CITY COUNCIL
REGULAR MEETING
OCTOBER 14, 2024 6:30 P.M.

The Milford City Council met in regular session October 14, 2024 at 6:30 p.m. in Community Center board room. Mayor Pro-tem Chris Hinshaw presided.
Members present: Chris Hinshaw, Shane Hoffman, David Worshek and Kyle Mohni.
Absent: Doug Frederick
Others present: City Administrator LeAnn Reinsbach, Shilo Brevik, Jason Eygabroad, Don Brinkley, George Bower, Levi Markwardt. Mayor Anderson called in at 6:31 for a half hour, called back in at 7:21 and arrived at the meeting at 7:55 p.m.. City Attorney Dave Stein arrived at 6:55 p.m.

Mayor Pro-Tem Chris Hinshaw led the Pledge of Allegiance.

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

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

Items on the Consent Agenda were as follows:

- Minutes of September 23, 2024 council meeting
- Liquor license renewal for Mill Creek Restaurant and Lounge
- Monthly bills- approve and bills paid in vacation

A & B BUSINESS SOLUTIONS	COPIER/COPIES	$142.03
A & M SERVICES INC.	SEPTEMBER SVC	$49.50
ADVANTAGE ADMINISTRATORS	EE CONTRIBUTIONS	$740.41
AFLAC	AFLAC PRE TAX	$930.86
ALLIANT ENERGY	SEPTEMBER SVC	$22.49
ADVANCED NETWORK PROFESSIONALS	PUBLIC WORKS BUILDING	$5,121.16
ARNOLD MOTOR SUPPLY	SUPPLIES	$2,754.37
AT&T MOBILITY	PD CELL/LAPTOPS	$562.06
BAKER & TAYLOR INC.	BOOKS	$610.41
BECK ENGINEERING INC	E20086 13TH ST RECONSTRUCTION	$48,420.75
BECK EXCAVATING INC.	APP #6 A34 IMPROVEMENT PROJECT	$1,491,142.50
BLACKTOP SERVICE COMPANY	PAY APP #2 E22053 SEAL COAT	$52,439.81
BOMGAARS	SUPPLIES	$1,867.33
BORDER STATES INDUSTRIES	LIGHT FIXTURES	$4,182.96
C & B POWERSPORTS LLC	POLARIS FRONT SHAFT	$507.87
CANON FINANCIAL SERVICES	LIBRARY COPIER	$71.83
CARD SERVICES CENTER	PD,SEWER,STRT,OFFICE SUPPLIES	$2,375.73
CARROLL CONSTRUCTION SUPP	SUPPLIES	$102.75
CENGAGE LEARNING	BOOKS	$74.22
CENTRAL STATES SOUTHEAST & SOU	SEPTEMBER EE HEALTHCARE	$32,148.00
CERTIFIED TESTING SERVICES INC	SL3625-13TH ST RECONSTRUCTION	$6,757.50
COFFMAN'S LOCKSMITH SHOP	UNLOCK BOX BY MILCREEK	$182.00
CONSUMERS LUMBER	SUPPLIES	$56.70
COOPERATIVE ENERGY COMPANY	FUEL	$5,067.25
CORNELL ABSTRACT CO.	LOT 19 STERNBERGS ABSTRACT	$500.00
DANKO EMERGENCY EQUIPMENT CO.	FD SUPPLIES	$2,806.45
DAVID RUBERG	CLUSTER REPAIR	$150.00
DCEMSA	LOERTS U OF O CONFERENCE	$150.00
DEB COLEMAN	JANITORIAL AIRPORT SHED	$105.00
DENNIS E MERRY	SEPTEMBER JANITORIAL SVCS	$2,000.00
DICKINSON COUNTY GIS	GIS UPDATE PW/ZONING	$78.37
DICKINSON COUNTY NEWS	PUBLICATIONS	$1,017.53
DICKINSON COUNTY REGIONAL	GREEN WASTE	$1,960.00
ELIZABETH CHEVROLET	CITY OF MILFORD	$1,103.78
FASTENAL	SUPPLIES	$130.14
GALEN'S PRO-MOW	AV MOUNT/SPRINGS	$33.39
GENERAL TRAFFIC CONTROLS	MAIN & 10TH SVC	$300.00
GORDON FLESCH COMPANY	LASERFICHE	$112.00
HEARTLAND TIRE	PD RUCKER VEHICLE	$639.12
HELLER ENTERPRISES LLC	FIRE DEPT	$1,002.09
HOTSY	FD VEHICLE MAINT	$209.07
HUMANE SOCIETY OF NW IOWA	FY2024-2025	$3,600.00
INTERNAL REVENUE SERVICE	FED/FICA TAX	$36,968.20
INTERSTATE ALL BATTERY CENTER	CAM0260 FIRE DEPT	$75.60
INTERSTATE INDUSTRIAL INSTR. I	SEWER SUPPLIES	$382.58
IOWA DEPARTMENT OF TRANSPORTAT	ICE MELT	$1,101.00
IOWA LAKES ELECTRIC COOP	AUGUST SVCS	$290.00
IOWA LAW ENFORCEMENT ACADEMY	WARBURTON ILEA	$5,025.00
IOWA ONE CALL	AUGUST ONE CALLS	$220.80
IOWA PRISON INDUSTRIES	WARBURTON ILEA PACKAGE	$230.00
IPERS	IPERS REGULAR	$17,670.98
JCL SOLUTIONS-JANITORS CLOSET	SEWER SUPPLIES	$721.52
KNIGHT PROTECTION	FD EMERG MONITORING SVC	$650.00
LAKES NEWS SHOPPER	MONTHLY ADS	$380.80
LOCATORS AND SUPPLIES INC	SEWER SUPPLIES	$149.34
LOFFLER	PD COPIER/COPIES	$32.74

