

CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 14, 2022  
6:30 PM

The Milford City Council met in regular session February 14, 2022 at 6:30 p.m. in the Community Center Board Room.

Mayor Steve Anderson presided.

Members present: Chris Hinshaw, Doug Frederick, Shane Hoffman, Jason Eckard and Andy Yungbluth.

Absent: None

Others present: City Administrator LeAnn Reinsbach, Police Chief Bob Clark, Park Supervisor Kent Eilers, Ben Groen, Krista Berger, Colt Berger, Josh Breuer, Jerry Daugherty and Don Brinkley.

Mayor Anderson led the Pledge of Allegiance.

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

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

Items on the Consent Agenda were as follows:

- Minutes of January 24, 2021 council meeting
- Monthly bills as listed below: (approved) and bills paid in vacation

4 EVERGREEN	HAUL SNOW 12/13/21	\$630.00
A & B BUSINESS SOLUTIONS	COPIES CONTRACT 01/05-02/04	\$72.09
AFLAC	AFLAC PRE TAX	\$720.54
AFLAC	AFLAC PRE TAX	\$360.27
ALLIANT ENERGY	STREET SIGN	\$22.99
AMAZON/SYNCB	LIBRARY SUPPLIES	\$94.06
AMY'S SIGN DESIGN	TRUCK DECALS	\$88.00
ANDERSON, GILLIAN	REIMBURSEMENT CRAFT/PAINT NITE	\$288.50
ARNDT, MCINTYRE	PZ MEETING 01/17/22	\$25.00
ARNOLD MOTOR SUPPLY	SUPPLIES	\$879.48
AT&T MOBILITY	PD/CELL LAPTOPS	\$430.20
BAKER & TAYLOR INC.	LIBRARY BOOKS	\$648.33
BARCO MUNICIPAL PROD. INC	SEWER SUPPLIES	\$270.01
BECK ENGINEERING INC	E20086 13TH ST RECONST PROJECT	\$56,702.50
BERNING, SHELLY	LIBRARY BOARD MEETING 2/2/22	\$25.00
BLACK HILLS ENERGY	FIRE DEPT UTILITY	\$2,592.29
BOHLMANN, INC	PARKS BENCH SEAT	\$146.94
BOJI WELDING AND SERVICES	SHOP SUPPLIES	\$32.00
BOMGAARS	SEWER SUPPLIES	\$415.09
BORDER STATES INDUSTRIES	BULBS	\$236.88
CANON FINANCIAL SERVICES	LIBRARY COPIER	\$71.83
CARD SERVICES CENTER	BH ENERGY DEP 1905 OKOBOJI AVE	\$212.96
CENTRAL STATES SOUTHEAST & SOU	EE HEALTHCARE	\$28,895.20
CERTIFIED TESTING SERVICES INC	G6529-13TH ST RECONSTRUCTION	\$5,422.00
CITY LAUNDERING CO	LIBRARY SERVICE	\$42.25
CONSUMERS LUMBER	BUILDING MAINT	\$109.41
COOKINHAM, JEFF	LIBRARY BOARD MEETING 2/2/22	\$25.00
COOPERATIVE ENERGY COMPANY	JANUARY FUEL	\$3,937.69
CUTTING EDGE SALES & SERVICE	VEHICLE MAINT	\$33.39
DAVE'S REPAIR, INC.	VEHICLE MAINTENANCE	\$363.85
DENNIS E MERRY	JANUARY JANITORIAL	\$1,700.00
DICKINSON COUNTY CONSERVATION	JANUARY GREEN WASTE	\$480.00
DICKINSON COUNTY NEWS	JANUARY ADS	\$327.84
DICKINSON RECORDER	SPECIAL ELECTION	\$2,700.66
DISPLAY SALES COMPANY	FLAGS	\$1,352.00
DOTSON, DENNIS	LIBRARY BOARD MTG 2/2/22	\$25.00
FASTENAL	SHOP SUPPLIES	\$32.07
FICK'S ACE HARDWARE	SHOP SUPPLIES	\$10.58
FRANKLIN, ELAINE	LIBRARY BOARD MEETING 2/2/22	\$25.00
GALE	LIBRARY BOOKS	\$33.74
GALEN'S PRO-MOW	VEHICLE MAINTENANCE	\$42.29
GALLES, MATT	PZ MEETING 01/17/22	\$50.00
GALLS LLC	PD CLOTHING	\$209.65
GANO, JOANN	LIBRARY BOARD MEETING 2/2/22	\$25.00
GCS TECH INC.	YRLY LIBRARY FIREWALL CONTRACT	\$403.00
GORDON FLESCH COMPANY	DECEMBER LASERFICHE	\$300.00
GRAHAM TIRE COMPANY	VEHICLE MAINTENANCE	\$1,625.24
H & D UNDERGROUND, INC.	P AVE BORING	\$3,625.00
HTM SALES INC.	POLARIS LIFT STATION	\$1,213.75
IAFC MEMBERSHIP	MEMBERSHIP RENEWAL	\$240.00
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$9,109.39
INTERSTATE ALL BATTERY CENTER	BATTERIES	\$277.90
INTERSTATE INDUSTRIAL INSTR. I	SEWER SUPPLIES	\$800.11
IOWA LAKES ELECTRIC COOP	301 PHEASANT LN	\$790.00
IPERS	IPERS REGULAR	\$18,536.12
JOHNSON, DEB	LIBRARY BOARD MTG 2/2/22	\$25.00
JORGENSEN, TOM	PZ MEETING 01/17/22	\$25.00
KILTS, RICK	LIBRARY BOARD MEETING 2/2/22	\$25.00
LAKES NEWS SHOPPER	JANUARY ADS	\$179.40
LAKES REGIONAL HEALTHCARE	DOT TESTING	\$116.00

