

COUNCIL PROCEEDINGS

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Regular City Council Meeting: Monday, December 6, 2021 (5:00 p.m.)

Mayor/Council Present: Mayor Pro-tem J. Clark presiding--1; J. Heckard, A. Goebel, G. Heckard, D. Seylar; B. Carlin--6

Council Absent: None--0

Staff Present: G. VanLangen, E. Burton, B. Shatto, P. Clayton, K. Olson, J. Kautz\*\*\*--6

Media Present: E. Funston (KILR), A. Petersen (EN)--2; via Zoom: S. Schwaller (KUOO)--1

Others Present: Larry Loeschen\*\*, Bill Jensen\*--2 via Zoom: Lana Tullis, Bolton & Menk--1

Minutes

Moved by Seylar, seconded by Goebel to approve the minutes of the Nov. 15, 2021 council session. VOTE: ayes--7

Standing Committee Reports

- a. Finance Committee - Dec. 2
- b. Labor Relations Committee - Dec. 2
- c. Excel! Oversight Comm. - Nov. 23

Petitions & Communications

- a. Budget Calendar & Agenda

Bills

Moved by G. Heckard, seconded by Gage to approve the bills for the month of Nov., 2021. VOTE: ayes--7

A & B Business Solutions, Inc.	Maint.	\$ 157.48
ABM Equipment & Supply, LLC	Boom Truck-Elect.	141,065.59
Access Systems, Inc.	Maint.	525.47
Ace Hardware, Inc.	Supp.	2,077.96
AFLAC Benefit Services	Ins.	1,201.87
AFSCME/Iowa Council 61	With.	402.00
Ahlers & Cooney, P.C.	Svcs.	88.50
Alibris, Inc.	Books	34.62
Alpha Wireless Communications	Svcs.	279.00
American Library Association	Fees	300.00
Aquafix, Inc.	Svcs.	2,242.19
Aramark Uniform Services	Svcs.	220.05
AT&T Mobility	Acct.	957.62
Automatic Systems Co.	Svcs.	652.00
Avera Holy Family Health	Svcs.	382.00

Baker & Taylor Books	Books	\$ 1,591.87
Bank Plus	With.	11,675.00
Bates, Loren	Svcs.	450.00
Black Hills Energy	Acct.	4,949.28
Blacktop Service Company	Hot Mix	20,698.85
Blum Leonard Insurance	Ins.	20.00
Bolton & Menk, Inc.	Svcs.	11,167.50
Bomgaars Supply	Supp.	215.34
Border States Industries, Inc.	Tool	505.50
Bradley Performance	Svcs.	408.00
Burrell Painting	Svcs.	200.00
Campus Cleaners & Launderer	Svcs.	34.81
Card Services	Supp.	2,112.47
Castro Chilel, Martha	Ref.	60.16
CDW Government	Svcs.	4,153.49
Center for Chiropractic Wellness	Svcs.	75.00
Center Point Large Print	Books	224.10
Central Square Technologies	Subscr.	1,440.00
CenturyLink	Acct.	264.52
Clark, John	Svcs.	300.00
Clayton, Penelope A.	Reimb.	50.00
Collection Services Center	Svcs.	1,369.16
Constellation NewEnergy	Power	3,165.26
Consuegra, Albert	Ref.	38.39
Corn Belt Power Coop.	Power	1,035.08
Crowse, Joseph	Ref.	2.07
Debt Service Fund	Transfer	35,330.00
Delta Dental of Iowa	Ins.	2,320.15
Demco, Inc.	Supp.	57.76
DGR Engineering	Svcs.	9,036.00
Display Sales Company	Supp.	710.00
Ditch Witch of Minnesota	Parts	220.24
Donovan, Dan	Reimb.	210.78
DPT Mechanical	Parts	735.84
Drain Pro of NW IA, LLC	Svcs.	477.50
Duitsman Plumbing & Heating	Svcs.	2,657.22
Dunlavy, Nathaniel	Reimb.	375.55
ECCOG	Svcs.	26,330.76
ECCOG Recycling	Svcs.	500.00
Electric Emergency Fund	Transfer	58,329.22
Electric Fund	Transfer	1,958.33
Electric Pump, Inc.	Svcs.	4,575.49
Emmet County Auditor	Pay.	12,895.82
Emmet County Clerk/Court	Svcs.	60.00