MAVERICK WARBURTON	ACADEMY MILEAGE REIMBURSEMENT	$1,010.34
MENARDS - SPENCER	BUILDING MAINT	$684.62
MID-AMERICAN RESEARCH CHEMICAL	SEWER CHEMICALS	$453.98
MIDWEST RADAR & EQUIPMENT	RADAR	$246.00
MILFORD COMMUNICATIONS	BROADBAND/PHONE	$1,200.66
MILFORD MUNICIPAL UTILITY	MONTHLY SVCS	$6,860.77
NEW COOPERATIVE INC.	FIRE DEPT FUEL	$400.50
PITNEY BOWES GLOBAL FINANCIAL	POSTAGE LEASE	$163.53
PLAYAWAY PRODUCTS	BOOKS	$620.40
PLUMB SUPPLY COMPANY	URINAL	$49.97
REGIONAL TRANSIT AUTHORITY	1ST QTR FY 25 SVC CONTRACT	$3,750.00
RICHARD LIVELY	REFUND SPECIAL EXCEPTION FEE	$200.00
SANFORD HEALTH	PW HEARING SCREENING	$253.60
SHEA'S CLEANING	FD JANITORIAL	$560.00
SIOUX CITY JOURNAL	LIBRARY SUBSCRIPTION	$726.00
STATE STEEL SUPPLY COMPANY	STREET SUPPLIES	$262.00
STEIN LAW OFFICE	SEPTEMBER LEGAL	$5,017.50
STOREY KENWORTHY	PAPER	$142.47
SULLIVAN CONCRETE	CONCRETE REPAIR/REPLACEMENT	$12,000.00
SUNSHINE FOODS	LIBRARY SUPPLIES	$7.29
SWANK MOVIE LICENSING USA	COPYRIGHT LICENSE 10/24-9/25	$247.00
TALOS DYNAMICS	HEAT TEAM VEST	$3,232.01
TIGER PRIDE LAWNCARE	CEMETARY	$2,120.00
TITAN MACHINERY	PARKS MAINT	$193.98
TREAS. - STATE OF IOWA	AUGUST SALES TAX	$1,064.89
TREASURER, STATE OF IOWA	STATE TAXES	$3,882.75
TRIPLE S SERVICE LLC	13TH ST TREE REMOVAL	$1,200.00
TRUE VALUE-MILFORD	SUPPLIES	$159.92
UNITED COMMUNITY BANK FOR PETT	LIBRARY POSTAGE	$10.93
WEDEKING PIT & PLANT	SCREENED BLACK DIRT	$329.13
WINTHER STAVE & CO. LLP	FY24 AUDIT	$14,000.00
WITTROCK LAWN SERVICE	CEMETERY MOW SEPTEMBER	$420.00
ZIEGLER INC.	PUBLIC WORKS FINAL INV	$7,189.30
Accounts Payable Total		$1,804,785.53
Payroll Checks		$125,324.84
***** REPORT TOTAL *****		$1,930,110.37

