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

The Milford City Council met in regular session November 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 Adm/Clerk LeAnn Reinsbach, Kent Eilers, Matt Myhre, Jason Eygabroad, Carol Sporrer, Arvin Druvenga, Shilo Brevik, Vicki Brevik, Rob Brevik, Shane Brevik, Kathleen Brevik, Brad Willemssen, and George Bower.
Mayor Anderson led the Pledge of Allegiance.

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

Motion by Eckard second by Frederick 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 October 24, 2022 council meeting
- Liquor license renewal for Mill Creek Restaurant & Lounge
- Monthly bills- approve and bills paid in vacation

A & B BUSINESS SOLUTIONS	COPIER/COPIES	71.69
AFLAC	AFLAC PRE TAX	549.74
ALLIANT ENERGY	1611 1/2 202ND ST SIGN	21.65
AMAZON/SYNCB	LIBRARY SUPPLIES	100.57
ANDERSON, GILLIAN	ADULT CRAFT,PAINT NITE,YA BXS	155.60
ADVANCED NETWORK PROFESSIONALS	NETWORK/SECURITY ASSESSMENT	100.00
ARNOLD MOTOR SUPPLY	SUPPLIES	937.54
AT&T MOBILITY	PD CELL/LAPTOPS	430.45
BAKER & TAYLOR INC.	BOOKS	916.56
BECK ENGINEERING INC	E20086 13TH ST	20262.50
BECK EXCAVATING INC.	P AVE & 13TH RECONSTRUCTION	284022.86
BLACK HILLS ENERGY	1809 N AVE	151.30
BLACK HILLS ENERGY	1809 N AVE	409.54
BLACKSTRAP, INC.	ROAD SALT	2293.23
BLACKTOP SERVICE COMPANY	HOT MIX	5037.46
BOMGAARS	SUPPLIES	1199.38
C & D USED OIL SERVICES	ONE BARREL USED OIL FILTERS	60.00
CANON FINANCIAL SERVICES	LIBRARY COPIER	71.83
CARD SERVICES CENTER	FIRE PREVENTION EDUCATIONAL	162.30
CARD SERVICES CENTER	OFFICE SUPPLIES	67.77
CARD SERVICES CENTER	IMFOA	304.24
CARROLL CONSTRUCTION SUPP	6TH STREET CROSSWALK	484.00
CAYLER CONSULTING, LLC	POLICE CHIEF CONSULTING	3631.38
CENGAGE LEARNING	BOOKS	33.74
CENTER POINT LARGE PRINT	BOOKS	2301.12
CENTRAL STATES SOUTHEAST & SOU	EE HEALTHCARE	29940.00
CERTIFIED TESTING SERVICES INC	SL3277-SOUTH SHORE ESTATES	2436.00
CITY LAUNDERING CO	OCTOBER RUG SVC	107.50
CLARK EQUIPMENT CO.D/B/A BOBCA	FINAL PAYMENT SKID STEER	2804.30
COOPERATIVE ENERGY COMPANY	FUEL	4515.62
CRYSTEEL TRUCK EQUIPMENT	LED STROBE	194.72
DENNIS E MERRY	JANITORIAL SVCS	1700.00
DICKINSON COUNTY NEWS	PUBLICATIONS	1079.84
DICKINSON COUNTY REGIONAL	GREEN WASTE	1750.00
FASTENAL	SEWER SUPPLIES	263.77
FRIENDS OF THE SPIRIT LAKE LIB	STAFF INSERVICE	48.00
GALEN'S PRO-MOW	SUPPLIES	706.80
GORDON FLESCH COMPANY	LASERFICHE	1023.85
GORDON FLESCH COMPANY	FIRE DEPT AUG-NOV 22	302.70
GRAHAM TIRE COMPANY	TIRES	771.38
GIS WORKSHOP, LLC	2023 LICENSE/SUPPORT FEE	4640.00
H & D UNDERGROUND, INC.	DIRECTION BORING 806 N AVE	2635.00
HDR ENGINEERING INC	AIRPORT PROJECT FORMULATION	1965.32
HULSTEIN EXCAVATING, INC.	13TH ST LIFT STATION PROJ	52112.25
INTERNAL REVENUE SERVICE	FED/FICA TAX	9917.50
INTERNAL REVENUE SERVICE	FED/FICA TAX	9776.01
INTERNAL REVENUE SERVICE	FED/FICA TAX	10936.04
IOWA DEPARTMENT OF TRANSPORTAT	UNDERBODY CARBIDE BLADES	2171.88
IOWA LAKES ELECTRIC COOP	301 PHEASANT LN	655.00
IOWA LAKES ELECTRIC COOP	44 HELEN AVE	667.00
IOWA ONE CALL	LOCATES	73.00
IOWA ONE CALL	SEPTEMBER CALLS	128.80
IPERS	IPERS REGULAR	12520.01
IPERS	IPERS REGULAR	12520.01
JCL SOLUTIONS-JANITORS CLOSET	SUPPLIES COMM CTR	148.02

