICES	\$37.40
CANON FINANCIAL SERVICES	LIBRARY COPIER	\$71.83
CARD SERVICES CENTER	PD/PW/CITY OFFICE SUPPLIES	\$843.24
CENTRAL STATES SOUTHEAST & SOU	EE HEALTHCARE	\$21,726.00
CERTIFIED TESTING SERVICES INC	2020 ALLEY & FRONTAGE RD	\$2,709.00
CHRISTIANS SHEET METAL	SPRING SERVICE	\$754.20
CLARK EQUIPMENT CO.D/B/A BOBCA	PW SNOW BLOWER	\$3,224.04
COLEMAN, VAUGHN	MARCH/APRIL AIRPORT CLEANING	\$150.00
COOPERATIVE ENERGY COMPANY	APRIL FUEL INVOICES	\$2,687.19
CUMMINS CENTRAL POWER	FIRE DEPT PLANNED MAINTENANCE	\$574.41
CYBRARIAN CORPORATION	LIBRARY ANNUAL SUBSCRIPTION	\$802.45
DENNIS E MERRY	APRIL JANITORIAL SERVICES	\$1,700.00
DICKINSON COUNTY CONSERVATION	GREEN WASTE DISPOSAL	\$636.00
DICKINSON COUNTY NEWS	APRIL ADS	\$633.18
DISPLAY SALES COMPANY	CUSTOM POLE BANNERS	\$194.00
DOTSON, DENNIS	LIBRARY BOARD MTG 5/5/21	\$25.00
FAIRCHILD MRFG. INC.	PW MAINT	\$2,067.00
FRANKLIN, ELAINE	LIBRARY BOARD MTG 5/5/21	\$25.00
GALE	LIBRARY BOOKS	\$33.74
GALEN'S PRO-MOW	PW VEHICLE MAINT	\$35.83
GALLES, MATT	P&Z MEETING 4/20/21	\$25.00
GALLS LLC	MYHRE EE CLOTHING	\$797.24
GANO, JOANN	LIBRARY BOARD MTG 5/5/21	\$25.00
GENERAL TRAFFIC CONTROLS	HWY 71&10TH TRAFFIC SIG SERVIC	\$750.00
GORDON FLESCH COMPANY	LASERFICHE	\$75.00
GRAHAM TIRE COMPANY	PARKS TRUCK MAINT	\$582.40

HEARTLAND PAINT, GLASS, LOC	LIBRARY SERVICES	\$1,000.00
HICCUP PRODUCTIONS, INC.	LIBRARY EVENT	\$375.00
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$8,866.09
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$9,826.69
INTERSTATE INDUSTRIAL INSTR. I	SEWER SUPPLIES	\$16.36
IOWA LAKES ELECTRIC COOP	STREET LIGHTING	\$668.00
IPERS	IPERS REGULAR	\$11,701.28
JAYCOX IMPLEMENT	PW BOBCAT EXTENDED WARRANTY	\$1,721.89
JCL SOLUTIONS-JANITORS CLOSET	PARKS SUPPLIES	\$338.96
JOHNSON, DEB	LIBRARY BOARD MTG 5/5/21	\$25.00
JORGENSEN, TOM	P&Z MEETING 4/20/21	\$25.00
KIESLER'S POLICE SUPPLY	PD MEDICAL KITS	\$696.25
KILTS, RICK	LIBRARY BOARD MTG 5/5/21	\$25.00
KNIGHT PROTECTION	CITY HALL FIRE ALARM TESTING	\$304.00
LAKES NEWS SHOPPER	PARK ADS	\$337.60
LAKES PLUMBING HEATING AND COO	WOMEN'S RR REPAIR	\$122.12
LAKES REGIONAL HEALTHCARE	EE TESTING	\$70.00
MACQUEEN EQUIPMENT	SEWER SUPPLIES	\$194.62
MENARDS - SPENCER	PW BUILDING MAINT	\$1,083.55
MID-IOWA SOLID WASTE EQUIPMENT	PW VEHICLE MAINTENANCE	\$38,376.19
MILFORD COMMUNICATIONS	CITY HALL PHONE/BROADBAND	\$895.45
MILFORD ELECTRIC INC.	LIFT STATION REPAIR	\$161.00
MILFORD MUNICIPAL UTILITY	APRIL UTILITIES	\$6,695.25
PURCHASE POWER	CITY HALL POSTAGE	\$38.94
R & D INDUSTRIES	PD SERVICE AGREEMENT	\$1,397.63
REINSBACH, LEANN	IMFOA TRAVEL REIMBURSE	\$219.52
RICHARD L. COOKE	FIRE DEPT SERVICES	\$95.00
SECURE BENEFITS SYSTEMS	EE FSA CONTRIBUTIONS	\$407.94
SEXTON, BRENT	P&Z MEETING 4/20/21	\$25.00
SIMMERING CORY IA CODE	MARCH 2021 SUPPLEMENT	\$295.00
SPENCER DIESEL	PARKS MOWER	\$2,187.37
STEARNS, PAIGE	LIBRARY SUBSCRIPT REIMBURSE	\$160.55
STEIN LAW OFFICE	LEGAL FEES	\$1,349.28
STOREY KENWORTHY	LIBRARY SUPPLIES	\$50.35
SUNSHINE FOODS	PW SUPPLIES/WATER FOR ALLEY PR	\$114.44
TREAS. - STATE OF IOWA	QRTLY SALES TAX	\$2,105.00
TREASURER, STATE OF IOWA	STATE TAX	\$2,874.00
TRUE VALUE-MILFORD	APRIL INVOICES	\$414.13
UNITED COMMUNITY BANK FOR PETT	LIBRARY POSTAGE	\$3.28
UNITY POINT CLINIC-OCCUPATIONA	EE TESTING	\$84.00
VERIZON WIRELESS	COUNCIL TABLETS	\$177.22
WEB GRAPHICS INC.	CITY HALL ENVELOPES	\$367.87
WITTROCK LAWN SERVICE	CEMETARY MOW	\$375.00
Accounts Payable Total		\$185,058.33
Payroll Checks		\$53,648.26
***** REPORT TOTAL *****		\$238,706.59

