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COUNCIL PROCEEDINGS

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

Mayor/Council Present: Mayor J. May presiding--1; A. Goebel, D. Seylar--2 via Zoom:  
G. Haukoos, J. Clark, G. Heckard, B. Carlin--4

Council Absent: R. Gage--1

Staff Present: E. Burton, T. VanRoekel, G. VanLangen, P. Clayton, J. Finn--6;  
via Zoom: L. Hevern--1

Media Present: E. Funston (KILR)--1 via Zoom: A. Peterson (EN), (KICD), S.  
Schwaller (KUOO)--3

Others Present: Nancy Clark, Mike Cornwall (Estherville Foods)--2; via Zoom:  
Eagle Construction, Bill Jensen, Jr.--2

Minutes

Moved by Seylar, seconded by Goebel to approve the minutes of the Feb. 1, 2021, council session.  
VOTE: ayes--6 absent: Gage--1

Reports

Moved by Goebel, seconded by Clark to approve the Financial Statements for the month of  
February, 2021. VOTE: ayes--6 absent: Gage--1

Approval of Liquor License

Moved by Seylar, seconded by Carlin to approve a Class B Beer Permit and Outdoor Service Area  
for the Emmet County Agricultural Show in the fairgrounds at 1686 3<sup>rd</sup> Ave. So. pending dram.  
VOTE: ayes--6 absent: Gage--1

Resolution No. 2281

Urban Renewal Plan Amendment

Mayor May opened the public hearing on the amendment to the City's Urban Renewal Plan. City  
Administrator Clayton updated the public on the amendment. No written or oral objections were  
heard, and the public hearing was closed.

Carlin introduced Resolution No. 2281 entitled "A RESOLUTION TO APPROVE 2021 URBAN  
RENEWAL PLAN AMENDMENT FOR THE ESTHERVILLE CONSOLIDATED URBAN  
RENEWAL AREA" and moved its adoption, which was seconded by Seylar. VOTE: ayes:  
Carlin, Haukoos, Clark, Goebel, Heckard, Seylar--6 absent: Gage--1

Resolution No. 2282

Development Agreement

Mayor May opened the public hearing on the Development Agreement and Tax Increment  
Payments for Farmers Union Industries, LLC dba Redwood Farms. Lyle Hevern, Estherville and  
Emmet County Economic Development Director stated that the resolution includes a tax 100% tax  
abatement for any additional assessed taxes for three (3) years and two (2) years of tax rebates to  
not exceed \$160,000 and the City also agrees to pay \$25,000 to Farmers Union Industries, LLC dba  
Redwood Farms upon completion of the project as determined by the City. No written or oral  
objections were heard, and the public hearing was closed.

Carlin introduced Resolution No. 2282 entitled “APPROVING DEVELOPMENT AGREEMENT WITH FARMERS UNION INDUSTRIES, LLC dba REDWOOD FARMS, AUTHORIZING ECONOMIC DEVELOPMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT” and moved its adoption, which was seconded by Goebel. VOTE: ayes: Carlin, Haukoos, Clark, Goebel, Heckard, Seylar--6 absent: Gage--1

Resolution No. 2283  
Maximum Property Tax Dollars  
for Fiscal Year 2021-22

City Clerk Burton presented information on the Maximum Property Tax Dollars for Fiscal Year 2021-22 Budget. The total maximum property tax levy for affected property tax levies is \$2,470,332. The amount requested represents an increase of less than 102% from the Maximum Property Tax dollars requested for FY 2021.

Seylar introduced Resolution No. 2283 entitled “RESOLUTION TO APPROVE THE MAXIMUM PROPERTY TAX DOLLARS FOR THE FISCAL YEAR ENDING JUNE 30, 2022, FOR THE CITY OF ESTHERVILLE, IOWA” and moved its adoption, which was seconded by Clark. VOTE: ayes: Seylar, Carlin, Haukoos, Clark, Goebel, Heckard--6 absent: Gage--1

Ordinance No. 782  
Zoning Reclassification

Mayor May opened the public hearing on a request to classify the zoning of all of Blocks 13 & 24 and vacated 3<sup>rd</sup> Ave. No. abutting said Blocks & vacated No. 5<sup>th</sup> St. abutting and between Blocks 13, 14, 23 & 24 all in the Original Plat of Estherville from Single-Family Residential (R-1) to Multi-Family Residential (R-3).

City Clerk Burton read a letter from Philip Sonstegard, President of Estherville Foods to the council stating:

“I would like to thank you for taking public comment on the Deer Creek Apartment project. I’d like to point out that I am very much in favor of economic development here in Estherville, especially when its aimed at serving a critical need such as affordable housing. I applaud the City Council and the Developer for their efforts and vision on this much needed project.

My business, Estherville Foods, has operated in this community for nearly 50 years. As you are likely aware, our facility is located just to the West of the proposed development. We receive a considerable amount of truck traffic to and from our business; which is manufacturing liquid, frozen and dried egg products. In addition, we employ right around 90 people and run three shifts at our plant, which essentially runs 24/7 year round.