K & J CURB GRINDING INC.	6TH & L AVE FOR CROSSWALK	340.00
LAKES NEWS SHOPPER	MONTHLY ADS	326.00
MENARDS - SPENCER	SHOP SUPPLIES	185.66
MIDWESTERN MECHANICAL INC.	ANNUAL TESTING	335.00
MILFORD COMMUNICATIONS	BROADBAND/PHONE	1005.50
MILFORD ELECTRIC INC.	SEWER SUPPLIES	793.28
MILFORD MUNICIPAL UTILITY	UTILITIES	7456.50
MYHRE, MATT	TRAINING REIMBUSEMENTS	216.78
NEW COOPERATIVE INC.	FIRE DEPT FUEL	265.96
NEW COOPERATIVE INC.	FIRE DEPT FUEL	303.14
NFPA	MEMBERSHIP DUES	175.00
NORTH CENTRAL INT'L, INC.	VEHICLE MAINTANANCE	74.20
NWIPDC	ZONING SVCS MAY-OCT 2022	187.50
OFFICE OF AUDITOR OF STAT	AUDIT FILING FEE	425.00
PLUMB SUPPLY COMPANY	CARTRIDGE KIT PD	42.97
R & D INDUSTRIES	OCTOBER BILLING PD	1744.13
REINSBACH, LEANN	IMFOA MILEAGE REIMBURSEMENT	252.50
SANFORD HEALTH	HEARING TESTS	185.38
SECURE BENEFITS SYSTEMS	EE CONTRIBUTIONS	372.18
SECURE BENEFITS SYSTEMS	EE CONTRIBUTIONS	372.18
SHEA'S CLEANING	OCTOBER CLEANING	350.00
SHIELD TECHNOLOGY CORP	ANNUAL SUPPORT	1542.50
STEIN LAW OFFICE	OCTOBER LEGAL SVC	3207.89
STOREY KENWORTHY	SUPPLIES	134.68
SULLIVAN CONCRETE	CURBS AND STREET PATCHES	30950.00
SUNSHINE FOODS	LIBRARY SUPPLIES	100.11
TEAM ENTERPRISES	ROAD GRADER PLOW	510.00
TIGER PRIDE LAWNCARE	OCTOBER SVC PD	110.00
TITAN MACHINERY	WHEEL RIMS	397.34
TITAN MACHINERY	STREET VEHICLE MAINT	318.03
TREAS. - STATE OF IOWA	SEPTEMBER SALES TAX	828.31
TREASURER, STATE OF IOWA	STATE TAXES	3061.00
TRIPLE S SERVICE LLC	15TH & L AVE - ASH TREE	700.00
TRUE VALUE-MILFORD	SUPPLIES	159.91
UNITED COMMUNITY BANK	DEPOSIT BOOKS	26.75
UNITED COMMUNITY BANK FOR PETT	POSTAGE	16.70
UNITY POINT CLINIC-OCCUPATIONA	DOT LABS	84.00
UTILITY EQUIPMENT COMPANY	13TH ST PAVING & REPLACEMENT	76455.60
VERIZON WIRELESS	COUNCIL/ARCGIS IPADS	285.45
WASTE MANAGEMENT	OCTOBER CLEAN UP	3246.93
WEDEKING PIT & PLANT	BLACK DIRT	585.75
WITTROCK LAWN SERVICE	CEMETERY MOW 10/4	375.00
Accounts Payable Total		618271.57
Payroll Checks		86731.59
***** REPORT TOTAL *****		705003.16

