CITY COUNCIL
REGULAR MEETING
SEPTEMBER 23, 2024 6:30 P.M.

The Milford City Council met in regular session September 23, 2024 at 6:30 p.m. in Community Center board room. Mayor Anderson presided.
Members present: Doug Frederick, Shane Hoffman David Worshek and Kyle Mohni.
Absent: Chris Hinshaw
Others present: City Administrator LeAnn Reinsbach, Kent Eilers, Terry Hotzler, Ryan Boone, Josh Sandbulte, Karsten Elsen, Jeff Anfinson, Kent Studer, Jeremy Akers, Ben Groen, Iowa Lakes Corridor, Jason Simpson, Shane Langholz Brad Willemssen, Dave Stein and Steve Schwaller.

Mayor Anderson led the Pledge of Allegiance.

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

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

Items on the Consent Agenda were as follows:

- Minutes of September 9, 2024 regular council meeting

CITIZEN OPPORTUNITY FOR COMMENT

ACTION AND DISCUSSION ITEMS

Alyssa Peterson-Iowa Lakes Corridor update
Kurt Strouth, Alyssa Petersen and Trevor Smith gave an update of the programs to include the 18th Annual Okoboji Entrepreneurial Institute and My Town. The My Town series will be released in October and it was recently announced the series was accepted into the Twin Cities Film Festival occurring October 17-26. The Corridor's episode will be in one of two theatrical premieres of the series at the event. The council thanked them for their dedication.

Discussion with representative/s from Premier Communication/Milford Communications on excavating permits.
Public Works Director Kent Eilers explained to the council the reason he pulled the permit is because both the city and MMU had infrastructure damage. Ryan Boone the CEO of Premier Communications spoke on behalf of company on the incident that occurred on 9/16/24 where the subcontractor hit a watermain at the intersection of 13th Street and T Ave. As a result, this also damaged the city sewer line and manhole. There was also damage to a home at 1204 T Ave. Boone felt the company acted rather quickly at fixing the issues. Ryan Boone with Premier stated magnets would be put on all H & D subcontractor vehicles to create a clear distinction between contractors going forward. The council discussed the timing and asked MMU General Manager Brad Willemssen if he felt the water issue was fixed and he said yes. The same question was posed to Public Works Director Kent Eilers regarding the sewer and manhole. Eilers commented that the issue has been fixed. The council then directed the city clerk's office to reach out to the homeowner. If the homeowner felt the issues were corrected the council felt Kent could reinstate the Premier Communications permit. There was also discussion about revisiting city code chapter 134 Right-of-Way/Street Excavation/Management. It was suggested to state that no work be done on Saturdays, not drilling past 5:00p.m. and set a time that those who have excavating permits would be allowed to work from 7:00 am to sunset.

Discussion with representatives from Mediacom regarding excavating permits.
Jeff Anfinson Director, Area Operations with Mediacom commented he thought up until last week they had a good working relationship with Kent walking areas as Mediacom completed them and making sure all the restoration was meeting his standards. Then Mediacom got the call last Monday regarding pulling the permits so he really didn't know what was happening. Public Works Director Kent Eilers explained to the council the reason he pulled the permit is because there is a lengthy history of city-wide violations and the final straw was on Saturday, September 14th when the contractor for Mediacom hit an electric line causing damage to utility equipment, widespread residential power loss which also affected two businesses and the school and a worker was injured. Mayor Anderson expressed his concern about the lack of quality control. Stating Mediacom has contractors and subcontractors urinating in the yards/streets, yards are still torn up months after the workers have been there, trash is left behind. We have pictures of conduit/innerduct still sitting in residents' yards that's been there for months, plus our city attorney has sent 3 letters. There isn't any road construction ahead signs, just cones and he is concerned about safety. Jeff Anfinson commented that as soon as they received the letters, they addressed the issues. They have probably 3 weeks of work left. Kent Eilers said that he has been walking areas with Grant and he feels he shouldn't have to be doing this because it's literally a minimum of 2 hours at a time and he is having to do this twice just to make sure everything has been cleaned up. Eilers also said this part has gotten better. There was discussion on pedestal placement with snow removal. If the city can't see them when plowing snow and one is hit it will not be the cities responsibility to fix. Resident Jason Simpson spoke and was concerned that his alley needs to be fixed because it's full of potholes. Councilman Mohni expressed his concerns on why they had to run cable along the north side of his house and not on the back side where there is a utility easement. MMU General Manager Brad Willemssen said they are back to normal from the two electrical hits, the one on N Ave. and Q Ave. City Administrator Reinsbach asked how the council wants to move forward on releasing Mediacom permits because as of now there are on hold until November 4th. The council felt if the school, UCB, and Casey's had their issues resolved and had been compensated for the damage Kent could reinstate their permit. Reinbach said she would have the office reach out and provide feedback to Kent so he can make an informed decision when to reinstate their permit.

