

CITY COUNCIL  
REGULAR MEETING  
APRIL 10, 2023  
6:30 PM

The Milford City Council met in regular session April 10, 2023 at 6:30 p.m. in the Community Center Board Room. Mayor Anderson presided.

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

Absent: Doug Frederick

Others present: City Administrator LeAnn Reinsbach, Kent Eilers, Ben Groen, Shilo Brevik, Matt Richter, Bronson Seymour, Chandler Radcliff, Eileen Johnson, Terry Justice, Elizabeth Justice, Tim & Polly Bever plus others who did not sign in the Sign in Sheet.

Mayor Anderson led the Pledge of Allegiance.

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

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

Items on the Consent Agenda were as follows:

- Minutes of March 24, 2023 special council meeting
- Minutes of March 27, 2023 council meeting
- Liquor license renewal- Pioneer Theatre
- Liquor license renewal- Rax Billiards & Lounge LLC
- Monthly bills- approve and bills paid in vacation

911 INSTALLS LLC	ARROWSTICK WARNING LIGHT	\$791.56
A & B BUSINESS SOLUTIONS	COPIER/COPIES	\$116.34
A & M SERVICES INC.	MARCH SERVICE	\$49.50
AFLAC	AFLAC PRE TAX	\$738.74
ALLIANT ENERGY	202ND ST SIGN	\$23.65
AMAZON CAPITAL SERVICES	SUPPLIES	\$94.86
ANDERSON, GILLIAN	ADULT CRAFT/PAINT NIGHT SUPPLI	\$106.59
ARNOLD MOTOR SUPPLY	SUPPLIES	\$646.94
AT&T MOBILITY	PD CELL/LAPTOPS	\$430.75
BAKER & TAYLOR INC.	BOOKS	\$1,230.83
BARCO MUNICIPAL PROD. INC	SHOP SUPPLIES	\$925.00
BEACON ATHLETICS	LINE CHALK FOR PARKS	\$336.00
BECK ENGINEERING INC	MILFORD MAIN. BLDG	\$25,011.50
BIBLIONIX	ANNUAL SUBSCRIPTION	\$1,650.00
BLACK HILLS ENERGY	SERVICE - CITY HALL	\$50.65
BOHL'S SMALL ENGINE & MARINE	BLOWER/CHAINSAW	\$849.98
CANON FINANCIAL SERVICES	LIBRARY COPIER	\$71.83
CARD SERVICES CENTER	CEU CLASSES/MEALS	\$1,866.25
CARD SERVICES CENTER	SUPPLIES/IMFOA DUES, CONF	\$418.02
CENGAGE LEARNING	BOOKS	\$33.74
CENTRAL STATES SOUTHEAST & SOU	EE HEALTHCARE	\$25,548.80
CITY OF SPENCER	COOP TESTING OCT 2022	\$105.71
COOPERATIVE ENERGY COMPANY	FUEL	\$4,346.59
CREATIVE DISPLAYS, INC.	LIBRARY SUPPLIES	\$251.15
CRYTEEL TRUCK EQUIPMENT	SUPPLIES	\$258.00
DCEMSA	FIRE DEPT CHARGE PAC	\$100.00
DENNIS E MERRY	JANITORIAL SVCS	\$1,700.00
DENNIS KOELLING	MAILBOX REIMBURSEMENT	\$52.72
DICKINSON COUNTY	GRADER BLADES	\$893.72
DICKINSON COUNTY NEWS	PUBLICATIONS	\$620.63
FARONICS	3 YR RENEWAL ANTIVIRUS/MAIN	\$488.28
IOWA STATE UNIVERSITY	FIRE SERVICE TRAINING	\$50.00
GALEN'S PRO-MOW	CHAIN SAW/OIL	\$929.27
GCS TECH INC.	LIBRARY TECH SERVICES	\$60.00
GURNEY	VOLUTE GASKET NEW LIFT STATION	\$864.24
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$10,237.75
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$12,201.05
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$1,355.05
IOWA FIREFIGHTERS ASSOCIATION	FIRE DEPT MEMBERSHIP DUES	\$841.00
IOWA LAKES ELECTRIC COOP	KUCHEL TRAIL LIGHTS ONLY	\$120.00
IPERS	IPERS PROTECTN	\$14,471.20
IPERS	IPERS PROTECTN	\$680.31
IPERS	IPERS REGULAR	\$15,151.51
JCL SOLUTIONS-JANITORS CLOSET	SUPPLIES	\$164.99
JCL SOLUTIONS-JANITORS CLOSET	SUPPLIES	\$65.28
KIMBALL MIDWEST	SUPPLIES-BUTT SKT	\$57.97
KNIGHT PROTECTION	FIRE ALARM TESTING INSPECTION	\$960.00
MENARDS - SPENCER	PARK SUPPLIES	\$121.21
MIDWEST BREATHING AIR L.L.C.	NFPA QUARTERLY AIR TEST	\$228.00
MIDWEST RADAR & EQUIPMENT	MPH	\$220.00
MILFORD COMMUNICATIONS	BROADBAND/PHONE	\$988.46
MILFORD MUNICIPAL UTILITY	UTILITIES	\$9,490.91
MURPHY TRACTOR & EQUIP	VEHICLE MAINT	\$1,268.21
NEWMAN SIGNS, INC.	SHOP SUPPLIESS	\$76.15
NORTH CENTRAL INT'L, INC.	SPARTAN FIRE TRUCK REPAIRS	\$4,292.92