I’m bringing this to your attention as a neighbor to the proposed project that wants to be completely transparent with a few things that could potentially frustrate relations going forward. First, as mentioned above, please be aware that there will always be significant truck and auto traffic at and around our facility. Second, our equipment and mechanical systems will produce what I would call a “humming” sound around the clock. I don’t think anyone would classify it as a noise disturbance, but it could potentially irritate someone that is sensitive to that type of thing. And third, although we have not had any issues in the past, there is a potential for a slight odor when processing any agricultural products.

These are just a few of our concerns that we would like to get out there for everyone to consider. We are proud of the Estherville Community and we are very excited to see growth and developments like this. Thank you for the opportunity to read our points and give them consideration as you chart the next steps in the process and zoning variances.”

No further written or oral objections were heard, and the public hearing was closed.

Seylar introduced Ordinance No. 782 entitled “AN ORDINANCE AMENDING TITLE VI, CHAPTER 5, ARTICLE 4, SECTION 2 OF THE CITY CODE OF ESTHERVILLE, IOWA, RECLASSIFYING USE RESTRICTIONS ON ALL OF BLOCKS 13 & 24 AND VACATED 3<sup>RD</sup> AVENUE NORTH ABUTTING SAID BLOCKS & VACATED NORTH 5<sup>TH</sup> STREET ABUTTING AND BETWEEN BLOCKS 13, 14, 23 & 24 ALL IN THE ORIGINAL PLAT OF THE CITY ESTHERVILLE, EMMET COUNTY, IOWA” and asked that it be placed on file.

Moved by Seylar, seconded by Goebel that the previously entitled Ordinance No. 782 be considered for the first time. VOTE: ayes: Seylar, Carlin, Haukoos, Clark, Goebel--5; Loss of Zoom connection: Heckard--1 absent: Gage--1

Moved by Seylar, seconded by Goebel that the rule requiring the previously entitled ordinance be considered on three different council meetings be waived. VOTE: ayes: Seylar, Carlin, Haukoos, Clark, Goebel--5; Loss of Zoom connection: Heckard--1 absent: Gage--1

Moved by Seylar, seconded by Goebel that the proposed Ordinance No. 782 entitled “AN ORDINANCE AMENDING TITLE VI, CHAPTER 5, ARTICLE 4, SECTION 2 OF THE CITY CODE OF ESTHERVILLE, IOWA, RECLASSIFYING USE RESTRICTIONS ON ALL OF BLOCKS 13 & 24 AND VACATED 3<sup>RD</sup> AVENUE NORTH ABUTTING SAID BLOCKS & VACATED NORTH 5<sup>TH</sup> STREET ABUTTING AND BETWEEN BLOCKS 13, 14, 23 & 24 ALL IN THE ORIGINAL PLAT OF THE CITY ESTHERVILLE, EMMET COUNTY, IOWA” be finally passed and adopted. VOTE: ayes: Seylar, Carlin, Haukoos, Clark, Goebel--5; Loss of Zoom connection: Heckard--1 absent: Gage--1

Upon further review it was determined that we did not have the required votes (3/4), per Iowa Code 380.3, to waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings due to the loss of Zoom connection with Heckard. This ordinance will be brought back to the next council meeting.

#### City Property - 515 6<sup>th</sup> Avenue North

Greg VanLangen, Code Enforcement Officer presented a draft Request for Proposal for disposal of property located at 515 6<sup>th</sup> Ave. No. Changes were discussed and he will bring it back to a future council meeting.

#### Resolution No. 2284 2021-22 City Budget

City Clerk Burton presented information on the proposed 2021-22 City Budget.

Clark introduced Resolution No. 2284 entitled “RESOLUTION TO PROVIDE FOR NOTICE OF HEARING ON PROPOSED BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2022, FOR THE CITY OF ESTHERVILLE, IOWA” and moved its adoption, which was seconded by Haukoos. (This resolution sets Mar. 15, 2021 at 5:00 p.m. in the Council Chambers as the time and place for the public hearing.) VOTE: ayes: Clark, Goebel, Heckard, Seylar Carlin, Haukoos--6 absent: Gage--1

#### FEMA Voluntary Property Acquisition Administration Plan

City Clerk Burton presented the Administrative Plan for Voluntary Property Acquisition under the Hazard Mitigation FEMA Grant Program for approval.

Moved by Carlin, seconded by Heckard to approve the Administrative Plan for Voluntary Property Acquisition under the Hazard Mitigation FEMA Grant Program. VOTE: ayes--6 absent: Gage--1

Updates

- a. Estherville Power Plant is generating electricity 24/7 until this emergency is over.

Adjournment

Moved by Goebel, seconded by Seylar to adjourn the meeting at 5:40 p.m. VOTE: ayes--6  
absent: Gage--1

Joseph M. May, Mayor

ATTEST:

Elizabeth Burton, City Clerk

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