Paid from the following funds: General Fund: 229,962.37; Road Use Tax: 25,042.53; Employee Benefits: 24,149.20; Capital Equipment (LOST):66,414.81;Capital Project A34 West: 1,539,070.00; Public Works Building: 7,701.80; Sewer Utility Fund: 29,902.57; Storm Water Utility Fund: 7,867.09

Monthly Clerk's/Treasurers Report with the following receipts: General Fund: 247,219.25; RUT: 52,758.21; Employee Benefits: 42,097.73; Hotel/Motel: 1,057.08; TIF: 157,264.40; LMI Fund: 6,620.38; Debt Service: 66,810.89; Capitol Equipment (LOST); 105,475.24; Capital Project Reserve: 66,341.76; A34 West Project: 1,266,157.19; Sewer Utility:44,568.98; Storm Water Utility: 12,956.88

CITIZEN OPPORTUNITY FOR COMMENT

Board/Commission Reports

Council reviewed the September Bank Cash report, Clerks/Treasurer report, Monthly Expense and Revenue reports, Police report, Fire Department minutes and call log, Board of Adjustments, Community Center, Park Board, Planning & Zoning, Library along with the October month of events, Dickinson County Recycling Commission minutes.

ACTION AND DISCUSSION ITEMS

Possible Park board discussion

No discussion.

Council to consider approval of Annual Urban Renewal Report for FY 2023-2024.

Motion by Hoffman second by Hinshaw to approve the Annual Urban Renewal Report for FY 2023-2024. All voting aye. Motion carried.

Council to consider resolution approving the Milford Annual Financial Report for FY 2023-2024 and direct City Administrator to publish. Motion by Hoffman second by Mohni to approve Resolution **24-112** Resolution approving the Milford Annual Financial Report for FY 2023-2024 and direct City Administrator to publish. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Worshek and Mohni. Nay: None. Motion carried.

Resolution approving payment #6 to Beck Excavating, Inc. for the 2023 City of Milford A34/13th St. improvement project. Motion by Hoffman second by Worshek to approve Resolution **24-113** Resolution approving payment #6 to Beck Excavating, Inc. for the 2023 City of Milford A34/13th St. improvement project. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Worshek and Mohni. Nay: None. Motion carried.

Resolution setting public hearing on proposed conveyance of city owned real estate

Motion by Hoffman second by Mohni to approve Resolution **24-114** Resolution setting public hearing on proposed conveyance of city owned real estate. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Worshek and Mohni. Nay: None. Motion carried.

Resolution setting public hearing on proposed amendments/additions to the zoning ordinance

Motion by Hinshaw second by Hoffman to approve Resolution **24-115** Resolution setting public hearing on proposed amendments/additions to the zoning ordinance. Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Worshek and Mohni. Nay: None. Motion carried.

Resolution setting public hearing to consider the proposed plans, specifications, form of contract, and estimated total cost of the project, and possibly act/enter into a contract for the 2024 City of Milford 9th St. reconstruction project (From N Ave. to Highway 71)

Motion by Hoffman second by Mohni to approve Resolution **24-116** Resolution setting public hearing to consider the proposed plans, specifications, form of contract, and estimated total cost of the project, and possibly act/enter into a contract for the 2024 City of Milford 9th St. reconstruction project (From N Ave. to Highway 71). Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Worshek and Mohni. Nay: None. Motion carried.