NWIPDC	ZONING PERMIT & VARIANCE	\$75.00
PITNEY BOWES GLOBAL FINANCIAL	POSTAGE LEASE	\$163.53
PITNEY BOWES INC.	RED INK CARTRIDGE	\$91.29
PLAYAWAY PRODUCTS	BOOKS	\$609.08
PURCHASE POWER	POSTAGE	\$201.00
R & D INDUSTRIES	BILLING FOR MARCH	\$1,953.89
SHEA'S CLEANING	MARCH SERVICES	\$350.00
STEIN LAW OFFICE	LEGAL SERVICES MARCH	\$2,434.92
STOREY KENWORTHY	SUPPLIES	\$84.53
SUNSHINE FOODS	LIBRARY SUPPLIES	\$44.51
TIGER PRIDE LAWCARE	MARCH SVC - PD	\$75.00
TIGER PRIDE LAWCARE	PEST CONTROL MARCH	\$35.00
TITAN MACHINERY	VEHICLE MAINTENANCE BOBOCAT	\$504.19
TREAS. - STATE OF IOWA	SALES TAX FEBRUARY 23	\$731.24
TREAS. - STATE OF IOWA	QUARTERLY SALES TAX MARCH	\$765.24
TREASURER, STATE OF IOWA	STATE TAX	\$2,956.43
TREASURER, STATE OF IOWA	STATE TAX	\$200.05
TRIPLE S SERVICE LLC	TREE SERVICE	\$1,200.00
TRUE VALUE-MILFORD	SUPPLIES	\$76.69
UNITED COMMUNITY BANK FOR PETT	LIBRARY PETTY CASH	\$102.19
VERIZON WIRELESS	MARCH BILLING	\$285.41
Accounts Payable Total		\$142,491.49
Payroll Checks		\$75,116.55
***** REPORT TOTAL *****		\$217,608.04

Paid from the following funds: General Fund: 128,341.32; Road Use Tax: 27,553.15; Employee Benefits: 19,760.40; Capital Equipment (LOST): 571.25; ARPA Lift Station Project: 864.24; Capital Project A34 West: 2,407.50; Helen Ave/S Shore Project: 1,834.00; Public Works Building: 18,193.75; Sewer Utility Fund: 17,044.31; Storm Water Utility Fund: 1,038.12

Monthly Clerk's/Treasurers Report with the following receipts: General Fund: 177,667.91; RUT: 24,436.99; Employee Benefits: 15,934.44; Hotel/Motel: 932.62; TIF: 27,738.41; LMI Fund: 6,062.05; Debt Service: 28,832.47; Capitol Equipment (LOST); 4,663.12; Capital Project Reserve: 12,124.10; Sewer Utility: 39,342.13; Storm Water Utility: 12,223.20

### CITIZEN OPPORTUNITY FOR COMMENT

#### Board/Commission Reports

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

### PUBLIC HEARING

#### Public hearing on FY2024 budget at 6:30 p.m.

Mayor Anderson opened the public meeting at 6:33 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 6:34 p.m.

Public hearing on amending Chapter 63 Section 63.04 Special Speed Zones and Chapter 65 Stop or Yield regulations at 6:32 p.m. Mayor Anderson opened the public meeting at 6:34 p.m. City Administrator Reinsbach mentioned no written or oral comments were received at the City Clerk's office. Matt Richter thanked the council for working together with the City of Arnold Park on amending the speed and stop sign ordinance. With no other comments from the public Mayor Anderson closed the public hearing at 6:37 p.m.

Public hearing to consider plans, specifications, form of contract and project cost on 2023 Helen Ave project at 6:34 p.m. Mayor Anderson opened the public meeting at 6:38 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 6:38 p.m.

#### Public hearing on rezoning 3RM to AC along Hwy 71 South Milford at 6:35 p.m.

Mayor Anderson opened the public meeting at 6:39 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 6:40 p.m.