Emmet County ISU Extension	Fees	\$ 140.00
Emmet County Public Health	Svcs.	105.00
Engineered Equipment Solutions	Parts	2,085.32
Equipment Rev.-Enterprise	Transfer	13,632.89
Equipment Rev.-General	Transfer	25,422.24
Estherville Aviation, Inc.	Fees	3,383.47
Estherville, City of	Acct./Ins.	88,121.91
Estherville Communications	Svcs.	168.00
Estherville Housing	Rent	100.00
Estherville Iron & Metal	Svcs.	227.50
Estherville News	Publications	1,771.86
Estherville Paint & Glass	Svcs.	516.82
Estherville Printing Co.	Svcs.	13.00
Eveleth, Bruce	Grant	1,500.00
Expertpay	Svcs.	537.21
Fastenal	Supp.	212.39
Federal Signal Corporation	Parts	568.00
Ferguson Waterworks	Parts	874.27
Fire Service Training Bureau	Supp.	134.78
Flexible Plastics, Inc.	Supp.	7,708.68
Foundation Analytical Laboratories	Svcs.	1,464.30
Friesner, Brad	Reimb.	50.00
Garage Fund	Transfer	40,830.66
General Fund	Transfer	132,864.66
General Traffic Controls, Inc.	Parts	34,826.28
Girl & A Bucket Cleaning	Svcs.	444.80
GovOffice, LLC	Fees	1,380.00
Grainger	Svcs.	664.13
Graphic Controls	Supp.	149.01
Great Lakes Concrete, Inc.	Svcs.	92.25
Group Benefit Partners	Svcs.	2,166.00
Hali-Brite, Inc.	Parts	319.25
Hallett Materials Co., Inc.	Supp.	1,290.10
Hash, Roger	Reimb.	11.76
Hawkins, Inc.	Supp.	8,366.15
Helmich, Nick	Reimb.	12.90
Hevern, Lyle	Reimb.	50.00
Hiway Truck Equipment	Parts	1,626.47
Holiday Inn Des Moines Airport	Rent	224.00
Hy-Vee, Inc.	Supp.	94.89
Inman Electric Co., Inc.	Svcs.	2,548.60
Iowa Assoc. Municipal Utilities	Fees	425.00
Iowa Great Lakes Doors	Svcs.	304.86
Iowa Lakes Comm. College	Power	18,012.63

Iowa Lakes Electric Coop.	Power	\$ 239,400.58
Iowa Lakes Regional Water	Acct.	120.24
Iowa One Call, Inc.	Svcs.	295.60
Iowa Public Employees	With.	31,837.62
Iowa Rural Water Assn.	Dues	375.00
Iowa Utilities Board	Svcs.	2,730.00
J & K Snowmobile	Parts	184.32
Jacobson-Westergard, Inc.	Svcs.	15,960.90
JCL Solutions-Spencer	Supp.	334.78
Jensen, Eugene	Svcs.	240.00
JLK Underground Utilities	Svcs.	11,587.00
John Deere Financial	Supp.	37.97
Johnston Autostores	Supp.	2,253.18
Jones, Robert G.	Svcs.	2,828.76
Jordan, Anna	Ref.	180.31
KILR Radio Station	Ad	103.02
Kimball Midwest	Supp.	374.17
Knopik Sand & Gravel, Inc.	Supp.	3,947.95
Koenig Portable Toilets	Svcs.	825.00
Larry Lair Excavating, Inc.	Svcs.	11,650.00
Leal, Pablo	Svcs.	50.00
Locators & Supplies, Inc.	Supp.	59.10
M. E.'s Body Shop	Svcs.	2,102.90
Madison National Life Insurance	Ins.	1,048.59
Malloy Industrial Services	Part	3,531.04
Matheson Tri-Gas, Inc.	Svcs.	6,068.51
McGuinness, C. H. Co., Inc.	Svcs.	2,577.29
McMaster-Carr	Parts	419.35
Med Compass, LLC	Svcs.	4,680.00
Mediacom Business	Acct.	2,426.29
Menendez, Ronald	Svcs.	400.00
Mid-Iowa Solid Waste Equipment	Parts	708.48
Midwestern Mechanical, Inc.	Svcs.	335.00
Municipal Fire & Police Retirement	With.	20,071.43
Municipal Supply, Inc.	Parts	2,528.37
My-Lor, Inc.	Supp.	20.42
Nationwide Retirement Solutions	With.	5,715.00
New Tec, Inc.	Equip. - Street	53,409.01
North Central Laboratories	Supp.	1,584.15
North Iowa Lumber & Design	Supp.	828.29
NorthStar Agency	Ins.	997.00
NorthStar Bank	Bonds	86,434.81
Novelty Machine Co.	Parts	95.40
Online Ammo	Ammo	47.98