Resolution authorizing payment #2 for the 2024 City of Milford sealcoat project
Motion by Hoffman second by Worshek to approve Resolution **24-110** Resolution authorizing payment #2 for the 2024 City of Milford sealcoat project. Roll call vote, voting aye: Frederick, Hoffman, Worshek and Mohni. 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 Hoffman second by Mohni to approve Resolution **24-111** Resolution 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: Frederick, Hoffman, Worshek and Mohni. Nay: None. Motion carried.

Council to possibly approve Winther & Stave to assist with Annual Urban Renewal report

Motion by Hoffman second by Frederick to approve Winther & Stave to assist with Annual Urban Renewal report. All voting aye. Motion carried.

Mayor Anderson stepped aside and City Administrator Reinsbach took over the next two items because the Mayor Pro-tem Chris Hinshaw was not at the meeting.

Council to review and possibly approve City Administrator to sign off on DOT R-O-W permit for IGLSD force main improvements for Hwy 86.

Motion by Hoffman second by Mohni to approve City Administrator to sign off on DOT R-O-W permit for IGLSD force main improvements for Hwy 86. All voting aye. Motion carried.

Council to review and possibly approve City Administrator to sign off on DOT R-O-W permit for IGLSD force main improvements for Hwy 71.

Motion by Hoffman second by Frederick to approve City Administrator to sign off on DOT R-O-W permit for IGLSD force main improvements for Hwy 71. All voting aye. Motion carried.

Council discussion on selling excess 8" C900 pipe from A34 project

Public Works Director Kent Eilers talked about selling 1,280 L.F of left over 8"C900 sanitary sewer pipe. The city originally purchased the pipe for $22.62 per foot. Hulstein is offering to purchase the pipe for $16 per foot. This price is contingent on the city loading the material on Hulstein's trailers. The current market price for new 8" C900 is $17.95 per foot (this price is from a pipe supplier). Motion by Hoffman second by Worshek to sell the pipe to Hulstein at $16.00 per foot. All voting aye. Motion carried.

Additional review of city code chapters 1-36

Motion by Hoffman second by Worshek to approve the red-lined version of Chapters 1-36 that was provided in packet. All voting aye. Motion carried.

CHAPTER 1 - CODE OF ORDINANCES -Update 1.14 Standard Penalty (per updated code)
CHAPTER 2 - CHARTER – N/C
CHAPTER 3 - MUNICIPAL INFRACTIONS – N/C
CHAPTER 5 - OPERATING PROCEDURES – N/C
CHAPTER 6 - CITY ELECTIONS – Update 6.02 to 25 signors
CHAPTER 7 - FISCAL MANAGEMENT – Delete 7.03(3), Update 7.03(4)
CHAPTER 8 - INDUSTRIAL PROPERTY TAX EXEMPTIONS – N/C
CHAPTER 9 - URBAN RENEWAL – Still need to be updated
CHAPTER 10 - URBAN REVITALIZATION AREA - Expired update with Dorsey Whitney
CHAPTER 15 - MAYOR – Update
CHAPTER 16 - MAYOR PRO TEM – N/C
CHAPTER 17 - CITY COUNCIL - Updates
CHAPTER 18 - CITY CLERK - Updates
CHAPTER 19 - CITY TREASURER – N/C
CHAPTER 20 - CITY ATTORNEY - Updates
CHAPTER 21 - LIBRARY BOARD OF TRUSTEES - Updates
CHAPTER 22 - PLANNING AND ZONING COMMISSION - Updates
CHAPTER 23 - PARK BOARD - Updates
CHAPTER 24 - UTILITY BOARD OF TRUSTEES – N/C
CHAPTER 25 - AIRPORT COMMISSION - Updates
CHAPTER 26 - MILFORD COMMUNITY CENTER BOARD OF TRUSTEES - Updates
CHAPTER 27 - CITY ADMINISTRATOR – N/C

CHAPTER 30 - POLICE DEPARTMENT – N/C
CHAPTER 31 - RESERVE PEACE OFFICERS - DELETE ENTIRE CHAPTER DOES NOT APPLY
CHAPTER 35 - FIRE DEPARTMENT - N/C (delete 35.03 & renumber)
CHAPTER 36 - HAZARDOUS SUBSTANCE SPILLS – N/C

COMMENTS BY MAYOR, COUNCIL, AND STAFF

With no other discussion, motion to adjourn by Hoffman second by Mohni at 8:03 p.m. All voting aye. Motion carried.

Respectfully submitted,

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