

CITY COUNCIL
REGULAR MEETING
JUNE 12, 2023
6:30 PM

The Milford City Council met in regular session June 12, 2023 at 6:30 p.m. in the Community Center Board Room. Mayor Anderson presided.

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

Absent: Andy Yungbluth

Others present: City Administrator LeAnn Reinsbach, Rick Baish, Kent Eilers, Ben Groen, John Hight, Shilo Brevik, Deb Manly, Brad Willemssen, Tim Oswald and Tim Kinnetz

Mayor Anderson led the Pledge of Allegiance.

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

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

Items on the Consent Agenda were as follows:

- Minutes of May 22, 2023 council meeting
- Liquor license renewal for Casey's
- Cigarette/Tobacco Permit: Casey's General Store # 1316
- Cigarette/Tobacco Permit- Mill Creek
- Cigarette/Tobacco Permit: Brew Oil # 15
- Cigarette/Tobacco Permit: Luverne Supermarket DBA Sunshine Foods
- Cigarette/Tobacco Permit- Okoboji Avenue Liquor Inc.
- Cigarette/Tobacco Permit: Dolgencorp, LLC DBA Dollar General Store #17926
- Cigarette/Tobacco Permit: Outback Lounge
- Cigarette/Tobacco Permit: Boji Junction
- Monthly bills- approve and bills paid in vacation

A & B BUSINESS SOLUTIONS	COPIER/COPIES	\$56.43
AFLAC	AFLAC PRE TAX	\$738.74
ALLIANT ENERGY	1611 1/2 202ND ST SIGN	\$21.75
AMAZON CAPITAL SERVICES	LIBRARY SUPPLIES	\$254.73
ADVANCED NETWORK PROFESSIONALS	IT JUNE	\$594.70
ARNOLD MOTOR SUPPLY	SUPPLIES	\$565.69
ARNOLDS PARK FIRE RESCUE	THROW BAGS/VESTS	\$525.00
AT&T MOBILITY	PD CELL/LAPTOPS	\$430.55
BAKER & TAYLOR INC.	BOOKS	\$1,024.91
BECK ENGINEERING INC	MANHOLE BOXOUTS REPLACEMENT	\$25,574.00
BECK EXCAVATING INC.	23 STREET/UTILITY IMPROV PROJ	\$166,727.69
BLACK HILLS ENERGY	1809 N AVE	\$172.71
BOMGAARS	SUPPLIES	\$444.74
CANON FINANCIAL SERVICES	LIBRARY COPIER	\$71.83
CARD SERVICES CENTER	TRAINING	\$556.85
CARD SERVICES CENTER	ACADEMY REGISTRATION	\$195.00
CARD SERVICES CENTER	CONFERENCE	\$1,147.62
CARLA RADCLIFFE	COMM CTR BLINDS DOWNPAYMENT	\$2,000.00
CARPENTER, JIM	TRAINING LODGING REIMBURSEMENT	\$785.61
CENGAGE LEARNING	BOOKS	\$48.73
CENTRAL STATES SOUTHEAST & SOU	EE HEALTHCARE	\$25,548.80
CERTIFIED TESTING SERVICES INC	SL3514-2023 STREET IMPROVEMENT	\$1,505.00
CHRISTIANS SHEET METAL	AIR CONDITIONING SVC	\$90.00
COLEMAN, VAUGHN	AIRPORT SHED MAR,APRIL,MAY	\$168.00
CONSUMERS LUMBER	SUPPLIES	\$4,962.90
COOPERATIVE ENERGY COMPANY	FUEL	\$3,495.93
CRYTEEL TRUCK EQUIPMENT	TRUCK BED LINER	\$4,551.92
CYBRARIAN CORPORATION	ANNUAL SUBSCRIPTION - 5/31/24	\$802.45
DANKO EMERGENCY EQUIPMENT CO.	SAFWARE EMERGENCY PLUG	\$925.00
DCEMSA	AED CHARGE PACK	\$105.00
DENNIS E MERRY	JANITORIAL SVCS	\$1,700.00
DES MOINES REGISTER	YRLY SUBSCRIPTION - 5/31/24	\$654.22
DICKINSON COUNTY NEWS	PUBLICATIONS MAY	\$376.37
DICKINSON COUNTY REGIONAL	GREEN WASTE	\$720.00
DICKINSON COUNTY TRAILS	FY2023	\$8,051.00
DORSEY & WHITNEY LLP	GO BOND 22 DISCLOSURE COUNSEL	\$28,000.00
ESCO	MILFORD CHANNEL LETTERS DWNPMT	\$2,112.00
ENVIROMENTAL SYSTEMS RESEARCH	AGREEMENT 8/24/23-8/23/24	\$5,000.00
EZ SPOT UR	VEHICLE MAINT	\$510.77
FORT DODGE ASPHALT COMPANY	SLURRY LEVELING	\$11,000.00
GALEN'S PRO-MOW	CLUTCH	\$337.60
GORDON FLESCH COMPANY	COPIER/PRINTER FD	\$1,660.32
GRAHAM TIRE COMPANY	PARKS MAINT	\$620.48
HELLER ENTERPRISES LLC	SEASONAL STARTUP/INSPECTION	\$301.32
HOSS, JESSE	CLOTHING REIMBURSEMENT	\$147.21
HULSTEIN EXCAVATING, INC.	2022 LIFT STATION PROJ PMT #5	\$23,750.01
IA DEPT OF PUBLIC SAFETY	ONLINE WARRENT SYSTEM	\$300.00
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$10,381.95