Paid from the following funds: General Fund: 104,232.19; Road Use Tax: 28,642.92; Employee Benefits: 17,652.38; Capital Equipment (Lost): 4,377.14; Capital Project Reserve: 334.00; P Ave Project: 7,250.00; 2020/2021 Alley Projects: 22,414.62; Sewer Utility Fund: 52,262.47; Storm Water Utility Fund: 1,540.87

Monthly Clerk's/Treasurers Report with the following receipts: General Fund: 521,843.79; Road Use Tax: 77,880.54; Employee Benefits; 172,600.36; Hotel/Motel Tax: 1.30; TIF: 288,308.99; LMI Fund: 8.44; Debt Service: 115,293.78; Capitol Equipment (LOST) 6.49; Capital Project Reserve: 7,148.33; H Avenue Project: 6,105.00; Covid-FEMA Assistance: 5334.79; Sewer Utility: 30,401.19; Storm Water Utility: 10,775.31

CITIZEN OPPORTUNITY FOR COMMENT

REPORTS

Board/Commission Reports

Council reviewed the April Bank Cash report, Clerks/Treasurer report, Monthly Expense and Revenue reports, Police report, Fire Department call log and minutes. March minutes from Community Center, Park Board, Planning & Zoning Commission and Library along with May events, April Dickinson County Sanitary Landfill Commission minutes.

PUBLIC HEARING

Public hearing proposed plans, specifications, form of contract, and estimated total cost on 2021 City of Milford Seal Coat project at 6:30 P.M

Mayor Anderson opened the public meeting at 6:32 p.m. City Administrator LeAnn 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 6:32 p.m.

ACTION AND DISCUSSION ITEMS

Resolution approving plans, specifications, form of contract, and estimated total cost on 2021 City of Milford Seal Coat project. Motion by Eckard second by Yungbluth to approve **Resolution 21-45** Resolution approving plans, specifications, form of contract, and estimated total cost on 2021 City of Milford Seal Coat project. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution awarding bid for the 2021 City of Milford Seal Coat project.

Motion by Yungbluth second by Hinshaw to approve **Resolution 21-46** Resolution awarding bid for the 2021 City of Milford Seal Coat project. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried. The project was awarded to Fahrner Asphalt Sealers, LLC out of Plover, WI.

Resolution approving depositories for the city investments.

Motion by Yungbluth second by Eckard to approve **Resolution 21-47** Resolution approving depositories for the city investments. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution approving change order #3 for the 2020 City of Milford Alley Reconstruction project.

Motion by Eckard second by Yungbluth to approve **Resolution 21-48** Resolution approving change order #3 for the 2020 City of Milford Alley Reconstruction project. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution authorizing payment No. 3 to Beck Excavating, Inc. for the 2020 City of Milford Alley Reconstruction project.

Motion by Eckard second by Hinshaw to approve **Resolution 21-49** Resolution authorizing payment No. 3 to Beck Excavating, Inc. for the 2020 City of Milford Alley Reconstruction project. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution of the City Council of the City of Milford, Iowa to request the assistance of the staff of the Northwest Iowa Planning and Development Commission.

Motion by Yungbluth second by Eckard to approve **Resolution 21-50** Resolution of the City Council of the City of Milford, Iowa to request the assistance of the staff of the Northwest Iowa Planning and Development Commission. By approving this resolution, we can get NWIPDC involved to review plans from the Okoboji School District on an addition to the commons area and also construction of a bus barn. It also removes current Zoning Administrator Don Brinkley from any dealings with the district and any potential conflict of interest. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution approving the second amendment to Independent Contractor Agreement.