Paid from the following funds: General Fund: 148,817.30; Road Use Tax: 44,812.76; Employee Benefits: 23,153.60; Capital Street/Sewer Impr: 300.00; Capital Equipment (LOST): 32,174.30; ARPA Lift Station Project: 52,714.35; Capital S Drainage Project: 94,246.00; Capital Project South Shore AJM: 87,994.97; P Ave Project: 111,912.89; Capital Project A34 West: 84,083.10; Sewer Utility Fund: 24,181.89; Storm Water Utility Fund: 612.00

Monthly Clerk's/Treasurers Report with the following receipts: General Fund: 548,713.61; RUT: 38,251.91; Employee Benefits: 161,898.20; Hotel/Motel: 372.71; TIF: 307,382.18; LMI Fund: 2,422.59; Debt Service: 132,290.36; Capitol Equipment (LOST); 90,644.33; ARPA Lift Station Project: 375,000; Capital South Drainage Project: 315,000; Capital Project Reserve: 4,845.17; Sewer Utility: 40,940.63; Storm Water Utility: 11,392.89

CITIZEN OPPORTUNITY FOR COMMENT

Board/Commission Reports

Council reviewed the October Bank Cash report, Clerks/Treasurer report, Monthly Expense and Revenue reports, Police report, Fire Department minutes and call log. October minutes from Airport Commission, Community Center, P&Z and Library along with the next month of events, Dickinson County Recycling Commission minutes.

PUBLIC HEARING

Public hearing on text amendment/changes to section 12.17 and other sections regarding the sale of fireworks regulations at 6:30 p.m. Mayor Anderson opened the public meeting at 6:32 p.m. City Administrator 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 6:32 p.m.

ACTION AND DISCUSSION ITEMS

First consideration of an Ordinance amending the Zoning Code of Ordinances of the City of Milford, Iowa to add a new section 12.17 sale of fireworks regulations.

Motion by Hoffman second by Eckard to approve first reading of **Ordinance 11-14-22** Ordinance amending the Zoning Code of Ordinances of the City of Milford, Iowa to add a new section 12.17 sale of fireworks regulations. Roll call vote. Voting aye: Hinshaw, Hoffman, Frederick, Yungbluth and Eckard. Nay: None. Motion carried

Consider waiving the second and third reading and passage of an ordinance amending the Zoning Code of Ordinances of the City of Milford, Iowa to add a new section 12.17 sale of fireworks regulations.

Motion by Hoffman second by Hinshaw to waive the second and third reading of **Ordinance 11-14-22** an Ordinance amending the Zoning Code of Ordinances of the City of Milford, Iowa to add a new section 12.17 sale of fireworks regulations. Roll call vote. Voting aye: Hinshaw, Hoffman, Frederick, Yungbluth and Eckard. Nay: None. Motion carried

Motion by Yungbluth second by Hinshaw to adopt Ordinance **11-14-22**. Roll call vote. Voting aye: Hinshaw, Hoffman, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Winther & Stave recap FY2022 audit report
Arvin Druvenga and Carol Sporrer from Winther Stave & Co. were present and gave a review of the annual city audit report for the year ending June 30, 2022.