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IOWA ONE CALL	NOV 22 - APRIL 23 CALLS	\$60.70
IPERS	IPERS REGULAR	\$13,332.09
IPERS	IPERS REGULAR	\$13,332.09
JCL SOLUTIONS-JANITORS CLOSET	FD BATH TISSUE	\$14.51
JUNIOR LIBRARY GUILD	BOOKS	\$810.60
K.C.NIELSON, LTD	V-BELT	\$174.17
KUSSMAUL ELECTRONICS LLC	REPAIR	\$504.81
LAKES NEWS SHOPPER	POLICE ADS	\$67.40
LOFFLER	PD COPIER/COPIES	\$164.76
MARTIN'S FLAG CO.	FLAGS	\$252.27
MED COMPASS	FIT TEST, HEARING/VISION	\$2,505.00
MENARDS - SPENCER	TARPS	\$798.32
MIDWEST BREATHING AIR L.L.C.	COMPRESSOR MAINT	\$2,921.61
MILFORD COMMERCIAL CLUB	FY2023	\$8,500.00
MILFORD COMMUNICATIONS	BROADBAND/PHONE	\$999.04
MILFORD MUNICIPAL UTILITY	UTILITIES	\$6,468.27
NETTIE'S	MEN'S TOILET	\$100.00
NEW COOPERATIVE INC.	FIRE DEPT FUEL	\$137.55
NEWMAN SIGNS, INC.	STREET SIGNS	\$57.87
OKOBOJI TOURISM COMMITTEE	FY23-24 SUPPORT	\$5,000.00
OVERDRIVE INC.	EBOOKS/AUDIOBOOKS	\$898.27
PIPER SANDLER & CO.	DISSEMINATION AGENT FY22 GO B	\$1,000.00
PLAYAWAY PRODUCTS	BOOKS	\$536.15
PLUMB SUPPLY COMPANY	MEMORIAL PARK SUPPLIES	\$56.49
POSTMASTER	BOX 477 YEARLY FEE	\$136.00
R & D INDUSTRIES	MAY PD BILLING	\$1,785.98
REGIONAL TRANSIT AUTHORITY	4TH QTR FY 23 SUPPORT	\$1,875.00
SAINT JOSEPH CATHOLIC CHURCH	PLANTERS	\$1,500.00
WEDEKING, SAM	PARKS MAINT	\$455.16
SANFORD SHELDON	REGISTRATION DRUG/ALCOHOL SIGN	\$120.00
SECURE BENEFITS SYSTEMS	EE CONTRIBUTIONS	\$364.48
SHARE CORPORATION	SEWER SUPPLIES	\$1,161.78
SHEA'S CLEANING	MAY SVC	\$350.00
SHILO BREVIK	CLOTHING ALLOWANCE	\$160.41
SIOUX COMMERCIAL SWEEPING INC.	AIRPORT CRACK SEAL	\$6,500.00
STEIN LAW OFFICE	MAY LEGAL	\$1,933.98
STOREY KENWORTHY	LIBRARY SUPPLIES	\$56.02
TIGER PRIDE LAWCARE	CITY HALL MAY SVC	\$75.00
TIGER PRIDE LAWCARE	FD MAY SERVICE	\$35.00
TITAN MACHINERY	96 JENKINS EDGE (2)	\$1,166.98
TREASURER, STATE OF IOWA	STATE TAX	\$3,028.15
TRUE VALUE-MILFORD	SUPPLIES	\$184.92
UMB BANK	GO BOND 2020 AGENT FEE	\$600.00
UMB BANK	GO BOND 2021 AGENT FEE	\$600.00
UMB BANK	OBLIGATION BONDS SRS 2020	\$239,700.00
UMB BANK	REFUNDING BONDS SRS 2021	\$530,517.50
UNITED COMMUNITY BANK FOR PETT	POSTAGE	\$8.25
UTILITY EQUIPMENT COMPANY	2022 13th ST PROJ PMNT #3	\$259,651.60
VERIZON WIRELESS	MONTHLY SVC	\$285.33
WESSELS OIL CO, INC	DUST CONTROL MEMORIAL PARK	\$1,190.00
WITTROCK LAWN SERVICE	CEMETERY MOW MAY 3X,WEED CNTRL	\$3,030.00
Accounts Payable Total		\$1,452,374.68
Payroll Checks		\$61,437.14
***** REPORT TOTAL *****		\$1,513,811.82