Motion by Yungbluth second by Eckard to approve **Resolution 21-51** Resolution approving the second amendment to Independent Contractor Agreement. Also, as part of the motion Yungbluth noted the contract would be contingent that Mr. Brinkley is to sign the agreement on or before noon on May 14th, 2021. If he fails to respond it would serve as a 30-day written notification of termination on behalf of the City of Milford. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Review and possibly approve Transient Merchant License- Gloria's Mexican Restaurant, LLC/Gloria's Food Truck

Motion by Gebhart second by Hinshaw to approve the Transient Merchant License- Gloria's Mexican Restaurant, LLC/Gloria's Food Truck. All voting aye. Motion carried.

Storm water concern 2109 P Ave-Dudley Hussong

Discussion took place in regards to some concerns Dudley Hussong has on his property where there are two intakes that are connected for storm sewer. Kent explained it would be nice to get rid of one of them as there are no access points for clean out. Kent explained one way to fix the issue would be to dig up over the top of our 60-inch storm sewer and install a 513 intake which is a square intake that would take water in from all four sides, dig across the street, install a manhole, attach a separate pipe and abandoned the two lines. After much discussion a motion by Gebhart, second by Hinshaw to have Beck Engineering look into cost to correct the problem and bring it back to council for discussion. Kent is going to check about getting the area in question televised. If there is money in the budget this year, we will get it fixed. In the meantime, Mr. Hussong is going to pour his driveway and will raise the intakes to be even with the driveway.

Discuss storm sewer separation at 68 Helen Avenue

Public Works Director Kent Eilers explained the storm sewer at 68 Helen Avenue is coming apart in three different spots and needs to be fixed. Kent has reached out to Sam Wedeking for assistance on the storm sewer repair.

Discuss damaged 2005 Mauer trailer and insurance documentation

The City and MMU have been sharing equipment. MMU was using a City trailer and there was an incident that bent the back of the City trailer. MMU insurance agent Andrew Hennessy with EMC Insurance totaled out the trailer. Council reviewed documentation from Andrew and if the city chose to not keep it, we would get \$5,464.00 and if we keep it the settlement amount would be \$4,480.00 to buy it back. After further discussion motion by Yungbluth second by Gebhart to keep the trailer and have Kent look into what it would cost to fix so that the City would have a backup trailer. MMU General Manager Brad Willemssen and Kent are working together to find a trailer of equal value that would be purchased by MMU to replace the 2005 Mauer trailer that was totaled.

Discuss removing curb east of Community Building and Faith Community Church

City Administrator Reinsbach informed council she reached out to Pastor Jennifer with Faith Community Church and they are okay with us removing the island to the east of this building. Council agreed on removing the curb and thought it would be easier for snow removal. Kent and his crew will jack hammer out the curb and hire out to prep and pour back in concrete.

Discussion on supporting law enforcement

Council reviewed documentation from Terry Lowry Media Specialist with Community First Broadcasting. It would cost \$300.00 to air two weeks of supporting law enforcement campaigns. Motion by Yungbluth second by Gebhart to not participate in the campaign, noting it's not that we don't support our officers because we do. Council would rather get together and do lunch with the police department as a way of support.

Update on COVID-19 reimbursement

City Administrator Reinsbach informed council we received a partial payment of \$5344.79 last month. The total amount to be received is \$7,212.79.

Discuss Waste Management services

Councilman Hinshaw expressed his concern with respect to Waste Management and the service he feels he is not getting at Cenex (Boji Junction) He noted he tried calling the service several times. Hinshaw also said he reached out to other business and said Perkins and Sunshine Foods are also having issues. City Administrator Reinsbach mentioned the City Clerk's office has not received any phone calls. Reinsbach will reach out to Jay Nieson with Waste Management as it sounds like most of the issues are tied back to the route driver.

Discussion on clean up days

Motion by Yungbluth second by Gebhart to have city wide clean up days this year sometime after Labor Day. All voting aye. Motion carried.

Discuss resuming council meeting without using Zoom format

Council discussed if meeting in person and via Zoom if needed now that COVID-19 cases are down and vaccinations are available. Motion by Hinshaw second by Yungbluth to discontinue using Zoom for council meetings and other board meetings. All voting aye. Motion carried.

COMMENTS BY MAYOR, COUNCIL, AND STAFF

With no other discussion, motion to adjourn by Yungbluth second by Gebhart at 7:40 p.m. All voting aye. Motion carried.

Respectfully submitted,

Steven R. Anderson, Mayor

LeAnn Reinsbach, City Administrator/Clerk