### ACTION AND DISCUSSION ITEMS

#### Resolution approving the FY2024 budget

Motion by Hinshaw second by Hoffman to approve **Resolution 23-28** Resolution approving the FY2024 budget setting the levy rate at 12.99% Roll call vote. Voting aye: Hinshaw, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

#### First consideration of an amendment to Chapter 63, Section 63.04 Special Speed Zones

Motion by Eckard second by Yungbluth to approve first reading of **Ordinance 4-10-23** Ordinance Chapter 63, Section 63.04 Special Speed Zones amending Code of Ordinances of the City of Milford, Iowa. Roll call vote. Voting aye: Hinshaw, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried

Consider waiving second and third readings, and adoption of an amendment to Chapter 63, Section 63.04 Special Speed Zones. Motion by Yungbluth second by Eckard to waive the second and third reading of **Ordinance 4-10-23** an

Ordinance amending Chapter 63, Section 63.04 Special Speed Zones on the Code of Ordinances of the City of Milford, Iowa. Roll call vote. Voting aye: Hinshaw, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried

Motion by Hinshaw second by Yungbluth to adopt Ordinance **4-10-23**. Roll call vote. Voting aye: Hinshaw, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

First consideration of an amendment to Chapter 65, Stop Sign, Section 65.02 Stop required

Motion by Hinshaw second by Eckard to approve first reading of **Ordinance 4-10-23A** Ordinance amending Chapter 65, Stop Sign, Section 65.02 Stop required in the Code of Ordinances of the City of Milford, Iowa. Roll call vote. Voting aye: Hinshaw, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried

Consider waiving second and third readings, and adoption of an amendment to Chapter 65, Stop Sign, Section 65.02 Stop required Motion by Yungbluth second by Eckard to waive the second and third reading of **Ordinance 4-10-23A** an Ordinance amending Chapter 65, Stop Sign, Section 65.02 Stop required on the Code of Ordinances of the City of Milford, Iowa. Roll call vote. Voting aye: Hinshaw, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried

Motion by Yungbluth second by Eckard to adopt Ordinance **4-10-23A** Roll call vote. Voting aye: Hinshaw, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution approving plans, specifications, form of contract, estimated total cost of project, for the 2023 Milford Helen Avenue project. Motion by Hoffman second by Yungbluth to approve **Resolution 23-29** Resolution approving plans, specifications, form of contract, estimated total cost of project, for the 2023 Milford Helen Avenue project. Roll call vote. Voting aye: Hinshaw, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution awarding bid for the 2023 Milford Helen Avenue project

Motion by Hoffman second by Eckard to approve **Resolution 23-30** Resolution awarding bid for the 2023 Milford Helen Avenue project. Roll call vote. Voting aye: Hinshaw, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

First Consideration of Ordinance amending the Zoning Code of Ordinances of the City of Milford, Iowa to approve zoning change Motion by Eckard second by Hoffman to approve first reading of an Ordinance Amending the Zoning Code of Ordinances of the City of Milford, Iowa to approve zoning change. Roll call vote. Voting aye: Hinshaw, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried. First reading approved. This is to change a parcel that is currently zoned 3RM to AC.

Consider waiving second and third readings, and adoption of an amendment to ordinance/zoning change

Motion by Eckard second by Hoffman to waive the second and third reading of an Ordinance amending the Zoning Code of Ordinances of the City of Milford, Iowa to approve zoning change. Roll call vote. Voting aye: Hoffman, Eckard. Nay: Yungbluth and Hinshaw, split vote. Motion to waive the second and third readings did not pass/was denied. Second reading of the ordinance will be set for the next Council on April 24, 2023. Mayor Anderson voiced his concern with respect to storage condominiums and there is to be no person/s living in them according to zoning code of AC district.

Resolution setting public hearing to consider the proposed plans, specifications, form of contract, estimated total cost of the project, setting time to publicly open and read bids and to possibly act for the 2023 City of Milford new public works facility project

Motion by Hoffman second by Yungbluth to approve **Resolution 23-31** Resolution setting public hearing to consider the proposed plans, specifications, form of contract, estimated total cost of the project, setting time to publicly open and read bids and to possibly act for the 2023 City of Milford new public works facility project. Roll call vote. Voting aye: Hinshaw, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried. The public hearing will be May 8, 2023.

Resolution authorizing payment #3 to Hulstein Excavating, Inc. for the 2022 City of Milford 13<sup>th</sup> St. lift station project.

Motion by Yungbluth second by Eckard to approve **Resolution 23-32** Resolution authorizing payment #3 to Hulstein Excavating, Inc. for the 2022 City of Milford 13<sup>th</sup> St. lift station project. Roll call vote. Voting aye: Hinshaw, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution for American Rescue Plan Act (ARPA) Allocation

Motion by Eckard second by Hoffman to approve **Resolution 23-33** Resolution for American Rescue Plan Act (ARPA) Allocation Roll call vote. Voting aye: Hinshaw, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

Approve using CTS for testing during Helen Ave Project

Motion by Eckard second by Yungbluth to approve using CTS testing for the Helen Ave project. All voting aye. Motion carried.

Chad Frerichs to discuss 69.14 snow ordinance and issuing of parking tickets

Chad Frerichs failed to show for a second time. No action taken.

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

Mayor Anderson spoke briefly that the city is working with the school district on hiring an SRO. Reinsbach mentioned the city has received most of the ductile iron and PVC for the A34 project. With no other discussion, motion to adjourn by Yungbluth second by Eckard at 7:24 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