Council to review security camera policy

Motion by Hoffman second by Worshek to approve the security camera policy. All voting aye. Motion carried.

Council to review appraisal quote for property located at 1021 10th St.

Council reviewed appraisal quote for $4500.00. Motion by Hoffman second by Mohni to move forward with the quote from CBRE | Valuation & Advisory Services. All voting aye. Motion carried.

Council to review demolition quote for property located at 1021 10th St.

No action taken.

Update on wiring generator to fire station

City Administrator Reinsbach explained it will cost approximately $10,000 to get the generator wired to the fire station. KCL will provide documentation/instructions and then the city should get a quote from a couple electricians to perform the work. Reinbach also mentioned in the future we should look at getting the generator wired to the police station. This will have to be a budgeted item if the council were to agree. Motion by Hoffman second by Hinshaw to have KCL draw up the instructions. All voting aye. Motion carried.

Discussion on 25th St. connection project

Reinsbach reviewed documentation provided by Beck Engineering connecting 25th St from P Ave. to the frontage road. Rough estimate provided from Beck Engineering is $272,000. Hoffman suggested having the infrastructure committee review with Beck Engineering to understand the finer details of the project and discuss during budget season.

Discussion on not charging Little League for use of the Memorial Park ballfields

Reinsbach mentioned she had spoken to the park board during their meeting earlier about not charging the Little League for when the kids play their normal season and they were good with doing that for one year with hopes the LL would give a donation to help offset the amount of time city staff prepares the ball fields and supplies needed to do so. The park board does, however, believe that they want to charge for any profit tournaments. Councilman Hoffman noted when he was part of the Little League board, tournaments, in his opinion, were not for profit and encourages the park board to discuss this with the LL.

Discuss BOA decision at 702 10th St.

Mayor Anderson was concerned about the decision the BOA made during the September 26th meeting because of implications of city regulations/snow removal. City Attorney Dave Stein reminded the council that the BOA has quasi-judicial board capacity. This means that the Board members must make their decision independently based on the facts at the hearing. The Board is not to be lobbied outside of the meeting. Mayor Anderson cited Iowa code section *417.7 Board of adjustment — review by council. The council may provide for review of variances granted by the board of adjustments by the council before the effective date of the variances. The council may remand a decision to grant a variance to the board of adjustments for further study. The effective date of the variance is delayed thirty days from the date of remand.* The city attorney reflected this would hold truth, however, the city has not adopted it as part of our zoning ordinance. Mayor Anderson stated he would fight any decision. After much discussion, it was suggested by the City Attorney, that in the future, a staff report checklist for conditional uses, variances, and administrative appeals be used. Stein also suggested that City Administrator Reinsbach reach out to the applicant to see if they would work with the city on adjusting the garage dimensions.

Closed session pursuant to Iowa Code 21.5 (1)(j) discuss purchase of real estate

Motion by Hinshaw second by Hoffman to go into closed session to discuss purchase of real estate pursuant to Iowa Code 21.5 (1)(j). Roll call vote. Voting aye: Hinshaw, Frederick, Hoffman, Worshek and Mohni. Nay: None. Motion carried. Council went into closed session at 8:10 p.m. The council came out of closed session at 8:43 p.m. Members present: Hinshaw, Hoffman, Worshek and Hoffman. City Attorney to contact Seller and work on a real estate contract for the purchase of the property.

COMMENTS BY MAYOR, COUNCIL, AND STAFF

City Administrator Reinsbach let the council know the old generator that was listed on GovDeals sold for $9,110.00, it was picked up last week and the money hit the bank account on Friday. Bethany Waltersdorf with IDOT responded back and said someone from their agency will be attending the October 28th council meeting to discuss the TEAP Study and answer any questions the council may have.

With no other discussion, motion to adjourn by Mohni second by Hoffman at 8:47 p.m. All voting aye. Motion carried.

Respectfully submitted,

_____ _____

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