Paid from the following funds: General Fund: 161,456.71; Road Use Tax: 36,886.26; Employee Benefits: 19,760.40; Hotel/Motel Tax: 25,541.39; Debt Service: 771,417.50; Capital Equipment (LOST): 18,428.75; ARPA Lift Station Project: 24,468.01; Capital S Drainage Project: 17,818.25; Capital Project A34 West: 260,304.10; Helen Ave/S Shore Project: 4,520.00; Public Works Building: 420.00; Sewer Utility Fund: 106,804.71; Storm Water Utility Fund: 65,985.74

Monthly Clerk's/Treasurers Report with the following receipts: General Fund: 173,118.21; RUT: 41,220.87; Employee Benefits: 15,964.12; Hotel/Motel: 8,512.44; TIF: 34,007.90; LMI Fund: 7,111.73; Debt Service: 20,456.87; Capitol Equipment (LOST): 5,470.56; Capital Project Reserve: 15,098.46; Sewer Utility: 36,691.52; Storm Water Utility: 12,531.90

CITIZEN OPPORTUNITY FOR COMMENT

Board/Commission Reports

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

ACTION AND DISCUSSION ITEMS

Discussion on city financing with Tim Oswald

Tim Oswald with Piper Sandler Co. spoke to council about upcoming projects that consist of the public works building, Helen Ave and A34. These projects are about eleven to twelve million dollars. The city sold bonds last year to pay for a portion of these projects. Tim also explained that the A34 project and the public works building will be primarily paid off using TIF dollars, as both projects are in the South Industrial TIF District. The DOT will not reimburse the city on the A34 project until it is finished, because of this, the city is going to have to borrow approximately seven million

dollars. This will push our debt limit to the max, so the city will have to back off on any large capital projects in 2025 or until we can reduce the debt limit.

Discussion on curb replacement at 98 Helen

Council wants to know why the resident cut down the city curb and why it was done without city permission. Council asked Kent to find out why and bring it back to the next meeting. No action taken.

Review electric quotes for welcome to Milford signs

Motion by Hoffman second by Eckard to approve the quote from Toft Electric. All voting aye. Motion carried.

Council to review and possibly approve City Administrator to attend Iowa League of Cities Annual Conference

Motion by Eckard, second by Hoffman to approve City Administrator to attend Iowa League of Cities Annual Conference. The conference is September 20-22, 2023. All voting aye. Motion carried.

Discussion on adding sidewalk from Woodlyn Drive to Helen Avenue

Council would like Beck Engineering to stake out where the sidewalk would be located. Councilperson Hinshaw volunteered to talk with Dylan Chapman and City Administrator Reinsbach said she would contact the Reetz family to ask them how they would feel about the sidewalk as it would be on their property thus, they will be responsible for snow removal.

Council to review and accept resignation/retirement letter- Rick Baish

Motion by Hoffman second by Frederick to accept the resignation/retirement letter from Rick Baish. All voting aye. Motion carried.

Review information from Beck Engineering on 23rd St. repairs.

Council reviewed quote and had some general discussion on what repairs could be cut out of the \$42,000 quote. This then led to a discussion over the city taking ownership of 23rd St., Boji Bend Drive, and the portion of N Ave that the city vacated to Lucilemae LLC back in 2017. The reason is because these roads are used by the public. After much discussion there was a motion by Hinshaw second by Hoffman to have City Attorney, Dave Stein draft a resolution accepting streets in present condition and to have Beck Engineering review legal descriptions as they surveyed 23rd St and Boji Bay back in 2018/2019 time period. Stein commented he would have a resolution prepared for the June 26th meeting.