Ovivo USA, LLC	Parts	\$ 3,226.67
Pelzer Law Firm, LLC	Svcs.	1,164.00
Pit Pros, Inc.	Svcs.	68,717.03
Police Legal Sciences	Fees	1,320.00
Pomps Tire Service, Inc.	Svcs.	10,061.30
Prairie Lakes Properties	Grant	2,500.00
Presto-X	Svcs.	85.00
Primary Arms, LLC	Parts	466.13
Pro Cooperative Cardtrol	Fuel/Gas	10,433.09
Prust, Jim	Reimb.	85.59
Quill Corporation	Supp.	138.84
R & D Industries, Inc.	Svcs.	950.00
Ramboll Consulting, Inc.	Ssv	3,850.00
Regional Transit Authority	Pay.	1,875.00
Regional Wellness Center	With.	448.08
Rehab Systems, Inc.	Svcs.	30,965.00
Resco	Supp.	22,763.45
Reynolds, Timothy L.	Reimb.	895.85
Rubin Construction, LLC	Svcs.	468.00
Russell, Rhonda	Reimb.	176.53
S & R Auto & Tire, Inc.	Svcs.	5,492.73
Salt Source, LLC	Salt	31,518.34
Schmitz, Ian	Reimb.	27.88
Shatto, Brent	Reimb.	634.68
Singh, Inder	Ref.	267.92
Skarshaug Testing Lab, Inc.	Supp.	828.73
Spee Dee, Delivery Service	Svcs.	36.24
Stalls Farm & Home Dist., Inc.	Supp.	1,240.17
Standard, The	Ins.	225.22
Staples Credit Plan	Supp.	373.95
Starnet - River Valley Telephone	Acct.	179.80
State Hygienic Lab-Univ. of	Svcs.	114.50
Street Cop Training	Fees	597.00
Sunde, Tena	Reimb.	75.00
Superior Signals, Inc.	Supp.	2,167.44
TIF #1 - Industrial Park	Transfer	7,920.00
Todd, Michael & Co., Inc.	Part	84.84
Treasurer, State of Iowa	Taxes	10,069.00
Tri-Tech Forensics, Inc.	Supp.	65.63
Tyler Technologies, Inc.	Maint.	1,197.21
U. S. Postal Service	Postage	1,736.52
Union Pacific Railroad	Svcs.	2,980.00
Unitypoint Clinic-Occ. Med.	Svcs.	168.00
USA Bluebook	Supp.	4,571.28

Van Wert, Inc.	Meters	\$ 7,939.03
VanLangen ,Greg	Reimb.	50.00
Verizon Wireless	Acct.	298.24
Vermeer Sales & Service, Inc.	Part	92.51
Wages/Salaries	Wages/Salaries	183,998.90
Wastewater Admin.	Transfer	11,475.00
Wastewater Fund	Transfer	7,500.00
Watch Guard Video	Body Cam	980.00
Wellmark Blue Cross/Blue Shield	Ins.	114,014.32
Werts Janitorial	Svcs.	30.00
Wesco Receivables Corp.	Parts	2,584.46
Western Area Power Admin.	Power	22,627.62
Wheatley, Stephanie	Ref.	139.06
Wheeler World, Inc.	Svcs.	73,982.33
White Tools, LLC	Supp.	504.98
Ziegler, Inc.	Supp.	<u>2,733.08</u>
		<u>\$1,952,530.88</u>

