

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

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

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

Absent: None

Others present: City Administrator LeAnn Reinsbach, Shilo Brevik, Alex Anderson, Carter Frerk, Casy Frerk, and Ben Groen.

Mayor Anderson led the Pledge of Allegiance.

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

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

Items on the Consent Agenda were as follows:

- Minutes of June 26, 2023 council meeting
- Monthly bills-approve and bills paid in vacation

4 EVERGREEN	LILAC	\$49.99
ALLIANT ENERGY	1611 1/2 202ND ST SIGN	\$23.48
AMAZON CAPITAL SERVICES	SUPPLIES	\$33.96
ADVANCED NETWORK PROFESSIONA	JUNE SVC	\$935.50
ARNOLD MOTOR SUPPLY	SUPPLIES	\$892.60
AT&T MOBILITY	PD CELL/LAPTOPS	\$430.55
BAKER & TAYLOR INC.	BOOKS	\$209.80
BECK ENGINEERING INC	E22084 HELEN AVE PROJECT	\$27,816.00
BECK EXCAVATING INC.	E22084 #1 PMNT HELEN AVE PROJ	\$95,449.16
BERGLAND AND CRAM ARCHITECTS	20002 MUNICIPAL BUILDINGCONST	\$6,040.42
BLACK HILLS ENERGY	1021 10TH ST	\$38.21
BLACKTOP SERVICE COMPANY	HOT MIX	\$437.95
C & B OPERATIONS, LLC	PARTS	\$544.94
CARD SERVICES CENTER	POSITIVE PROMOTIONS	\$520.60
CARLA RADCLIFFE	COMMUNITY CTR BLINDS FINAL P	\$1,344.00
CENTRAL STATES SOUTHEAST & SO	EE HEALTHCARE	\$25,548.80
CERTIFIED TESTING SERVICES INC	SL3277-SOUTH SHORE ESTATES	\$980.00
CONSUMERS LUMBER	SHOP BUILDING MAINT	\$41.43
COOPERATIVE ENERGY COMPANY	FUEL	\$3,126.65
COYOTE MOTOR CO.	AIRPORT VEHICLE	\$613.27
DENNIS E MERRY	JANITORIAL SVCS	\$1,700.00
DICKINSON COUNTY NEWS	PUBLICATIONS	\$411.66
DICKINSON COUNTY RECYCLING CO	FY23-24 ASSESSMENT	\$14,094.00
DICKINSON COUNTY REGIONAL	GREEN WASTE	\$842.00
FLEETPRIDE	HYDRAULIC PUMP	\$394.22
GALEN'S PRO-MOW	GRASSHOPPER PARTS	\$63.84
GCS TECH INC.	WORKSTATION SETUPS	\$210.00
GRAHAM TIRE COMPANY	VEHICLE MAINT	\$72.24
HEAT TACTICAL TEAM	HEAT DUES 2023-2024	\$1,205.10
IA COMMUNITIES ASSURANCE POOL	FY24 MEMBER DUES	\$118,612.00
IMWCA	WORKERS COMP 7/23-7/24	\$23,374.00
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$10,794.00
INTERSTATE ALL BATTERY CENTER	CORE	\$959.70
IOWA LEAGUE OF CITIES	MEMBER DUES FY23/24	\$2,181.00
LAKES NEWS SHOPPER	MONTHLY ADS	\$325.60
MENARDS - SPENCER	SUPPLIES PARKS	\$216.56
MILFORD COMMUNICATIONS	BROADBAND/PHONE	\$1,006.26
MILFORD ELECTRIC INC.	PARKS OPERATIONS/MAINT	\$421.15
MILFORD MUNICIPAL UTILITY	MONTHLY UTILITIES	\$6,967.49
JONATHAN MAY	BOOK	\$10.00
MURPHY TRACTOR & EQUIP	VEHICLE MAINT	\$2,272.47
NORTH CENTRAL INT'L, INC.	SPARTAN FIRE TRUCK SVC	\$1,905.05
NWIPDC	FY 2024 DUES	\$4,158.65
OVERDRIVE INC.	EBOOKS/AUDIOBOOKS	\$997.41
PAINT REPAIR EXPRESS	WESTERN STAR REPAIR	\$1,285.00
PEARSON LAKES ART CENTER	FY23-24 FUNDING	\$2,000.00
PRAIRIE PLANS ASSET MGMT	COMM CTR CANCELLATION 7/27/23	\$67.50
PURCHASE POWER	POSTAGE	\$201.00
SCHULTZ, BECCA	YSRP REIMBURSEMENT	\$31.31
SECURE BENEFITS SYSTEMS	EE CONTRIBUTIONS	\$364.48
SHEA'S CLEANING	JUNE SVCS	\$350.00
STEIN LAW OFFICE	JUNE SVC	\$2,589.32
STOREY KENWORTHY	SUPPLIES	\$60.46
SUNSHINE FOODS	HOUSEKEEPING SUPPLIES	\$140.02
TRUE VALUE-MILFORD	SUPPLIES	\$100.65
VERIZON WIRELESS	JUNE SVC	\$285.33
YMCA OF THE OKOBOJIS	2023 CONTRIBUTION	\$8,000.00