Council to review and possibly approve A34 electric proposal from MMU

MMU General Manager Brad Willemsen addressed the city council stating the proposal is for the contractor to install the duct work on the north side of A34 because MMU does not know where the elevations are and that the city would be required to pay for the labor and materials for the conduit. Willemsen relayed the MMU Trustees are asking the city to pay for this because they believe the city is forcing them to move. Mayor Anderson stated that typically, during a construction project if there is a utility in the R-O-W they are required to change things if the city asks them to. Willemsen believes there is an easement and they do not have to move their utilities according to MMU's attorney Dan Dekoter. Mayor Anderson commented if there is a true legal easement the city should have been made aware of this before now. Willemsen also relayed that both MMU and Milford Communications share a common trench and that Milford Communications is not moving. City Administrator Reinsbach said she spoke Josh at Milford Communications and that is not the impression she got. After further discussion it was decided to table the proposal until the city can gather more information and reach out to Milford Communications for their input on the project.

Resolution authorizing payment #3 to Utility Equipment Company for the 2022 City of Milford 13th St. paving and replacement project material procurement project.

Motion by Eckard second by Hoffman to approve **Resolution 23-39** Resolution authorizing payment #3 to Utility Equipment Company for the 2022 City of Milford 13th St. paving and replacement project material procurement project. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, and Eckard. Nay: None. Motion carried.

Resolution authorizing change order #3 and payment #4 (final payment) to Beck Excavating, Inc. for the 2022 City of Milford South Drainage improvement project.

Motion by Hoffman second by Eckard to approve **Resolution 23-40** Resolution authorizing change order #3 and payment #4 (final payment) to Beck Excavating, Inc. for the 2022 City of Milford South Drainage improvement project. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, and Eckard. Nay: None. Motion carried.

Resolution authorizing payment #1 to Beck Excavating, Inc. for the 2023 City of Milford Steet and Utilities improvement project.

Motion by Hoffman second by Eckard to approve **Resolution 23-41** Resolution authorizing payment #1 to Beck Excavating, Inc. for the 2023 City of Milford Steet and Utilities improvement project. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, and Eckard. Nay: None. Motion carried.

Resolution authorizing payment #5 to Hulstein Excavating Inc. for the 2022 City of Milford 13th St. lift station project

Motion by Hoffman second by Eckard to approve **Resolution 23-42** Resolution authorizing payment #5 to Hulstein Excavating Inc. for the 2022 City of Milford 13th St. lift station project. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, and Eckard. Nay: None. Motion carried.

Resolution approving purchase of a car lift, compressor, wash rack

Motion by Hoffman second by Hinshaw to approve **Resolution 23-43** Resolution approving purchase of a car lift, compressor, wash rack. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, and Eckard. Nay: None. Motion carried.

Resolution authorizing fund transfers for FY2023

Motion by Eckard second by Hoffman to approve **Resolution 23-44** Resolution authorizing fund transfers for FY2023. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, and Eckard. Nay: None. Motion carried.

Resolution authorizing debt service fund and TIF fund transfers for FY2023

Motion by Hoffman second by Eckard to approve **Resolution 23-45** Resolution authorizing debt service fund and TIF fund transfers for FY2023. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, and Eckard. Nay: None. Motion carried.

Resolution ratifying Council boards & commission appointments

Motion by Hoffman second by Eckard to approve **Resolution 23-46** Resolution ratifying Council boards & commission appointments. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, and Eckard. Nay: None. Motion carried.

Resolution setting public hearing on proposed additions and definitions in zoning ordinances.

Motion by Hoffman second by Eckard to approve **Resolution 23-47** Resolution setting public hearing on proposed additions and definitions in zoning ordinances. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, and Eckard. Nay: None. Motion carried.

Resolution requiring Mediacom to pay a franchise fee and authorize a written request to Mediacom

Motion by Hoffman second by Eckard to approve **Resolution 23-48** Resolution requiring Mediacom to pay a franchise fee and authorize a written request to Mediacom. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, and Eckard. Nay: None. Motion carried.

Resolution setting the time and place of a public hearing on the submission of a CDBG application for the City of

Milford, Iowa. Motion by Hoffman second by Eckard to approve **Resolution 23-49** Resolution setting the time and place of a public hearing on the submission of a CDBG application for the City of Milford, Iowa. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, and Eckard. Nay: None. Motion carried. The public hearing will be Monday June 26th at 6:30 p.m.

Resolution regarding real estate clarifications for the Milford Municipal Utilities

Motion by Hoffman second by Hinshaw to approve **Resolution 23-50** Resolution regarding real estate clarifications for the Milford Municipal Utilities. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, and Eckard. Nay: None. Motion carried.

Council to review draft 23rd St. written agreement/conveyance

No action.

COMMENTS BY MAYOR, COUNCIL, AND STAFF

With no other discussion, motion to adjourn by Hoffman second by Hinshaw at 7:39 p.m. All voting aye. Motion carried.

Respectfully submitted,

Steven R. Anderson, Mayor

LeAnn Reinsbach, City Administrator/Clerk