#### Disbursements by Fund

Airport \$5,141.61; Cares Grant \$105.96; Debt. Svc. \$1,878.28; Elect. Aerial \$450.00; Elect. Fund \$526,061.90; Elect. Emerg. \$81,181.31; Equip. Rev.-Ent. \$141,065.59; Equip. Rev.-Gen. \$53,409.01; FICA & IPERS \$23,416.66; Garage Fund \$47,227.47; General Fund \$208,617.02; Group Ins. \$50,228.86; Ind. Park \$66,249.22; L.O.S.T. Fund \$18,718.88; L.O.S.T. Rev. \$16,534.39; P & R Constr. \$346.80; P & R Rev. \$667.02; Police Ret. \$14,768.88; Pool Proj. \$3,217.00; Road Use Tax \$33,120.75; Self-Funded Ins. \$116,180.32; WWT Fund \$231,484.19; Water Fund \$128,461.06; TOTAL \$1,768,531.98

#### Receipts

Airport \$2,133.05; Debt Svc. \$49,128.46; Elect. \$562,053.80; Elect. Aerial Svc. \$90.00; Elect. Emerg. \$62,550.15; Equip. Levy \$2,041.97; Equip. Rev.-Ent. \$13,632.89; Equip. Rev.-Gen. \$66,231.35; FICA & IPERS \$6,404.91; Garage \$40,830.66; General \$298,831.92; Group Ins. \$28,038.57; Ind. Park \$46,265.01; Police Fund \$200.00; Police Ret. \$7,526.20; Pool Proj. \$1,090.00; Self-Funded Ins. \$69,687.77; WWT Fund \$192,914.50; WWT Sinking \$11,475.00; Water Fund \$164,075.63; TOTAL \$1,625,201.84

#### Approval of Liquor License

Moved by Seylar, seconded by Goebel to approve a renewal of a Special Class C Liquor License and Sunday Sales Privilege for One & One Chinese Restaurant at 516 Central Ave.; and a Class C Liquor License and Sunday Sales Privilege for Don Jose Mexican Restaurant at 600 Central Ave. VOTE: ayes--7

\*Bill Jensen arrives.

#### Resolution No. 2310

##### Sale of Real Estate

103 & 109 2<sup>nd</sup> Avenue North

Mayor Pro-tem Clark opened the public hearing on the proposed sale of Lots 5 & 6, Block 27, Original Plat (103 & 109 2<sup>nd</sup> Ave. No.) to Larry Loesch. No written or oral objections were heard, and the public hearing was closed.

Gage introduced Resolution No. 2310 entitled “RESOLUTION AUTHORIZING SALE OF REAL ESTATE AND EXECUTION OF DEED LOTS 5 & 6, BLOCK 27, ORIGINAL PLAT (103 & 109 2<sup>ND</sup> AVENUE NORTH) TO ESTHERVILLE, IOWA, EMMET COUNTY, IOWA” and moved its adoption, which was seconded by Goebel. VOTE: ayes: Gage, G. Heckard, Seylar, Carlin, J. Heckard, Clark, Goebel--7

Ordinance No. 788  
Revised Precinct Boundaries

Mayor pro-tem Clark opened the public hearing on revising the voting ward boundaries for the city. No written or oral objections were heard, and the public hearing was closed.

Goebel introduced the following proposed ordinance entitled “AN ORDINANCE AMENDING TITLE I, CHAPTER 2, ARTICLE 3 OF THE CODE OF ORDINANCES OF THE CITY OF ESTHERVILLE, IOWA, PERTAINING TO THE REVISION OF PRECINCT BOUNDARIES FOR THE CITY OF ESTHERVILLE, IOWA” and asked that it be placed on file.

