

The Milford City Council met in regular session October 25, 2021 at 6:30 p.m. in the Community Center Board Room. Mayor Steve Anderson presided.

Members present: Chris Hinshaw, Doug Frederick, Aaron Gebhart, Jason Eckard and Andy Yungbluth. Frederick arrived at 6:50 p.m.

Absent: None

Others present: City Administrator LeAnn Reinsbach, Jason Eygabroad, Ben Groen, Harley Broek, John Wills, Garth Wolff, Kasey Fear, Chad Frerichs, Jamie Baraiber, Elizabeth Todd and Steve Schwaller.

Mayor Anderson led the Pledge of Allegiance.

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

Motion by Yungbluth second by Gebhart approve the consent agenda. Noting the minutes from last meeting were October 12, 2021 not September 13<sup>th</sup>, 2021. Voting aye: Hinshaw, Gebhart, Yungbluth and Eckard. Nay: None. Motion carried.

Items on the Consent Agenda were as follows:

- Minutes of September 13, 2021 council meeting (Correct in minutes October 12<sup>th</sup>, 2021).
- Liquor license renewal for Mill Creek Lounge

### CITIZEN OPPORTUNITY FOR COMMENT

#### PUBLIC HEARING

Public hearing on 2021 City of Milford South Shore Estates reconstruction project at 6:30 p.m.

Mayor Anderson opened the public meeting at 6:33 p.m. City Administrator LeAnn Reinsbach mentioned no written or oral comments were received at the City Clerk's office. With no other comments from the public Mayor Anderson closed the public hearing at 6:34 p.m.

### ACTION AND DISCUSSION ITEMS

John Wills with Dickinson County Water Quality Commission annual update

John handed out information in regards to the history of the Water Quality Commission and spoke about the amount of sediment and phosphorus that was pulled from the lakes this year. John also commented the commission is sitting pretty good financially so there may be a chance the city would not have to contribute the normal \$13,000 a year that we budget for. Council thanked John for attending.

Resolution approving plans and specifications, form of contract, and estimated total cost of projects for the 2021 city of Milford South Shore Estate reconstruction project

Motion by Yungbluth second by Eckard to approve **Resolution 21-86** Resolution approving plans and specifications, form of contract, and estimated total cost of projects for the 2021 city of Milford South Shore Estate reconstruction project. Roll call vote. Voting aye: Hinshaw, Gebhart, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution awarding bid for the 2021 City of Milford South Shore Estates reconstruction project

Motion by Gebhart second by Yungbluth to approve **Resolution 21-87** Resolution awarding bid for the 2021 City of Milford South Shore Estates reconstruction project. Roll call vote. Voting aye: Hinshaw, Gebhart, Yungbluth and Eckard. Nay: None. Motion carried. The project was awarded to Beck Excavating Inc. in the amount of \$673,412.10.

Resolution regarding change in pay tier for Nick Birchard

Motion by Hinshaw second by Eckard to approve **Resolution 21-88** Resolution regarding change in pay tier for Nick Birchard. Roll call vote. Voting aye: Hinshaw, Gebhart, Yungbluth and Eckard. Nay: None. Motion carried

Resolution setting public hearing on annexed property

Motion by Yungbluth second by Gebhart to approve **Resolution 21-89** Resolution setting public hearing on annexed property. Roll call vote. Voting aye: Hinshaw, Gebhart, Yungbluth and Eckard. Nay: None. Motion carried

Resolution setting public hearing on proposed amendments to the zoning ordinance

Motion by Eckard second by Gebhart to approve **Resolution 21-90** Resolution setting public hearing on proposed amendments to the zoning ordinance. Roll call vote. Voting aye: Hinshaw, Gebhart Yungbluth and Eckard. Nay: None. Motion carried

Ordinance amending the Code of Ordinances of the City of Milford, Iowa by amending parking regulations regarding no parking on Sportsman Drive in designated areas

Motion by Eckard second by Hinshaw to approve the second reading of Ordinance **10-25-21** amending the Code of Ordinances of the City of Milford, Iowa by amending parking regulations regarding no parking on Sportsman Drive in designated areas. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Motion by Yungbluth second by Eckard to waive the third reading of **Ordinance 10-25-21** amending the Code of Ordinances of the City of Milford, Iowa, by amending parking regulations regarding no parking on Sportsman Drive in designated areas. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Motion by Gebhart second by Hinshaw to adopt **Ordinance 10-25-21** amending the Code of Ordinances of the City of Milford, Iowa, by amending parking regulations regarding no parking on Sportsman Drive in designated areas. Roll call vote. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried

Update on CTS testing proposal for 13<sup>th</sup> St. lift station

Council reviewed an email correspondence between CTS and Ben Groen with Beck Engineering with respect to mobilization cost for soil boring from the last council meeting on the A34 west project and the lift station on 13<sup>th</sup> St. The mobilization fee is less for the lift station because they will already be here working on the A34. Council approved City Administrator to sign off on the lift station proposal .

