

COUNCIL PROCEEDINGS

Regular City Council Meeting: Monday, November 15, 2021 (5:00 p.m.)

Mayor/Council Present: Mayor J. May presiding--1; J. Heckard, J. Clark, A. Goebel, R. Gage, G. Heckard, D. Seylar, B. Carlin--7

Council Absent: None--0

Staff Present: E. Burton, G. VanLangen, J. Finn, L. Hevern, P. Clayton, B. Shatto*, B. Friesner, J. Kautz--8

Media Present: E. Funston (KILR), A. Petersen (EN), (KICD)**--3; via Zoom: (KUOO)--1

Others Present: Larry Loesch, Scot Bauermeister**--2

Minutes

Moved by Goebel, seconded by G. Heckard to approve the minutes of the Nov. 1, 2021, council session and Nov. 10 Goal Setting session. VOTE: ayes--7

Petitions and Communications

a. Farewell Coffee for Mayor Joseph M. May

Reports

Moved by Clark, seconded by Goebel to approve the Financial Statement for the month of Oct., 2021. VOTE: ayes--7

City Elections

The canvass of the Nov. 2, 2021, city election from the Board of Supervisors was presented. Joseph M. May was elected mayor for a two-year term, 1/1/22 to 1/1/24; Joan Heckard was elected Council Member at Large for a two-year term, 11/15/21 to 1/1/24; Brandon Carlin was elected Council Member at Large for a four-year term, 1/1/22 to 1/1/26; Julie Clark was elected Ward II Council Member for a four-year term, 1/1/22 to 1/1/26; Dave Seylar was elected Ward III Council Member for a four-year term, 1/1/22 to 1/1/26; and Ann Goebel was elected Ward IV Council Member for a four-year term, 1/1/22 to 1/1/26.

Moved by Seylar, seconded by G. Heckard to accept the canvass of the 2021 Regular City Election. VOTE: ayes--7

Oath of Office

Mayor Joseph M. May administered the Oath of Office to Joan Heckard who is Council Member At-Large for the term ending Dec. 31, 2023.

*Brent Shatto arrives.

Economic Development Report

Lyle Hevern, Estherville and Emmet County Economic Development Director presented an update on current activities which included the 700 Central Ave. sewer leak, Wind Test, Iowa Lakes Corridor, Studio 12, Second Floor Housing, and a potential Solar Project at Wastewater Treatment Plant.

**KICD & Scot Bauermeister arrive.

Appointments

The Mayor made the following appointments to the Diversity, Equity and Inclusion (DEI) Board: Megan Spurgin, Heather Howell, David Hovinga, Lais Nespde Cavalanti, Juan Feliciaro Hernandez, Leonora Nissen, and Elizabeth Ramos for approval.

Moved by Seylar, seconded by Gage to approve the appointments to the Diversity, Equity and Inclusion Board subject to review of Estherville Code about the residency requirements. VOTE: ayes--7

After review it was determined that City residency is not required for this committee.

Agreement with RailPros Field Services, Inc.

City Administrator Clayton presented a Flagging Agreement and a Construction Observation Agreement with RailPros Field Services, Inc. for services related to the rail crossing improvements on So. 19th St. for approval

Moved by Gage, seconded by Goebel to approve the agreements with RailPros Field Services, Inc. VOTE: ayes--7

Electric Telescopic Aerial Lift Truck

City Administrator Clayton presented an invoice in the amount of \$141,065.59 to ABM Equipment for a Telescopic Aerial Lift Truck for Electrical Distribution for approval.

Moved by Carlin, seconded by G. Heckard to approve the invoice in the amount of \$141,065.59 to ABM Equipment for a Telescopic Aerial Lift Truck. VOTE: ayes--7

Resolution No. 2308 Disposal of Real Estate 103 & 109 2nd Avenue South

An offer to purchase Lots 5 & 6, Block 27, Original Plat for \$10,000 for each lot from Larry Loeschen was presented.

Gage introduced Resolution No. 2308 entitled "RESOLUTION TENTATIVELY APPROVING THE SALE OF LOTS 5 & 6, BLOCK 27, ORIGINAL PLAT (103 & 109 2ND AVENUE NORTH) WITHIN THE CITY OF ESTHERVILLE, IOWA, ESTABLISHING TERMS AND CONDITIONS FOR SUCH SALE AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING" and moved its adoption, which was seconded by Clark. (This resolution tentatively approves the sale and sets Dec. 6, at 5:00 p.m. in the Council Chambers, as the time and place for a public hearing on the proposed sale.) VOTE: ayes: Gage, G. Heckard, Carlin, J. Heckard, Clark, Goebel--6 abstain: Seylar--1 (worked with Larry on site design)

Electric Distribution Skid Steer Replacement

City Administrator Clayton presented a bid tab for the purchase of a new skid steer loader for the Electric Distribution Department for approval. The recommendation is to accept the low bid from New Tech, Inc., without trade-in, in the amount of \$36,670.09.

Moved by Carlin, seconded by G. Heckard to approve the bid from New Tec, Inc. in the amount of \$36,0670.09. VOTE: ayes--7

Mayoral Vacancy

Administrator Clayton presented the replacement options regarding the Mayor's resignation. The options are to appoint someone to fill the vacancy or fill by special election. A special election will likely cost about \$5,000.

Moved by Gage, seconded by G. Heckard to call for a special election to fill the vacancy of the Mayor. VOTE: ayes--6 nays: Carlin--1

Wastewater Treatment Plant
Phosphorus Removal Facility Plan

City Administrator Clayton presented a draft Phosphorus Removal Facility Plan for the Wastewater Treatment Plant.

Resolution No. 2309
2020 Census - Ward Boundaries

A memo regarding possible changes to ward boundaries was presented. The city is required to review ward boundaries based on the 2020 Census. We do not need to make changes to the voting wards, however, because our ordinance cites the population number of the 2010 Census, we will need to adopt an updated ordinance.

Carlin introduced Resolution No. 2309 entitled "RESOLUTION TO PROVIDE A NOTICE OF HEARING ON PROPOSED ADOPTION OF PRECINCT BOUNDARIES FOR THE CITY OF ESTHERVILLE, IOWA" and moved its adoption, which was seconded by Goebel. (This resolution sets Dec. 6, 2021, at 5:00 p.m. in the Council Chambers as the time and place for the public hearing.) VOTE: ayes: Carlin, J. Heckard, Clark, Goebel, Gage, G. Heckard, Seylar--7

Updates

a. Flags

Closed Session

Moved by Seylar, seconded by G. Heckard to adjourn into closed session at 6:23 p.m. pursuant to Section 21.5(1)c of the Code of Iowa. VOTE: ayes--7

Goebel leaves.

Moved by Carlin, seconded by Clark to return to open session at 7:10 p.m. VOTE: ayes--6 absent: Goebel--1

Adjournment

Moved by Carlin, seconded by G. Heckard to adjourn the meeting at 7:11 p.m. VOTE: ayes--6 absent: Goebel--1

Julie Clark, Mayor Pro-tem

ATTEST:

Elizabeth Burton, City Clerk

jm