Moved by Goebel, seconded by Heckard that the previously entitled Ordinance No. 788 be considered for the first time. VOTE: ayes: Goebel, Gage, G. Heckard, Seylar, Carlin, J. Heckard, Clark--7

Moved by Goebel, seconded by G. Heckard that the rule requiring the previously entitled ordinance to be considered on three different council meetings be waived. VOTE: ayes: Goebel, Gage, G. Heckard, Seylar, Carlin, J. Heckard, Clark--7

Moved by J. Sawyer, seconded by Moller that the proposed Ordinance No. 788 entitled “AN ORDINANCE AMENDING TITLE I, CHAPTER 2, ARTICLE 3 OF THE CODE OF ORDINANCES OF THE CITY OF ESTHERVILLE, IOWA, PERTAINING TO THE REVISION OF PRECINCT BOUNDARIES FOR THE CITY OF ESTHERVILLE, IOWA” be finally passed and adopted. VOTE: ayes: Goebel, Gage, G. Heckard, Seylar, Carlin, J. Heckard, Clark--7

\*\*Larry Loeschen leaves.

Goal Setting Report

The Goal Setting Report as compiled by Mark Jackson from the goal setting session held on Nov. 10, 2021 was presented by Administrator Clayton and reviewed.

Moved by Carlin, seconded by Seylar to adopt the Goal Setting Report. VOTE: ayes--7

Pay Estimate #9  
Swimming Pool Project

Pay Estimate #9 for \$304,392.36 to Sande Construction for the swimming pool project was presented for approval.

Moved by Carlin, seconded by Seylar to approve Pay Estimate #9 for \$304,392.36 to Sande Construction. VOTE: ayes--7

Pay Estimate #9 (Final)  
2021 Street Improvements Project

The Council was presented with the engineer’s statement of final completion and pay estimate #4 in the amount of \$16,671.65 to Blacktop Services for the 2021 Street Improvements Project.

Moved by Seylar, seconded by G. Heckard to accept the project and approve Pay Estimate #9 for \$16,671.65 to Blacktop Services. VOTE: ayes--7

Resolution No. 2311  
Wastewater Treatment Plant  
Phosphorus Removal Facility Plan

City Administrator Clayton presented a proposed WWTP Phosphorus Removal Facility Plan for approval. A condition of the new NPDES permit requires modifications to the existing phosphorus removal facility to achieve compliance with the lower phosphorus removal limits.

Gage introduced Resolution No. 2311 entitled “A RESOLUTION APPROVING THE PHOSPHORUS REMOVAL FACILITY PLAN FOR THE WASTEWATER TREATMENT PLANT” and moved its adoption, which was seconded by Seylar. VOTE: ayes: Gage, G. Heckard, Seylar, Carlin, J. Heckard, Clark, Goebel--7

Engineering Agreement  
WWWTP Facility Improvements

City Administrator Clayton presented a proposed agreement with Bolton & Menk, Inc. for construction design and bidding services for chemical phosphorus removal and associated improvements at the WWTP in an amount not to exceed \$250,000.

Moved by Goebel, seconded by Gage to approve the agreement with Bolton & Menk, Inc. for construction design and bidding services for chemical phosphorus removal and associated improvements at the WWTP.

DNR Fire Assistance Grant Agreement

City Administrator Clayton presented a proposed DNR Forestry-Fire Protection Volunteer Fire Assistance Grant for approval.

Moved by Seylar, seconded by G. Heckard to approve the DNR Forestry-Fire Protection Volunteer Fire Assistance Grant. VOTE: ayes--7

\*\*\*Jeff Kautz leaves.

Lawn Mowing Regulation

Code Enforcement Officer, Greg Van Langen presented a proposed language change for Lawn Mowing Regulation, reducing the maximum height from 10” to 8”. Discussion followed.

Resolution No. 2312  
Miscellaneous Fees & Charges

City Administrator Clayton presented information on proposed Miscellaneous Fees & Charges revisions.

Seylar introduced Resolution No. 2312 entitled “A RESOLUTION APPROVING MISCELLANEOUS FEES & CHARGES FOR THE CITY OF ESTHERVILLE, IOWA” and moved its adoption, which was seconded by Gage. VOTE: ayes: Seylar, Carlin, J. Heckard, Clark, Goebel, Gage, G. Heckard--7

Public Forum

The Fire Dept. voted to elect Travis Sheridan as the new Fire Chief beginning Jan. 1, 2022. Council will be presented with the appointment at their next meeting.



Adjournment

Moved by Seylar, seconded by Carlin to adjourn the meeting at 5:45 p.m. VOTE: ayes--7

Julie Clark, Mayor Pro-tem

ATTEST:

Elizabeth Burton, City Clerk