Council to review letter from ICAP attorney in regards to ash tree- Marsha Jewell 1504 N. Ave
Marsha Jewell did not attend the meeting, motion by Yungbluth second by Eckard to table and have City Administrator Reinsbach try and reach out to her again to attend the November 28th council meeting.

Resolution authorizing payment #5 to Beck Excavating, Inc. and authorizing change order #2 for the 2021 City of Milford South Shore Estates reconstruction project
Motion by Yungbluth second by Hinshaw to approve **Resolution 22-97** Resolution authorizing payment #5 to Beck Excavating, Inc. and authorizing change order #2 for the 2021 City of Milford South Shore Estates reconstruction project. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution authorizing payment #2 to Beck Excavating, Inc and authorizing change order #2 for the 2022 City of Milford South Drainage Improvement project.
Motion by Hoffman second by Eckard to approve **Resolution 22-98** Resolution authorizing payment #2 to Beck Excavating, Inc and authorizing change order #2 for the 2022 City of Milford South Drainage Improvement project. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution authorizing adoption of amended and restated policies and procedures regarding municipal securities disclosure. Motion by Yungbluth second by Eckard to approve **Resolution 22-99** Resolution authorizing adoption of amended and restated policies and procedures regarding municipal securities disclosure. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution approving bond purchase agreement, providing for the issuance of general obligation corporate purpose bond, series 2022 and providing for the levy of taxes to pay the same.
Motion by Hinshaw second by Yungbluth to approve **Resolution 22-100** Resolution approving bond purchase agreement, providing for the issuance of general obligation corporate purpose bond, series 2022 and providing for the levy of taxes to pay the same.
Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution of authorizing the destruction of obsolete records in accordance with the Iowa League of Cities records retention policy and all applicable Iowa Laws
Motion by Yungbluth second by Frederick to approve **Resolution 22-101** Resolution of authorizing the destruction of obsolete records in accordance with the Iowa League of Cities records retention policy and all applicable Iowa Laws. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

Council to review resolution approving updated design and proposal for public works building as submitted by Bergland and Cram Motion by Yungbluth second by Eckard to approve **Resolution 22-102** Resolution approving updated design and proposal for public works building as submitted by Bergland and Cram
Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

Council to consider an agreement between the City of Milford and Dickinson County for snow removal
Motion by Hinshaw second by Hoffman to approve the snow removal agreement between the City of Milford and Dickinson County. All voting aye. Motion carried.

Council to review letter from Jacobson Westergard & Associates and Beck Engineering in regards to final acceptance of the James and Jack's Addition.
Motion by Hinshaw second by Frederick to approve the final acceptance of the James and Jack's Addition. All voting aye. Motion carried.

Set public hearing date on FY2023 budget amendment for December 12th at 6:30 p.m.
Motion by Yungbluth second by Hinshaw to set the public hearing for FY2023 budget amendment for December 12th, 2022 at 6:30 p.m.

Proposed employee review/interview, possible closed session (if requested by proposed employee) pursuant to Iowa Code 21.5 (1)(i)
No action was taken.

Resolution regarding employment of Shilo Brevik and consideration of Mayor Anderson to deliver Oath of Office
Motion by Yungbluth second by Eckard to approve **Resolution 22-103** Resolution regarding employment of Shilo Brevik as the new Police Chief for the City of Milford. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried. Shilo Brevik was sworn in as the Police Chief for the City of Milford.

COMMENTS BY MAYOR, COUNCIL, AND STAFF

Chris Hinshaw asked about fixing the road by Boji Junction. Mayor Anderson noted the city still does not have the signed encroachment agreement from building owner Tim Kinnetz for a fence that was put up at Little Sprouts Daycare which took place about a year ago. Councilman Yungbluth mentioned he would not be at the November 28th council meeting. With no other discussion, motion to adjourn by Yungbluth second by Eckard at 7:25 p.m. All voting aye. Motion carried.

Respectfully submitted,

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Steven R. Anderson, Mayor LeAnn Reinsbach, City Administrator/Clerk