MARTIN'S FLAG CO.	FLAGS	\$452.13
MATHESON TRI-GAS INC	SEWER SUPPLIED	\$420.60
MENARDS - SPENCER	SHOP SUPPLIES - PARKS	\$98.00
METICULOUS CLEAN	DEC-JAN SERVICE	\$256.80
MILFORD COMMERCIAL CLUB	LIBRARY 2022 DUES	\$100.00
MILFORD COMMUNICATIONS	BROADBAND/PHONE	\$889.32
MILFORD ELECTRIC INC.	SEWER SUPPLIES	\$81.25
MILFORD MUNICIPAL UTILITY	JANUARY UTILITY	\$11,329.73
MILFORD WELL SERVICE	SEWER SUPPLIES	\$275.00
NEW COOPERATIVE INC.	FIRE DEPT JANUARY FUEL	\$241.92
PURCHASE POWER	POSTAGE	\$34.39
R & D INDUSTRIES	PD JANUARY SERVICE	\$2,045.38
REINSBACH, LEANN	REIMBURSEMENT OFFICE FRIDGE	\$219.00
RICHARD L. COOKE	FD JANUARY SERVICE	\$95.00
WEDEKING, SAM	SNOW REMOVAL	\$3,142.50
SCI COMMUNICATIONS, INC	PHONE SYSTEM UPDATES	\$85.00
SEXTON, BRENT	PZ MEETING 01/17/22	\$25.00
SIOUX SALES COMPANY	HOLSTER	\$49.95
SPENCER AUTO PARTS INC.	EQUIPMENT REPAIR	\$49.15
STATE STEEL SUPPLY COMPANY	PARK MAINTENANCE	\$594.20
STEIN LAW OFFICE	JANUARY LEGAL FEES	\$1,874.80
STOREY KENWORTHY	NOTARY STAMP	\$59.07
SUNSHINE FOODS	LIBRARY JANUARY CHARGES	\$39.13
THE DAILY REPORTER	LIBRARY YRLY SUBSCRIPTION	\$99.00
TITAN MACHINERY	SNOW BUCKET	\$2,470.00
TREASURER, STATE OF IOWA	STATE TAXES	\$4,543.00
TRUE VALUE-MILFORD	JANUARY SUPPLIES	\$287.25
UNITED COMMUNITY BANK FOR PETT	LIBRARY FEBRUARY POSTAGE	\$58.00
UNITY POINT CLINIC-OCCUPATIONA	DOT TESTING	\$84.00
VANDER HAAG'S INC.	VEHICLE MAINTENANCE	\$35.00
VERIZON WIRELESS	COUNCIL IPADS	\$268.22
WEDEKING PIT & PLANT	GRAVEL ALLEYS	\$103.35
WILDCAT C&R LLC.	LIBRARY BUILDING MAINTENANCE	\$409.50
YMCA OF THE OKOBOJIS	2022 CONTRIBUTION	\$7,500.00
YOUNGWIRTH, JENNIFER	PZ MEETING 01/17/22	\$25.00
Accounts Payable Total		\$186,438.13
Payroll Checks		\$26,988.34
***** REPORT TOTAL *****		\$213,426.47

Paid from the following funds: General Fund: 89,379.60; ARPA Fund: 13,480.00; Road Use Tax: 22,261.01; Employee Benefits: 22,835.76; Capital Project Eilers SS: 2,325.00; P Ave Project: 3,625.00; Capital Project A34 West: 43,922.00; Sewer Utility Fund: 14,385.61; Storm Water Utility Fund: 1212.49

Monthly Clerk's/Treasurers Report with the following receipts: General Fund: 197,596.51; RUT: 37,641.97; Employee Benefits: 2,740.17; Hotel/Motel: 1.53; TIF: 3,531.07; LMI Fund: 9.95; Debt Service: 45,446.53; Capitol Equipment (LOST): 7.65; Capital Project Reserve: 19.89; Sewer Utility: 912.09; Garbage Utility: 27,085.95; Storm Water Utility: 10,622.37

### CITIZEN OPPORTUNITY FOR COMMENT

#### REPORTS

##### Board/Commission Reports

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

#### PUBLIC HEARING

##### Public hearing relating to maximum property tax dollars for FY2023 at 6:30 p.m.

Mayor Anderson opened the public meeting at 6:31 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 6:33 p.m.