23<sup>rd</sup> St. evaluation for Beck Engineering

During the last meeting Chris Hinshaw, the Manager of Boji Junction approached the council about cost sharing between the city, Boji Junction, and property Tim Kinnetz to replace some concrete along 23<sup>rd</sup> Street due to its poor condition. The approximate cost he has was \$5500.00 which would be split three ways. The council authorized Beck Engineering to study the area. Beck Engineering came back with a cost estimate of approximately \$30,000-\$40,000 to bring 23<sup>rd</sup> St. to what would be acceptable if the city were to take it over. Councilman Yungbluth felt the city should reach out to Tim to see what his thoughts are. Motion by Yungbluth second by Gebhart to have the city reach out to Tim Kinnetz to discuss options. Voting aye: Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Abstain: Chris Hinshaw. Motion carried.

N Ave. evaluation from Beck Engineering

Jason with Beck Engineering went over that cost estimate if the city were to install granular surface from 22<sup>nd</sup>-23<sup>rd</sup> St. with the city doing a majority of the work. Back in 2017 this portion of N Ave. was conveyed to Lucileamae, LLC by quit claim deed as it was determined the transfer would serve as economic development propose. At the time the property owner was looking at expanding the strip mall to the west. Motion by Yungbluth second by Gebhart to have the city reach out to Tim Kinnetz to discuss the possibility of the city taking this back. All voting aye. Motion carried.

Cost update from Beck Engineer on the storm sewer between lots 4 & 5 in Nature Trails

A cost estimate anywhere from \$12,000-\$26,000 was provided by Beck Engineering to replace a storm pipe, extend pipe or extend and replace the storm sewer between lots 4&5 in Nature Trails was reviewed by council. Lot owner #4 came to the city a couple of months ago to see if the city would look into cost sharing because where the sewer outlet ends leave some standing water and he want to be able to bring in fill dirt and make a buildable lot. After much discussion between council, city engineer and lot owner there was a motion by Eckard second by Yungbluth to clean is up by putting in a swale and adding rip raft materials to finish it off. All voting aye. Motion carried.

Discuss street lights on the Jensen property off of Helen Ave.

Motion by Gebhart second by Eckard to add 2 street lights to the newly annexed area off of Helen Ave. All voting aye. Motion carried.

Update on REAP city grant application

In July Erin Reed with Dickinson County Trails spoke to council in regards to working with the DCTB on applying for a REAP Grant that would help fund a portion of the existing Spine Trail. City Administrator Reinsbach updated council that the asking amount was \$75,000.00 and we were awarded \$70,205.00. Reinsbach suggested filling the gap with Hotel/Motel revenue. Motion by Eckard second by Yungbluth to accept the grant. All voting aye. Motion carried.

Accept resignation letter from Police Officer Garth Wolff

Councilman Gebhart asked how much he had left on his reimbursement agreement. Reinsbach said approximately \$1200.00. Motion by Gebhart second by Yungbluth to accept the resignation from Police Officer Garth Wolff and that the city forgo what Garth would be responsible to pay back the city when he was hired. When Garth was hired, we had to pay the City of Denison, Iowa \$4,662.63 this amount is a portion what they had to payout for Officer Wolff to attend the Iowa Law Enforcement Academy. All voting aye. Motion carried.

Review of employment contract/employee (possible closed session per Iowa Code Section 21.5(1)(i) and possible action

Motion by Yungbluth second by Gebhart to close the meeting as requested by City Administrator Reinsbach for the purpose of the employee's employment contract/employee. Voting aye: Hinshaw, Gebhart, Frederick, Yungbluth and Eckard. Nay: None. Motion carried. Council went into closed session at 8:11 p.m. Council came out of closed session at 8:40 p.m. members present Hinshaw, Gebhart, Frederick, Yungbluth and Eckard.

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

City Administrator Reinsbach mention Brad with MMU sent an email last week inquiring what the process would be if MMU wanted to purchase city owned lots 4&5 east of the old Dickinson County building at the intersection of Q Ave and 13<sup>th</sup> St. With no other discussion, motion to adjourn by Gebhart second by Yungbluth at 8:45 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