Accounts Payable Total	\$373,746.78
Payroll Checks	\$31,445.60
***** REPORT TOTAL *****	\$405,192.38

Paid from the following funds: General Fund: 210,649.59; Road Use Tax: 11,462.40; Employee Benefits: 41,286.40; Hotel/Motel Tax: 2,000.00; Capital Equipment (LOST): 9,386.25; Capital Project A34 West: 3,998.75; Helen Ave/S Shore Project: 106,585.16; Public Works Building: 6,287.92; Sewer Utility Fund: 11,334.92; Storm Water Utility Fund: 2,200.99

Monthly Clerk's/Treasurers Report with the following receipts: General Fund: 129,696.39; RUT: 51,269.23; Employee Benefits: 3,086.19; Hotel/Motel: 965.51; TIF: 11,479.18; LMI Fund: 30,390.80; Debt Service: 482,654.11; Capitol Equipment (LOST): 4,827.56; ARPA Lift Station: 8,877.91; Capital South Drainage Project: 58,634.84; Capital Project Reserve: 257,307.53; P Ave Project: 111,912.89; New Police Station: 154,139.17; Sewer Utility: 37,779.45; Storm Water Utility: 12,737.21

CITIZEN OPPORTUNITY FOR COMMENT

Board/Commission Reports

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

PUBLIC HEARING

Public hearing on adding zoning definitions 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.

ACTION AND DISCUSSION ITEMS

First consideration of an Ordinance amending the Code of Ordinances of the City of Milford, Iowa by providing definitions for "Habitation" and "Business /Commercial Condominiums" and allowing business commercial condominiums as a special exception use in the arterial commercial district.

Motion by Yungbluth second by Eckard to approve first reading of **Ordinance 7-10-23** Ordinance amending the Code of Ordinances of the City of Milford, Iowa by providing definitions for "Habitation" and "Business /Commercial Condominiums" and allowing business commercial condominiums as a special exception use in the arterial commercial district. 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 Code of Ordinances of the City of Milford, Iowa by providing definitions for "Habitation" and "Business /Commercial Condominiums" and allowing business commercial condominiums as a special exception use in the arterial commercial district.

Motion by Yungbluth second by Hoffman to Consider waiving the second and third reading and passage of **Ordinance 7-10-23** amending the Code of Ordinances of the City of Milford, Iowa by providing definitions for "Habitation" and "Business /Commercial Condominiums" and allowing business commercial condominiums as a special exception use in the arterial commercial district. Roll call vote. Voting aye: Hinshaw, Hoffman, Frederick, Yungbluth and Eckard. Nay: None. Motion carried

Motion by Yungbluth second by Eckard to adopt **Ordinance 7-10-23**. Roll call vote. Voting aye: Hinshaw, Hoffman, Frederick, Yungbluth and Eckard. Nay: None. Motion carried.

Discussion on lift station working days

Ben Groen with Beck Engineering spoke to council about the number of working days and liquidated damages. Liquidated damages are to be assessed to the contractor in the amount of \$500.00 per working day that the work remains uncompleted after the end of the contract period with due allowances for extensions due to conditions beyond the control of the contractor. Originally, work was to be substantially completed within 25 working days and all work was to be completed by October 21, 2022. During the project there was delays on the delivery of the can which altered the new finish date to April 28, 2023. Minus the retainage, the project was completed on April 18, 2023. The very next day a leak was discovered with the can so Hulstein was given a punch list of things to be completed within 30 days. After more discussion councilman Hoffman commented, he would like to talk with Kent Eilers, Public Works Director and find out what he thinks about the overall project. No action took place.

Resolution authorizing payment #1 to Kingland Construction Services for the Milford Public Works building.

Motion by Hoffman second by Hinshaw to approve **Resolution 23-61** Resolution authorizing payment #1 to Kingland Construction Services for the Milford Public Works building. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

Resolution approving the 28 E agreement with Okoboji Community Schools regarding employment of a school resource officer.

Motion by Yungbluth second by Hoffman to approve **Resolution 23-62** Resolution approving the 28 E agreement with Okoboji Community Schools regarding employment of a school resource officer. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Yungbluth and Eckard. Nay: None. Motion carried.

COMMENTS BY MAYOR, COUNCIL, AND STAFF

City Administrator Reinsbach, reminded council of the joint meeting with MMU on July 17th starting at 6:15 p.m. A comment was made with respect to our City Engineering Company; Beck Engineering may be doing some work with the Spirit of Okoboji and there is concern that there might be a conflict of interest. With no other discussion, motion to adjourn by Yungbluth second by Eckard at 7:01 p.m. All voting aye. Motion carried.

Respectfully submitted,

Steven R. Anderson, Mayor

LeAnn Reinsbach, City Administrator/Clerk