##### Public hearing on proposed designation of the Milford James and Jack's Addition Urban Renewal Area at 6:35 p.m.

Mayor Anderson opened the public meeting at 6:35 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 6:36 p.m.

#### ACTION AND DISCUSSION ITEMS

##### Resolution approving FY2023 maximum property tax levy

Motion by Eckard second by Frederick to approve **Resolution 22-13** Resolution approving FY2023 maximum property tax levy. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

##### 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 Milford James and Jack's Addition Urban Renewal Area

Motion by Yungbluth second by Frederick to approve **Resolution 22-14** 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 Milford James and Jack's Addition Urban Renewal Area. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

##### Resolution setting public hearing to consider the proposed plans, specifications, form of contract, estimated total cost of the project, and setting time to publicly open and read bids and to possibly act for the 2022 City of Milford 13st St. lift station project.

Motion by Yungbluth second by Hinshaw to approve **Resolution 22-15** Resolution setting public hearing to consider the proposed plans, specifications, form of contract, estimated total cost of the project, and setting time to publicly open and read bids and to possibly act for the 2022 City of Milford 13st St. lift station project. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

##### Resolution setting public hearing on proposed amendments to the zoning ordinance

Motion by Yungbluth second by Eckard to approve **Resolution 22-16** Resolution setting public hearing on proposed amendments to the zoning ordinance. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Milford James and Jack's Addition Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

Council Member Eckard introduced an ordinance entitled "**Ordinance No. 2-14-22** An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Milford James and Jack's Addition Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa."

It was moved by Council Member Eckard and seconded by Council Member Yungbluth that the ordinance be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay. None. Motion carried.

It was moved by Council Member Eckard and seconded by Council Member Yungbluth that the statutory rule requiring an ordinance to be considered and voted on for passage at two City Council meetings prior to the meeting at which it is to be finally passed be suspended. The Mayor put the question on the motion and the roll being called, the following named Council Members voted aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay. None. Motion carried.

It was moved by Council Member Yungbluth and seconded by Council Member Eckard that the ordinance entitled "**Ordinance No. 2-14-22** An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Milford James and Jack's Addition Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa," now be put upon its final consideration and adoption. The Mayor put the question on the motion, and the roll being called, the following named Council Members voted aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay. None. Motion carried.

Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with Jensen Development Company, LLC, Including Annual Appropriation Tax Increment Payments

Motion by Hinshaw second by Frederick to approve **Resolution 22-17**. Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with Jensen Development Company, LLC, Including Annual Appropriation Tax Increment Payments Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

Review and discuss letter from Dickinson County Board of Supervisors on Lower Gar Outlet

Council reviewed and discussed the letter from the Dickinson County Board of Supervisors. Councilman Frederick commented it doesn't make sense to him to have the culvert language in there based on past studies. Tim Fairchild spoke on behalf of the Dickinson County Board of Supervisors and explained the reason the agreement states bridge or culvert is because of the outside chance the geological feedback would not make it feasible to put a bridge in the area where the existing culverts are. There was a motion by Yungbluth to remove the culvert language in the agreement and also change the length of the maintenance portion from 10 years to 25 years. Yungbluth later withdrew his motion. Fairchild also mentions the current Board of Supervisors feels very confident about moving forward with a bridge. Construction of a bridge is something that would never touch the water in any way that would restrict the flow. Fairchild added the Board of Supervisors is operating under the assumption the area in question will be annexed in the city and the county will not take a bridge that is an island totally surround by city limits. Josh Breuer representing South Shore Association commented he would like to see something in the agreement with respect to a walk path on one or both sides due to the amount of people that fish, children that play and ride bikes in that area. City Attorney Dave Stein commented he would like to see some sort of indemnification for the city and expressed his feelings that there should be some conversation with members of the South Shore area and general public. Hinshaw would like to see lights added to the project. Fairchild thanked the council for having the discussion. A motion by Yungbluth second by Eckard to have City Administrator Reinsbach reach out to Assistant County Attorney Steve Goodlow with the following changes: Remove the culvert verbiage, include walk paths on both sides of the bridge a minimum of 10 ft, indemnification for the city and extend the county maintenance portion of the agreement from 10 years to 25 years. Voting aye: Frederick, Hoffman, Yungbluth and Eckard. Nay: Hinshaw.

Review funding request for Lakes Area Dog Park

Motion by Eckard second by Yungbluth to approve \$500.00 funding request for Lake Area Dog Park to be paid from Hotel/ Motel revenue. All voting aye. Motion carried.

Set public hearing on FY2023 budget for March 28, 2022 at 6:30

Motion by Yungbluth second by Eckard to set public hearing on FY2023 budget date of March 28, 2021 at 6:30 p.m. All voting aye. Motion carried.

Accept resignation from Matt Loerts

Motion by Yungbluth second by Eckard to accept resignation from Matt Loerts. All voting aye. Motion carried.

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

Mayor Anderson mentioned the verbal purchase agreement with HTC fell through and we are trying to see if we can work on getting a portion of the gravel pit. Anderson also met with the park board last week and discussed putting long term goals into motion for future budgets. With no other discussion, motion to adjourn by Yungbluth second by Hinshaw at 7:35 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