

COUNCIL PROCEEDINGS

- Regular City Council Meeting: Monday, February 7, 2022 (5:00 p.m.)
- Mayor/Council Present: Mayor K. Billings presiding--1; J. Heckard, J. Clark\*, A. Goebel, R. Gage, G. Heckard, D. Seylar, B. Carlin--7
- Council Absent: None--0
- Staff Present: G. VanLangen, E. Burton, B. Shatto, P. Clayton, J. Finn, T. Gray\*\*\*, B. Friesner\*\*\*\*--7
- Media Present: E. Funston (KILR), A. Petersen (EN)--2; via Zoom: KICD, S. Schwaller (KUOO)--2
- Others Present: Amy Sathoff, Heidi Goebel\*\*, Bill Jensen, Travis Sheridan\*\*\*\*\*, Mason Sheridan\*\*\*\*\*--5

Minutes

Moved by Seylar, seconded by Goebel to approve the minutes of the Jan. 17, 2022 council session. VOTE: ayes--6 absent: Clark--1

Standing Committee Reports

- a. Finance Committee - Jan. 15, Jan. 22 & Feb. 3
- b. Labor Relations Committee - Feb. 3

Petitions and Communications

- a. Iowa Project Aware Letter
- b. News Release-President’s Day Officer Hours & Refuse Collection Schedule

Bills

Moved by Carlin, seconded by G. Heckard to approve the bills for the month of Jan., 2022. VOTE: ayes--6 absent: Clark--1

A & B Business Solutions, Inc.	Maint.	\$	320.19
Access Systems, Inc.	Maint.		549.81
Ace Hardware, Inc.	Supp.		1,388.45
Advanced Door Systems, Inc.	Svcs.		107.00
AFLAC Benefit Services	With.		1,201.87
AFSCME/Iowa Council 61	With.		402.00
Ahlers & Cooney, P.C.	Svcs.		531.00
Alibris, Inc.	Books		94.96
Alpha Wireless Communications	Svcs.		3,636.70
Altec Industries, Inc.	Part		49.74
Applied Industrial Technologies	Supp.		374.59
Aquafix, Inc.	Supp.		6,427.53
Aramark Uniform Services	Svcs.		54.09
Assoc. Rural & Small Libraries	Fees		49.00

AT&T Mobility	Acct.	\$	911.31
Avera Holy Family Health	Svcs.		2,018.00
Avera Medical Group - Estherville	Svcs.		247.00
Axon Enterprise, Inc.	Supp.		413.28
Baker & Taylor Books	Books		2,757.76
Bank Plus	With.		22,125.00
Barco Municipal Products	Part		5,976.25
Biblionix, LLC	Subscr.		2,300.00
Black Hills Energy	Acct.		15,960.46
Blaise, Tim	Ins.		1.00
Boland Recreation, Inc.	Svcs.		105,837.00
Bomgaars Supply	Supp.		249.47
Burton, Elizabeth	Reimb.		36.69
Card Services	Supp.		4,326.28
Center for Chiropractic Wellness	Svcs.		75.00
Center Point Large Print	Books		448.20
CentralSquare Technologies	Subscr.		120.00
CenturyLink	Acct.		463.79
Certified Testing Services	Svcs.		942.00
City Laundering Co.	Svcs.		34.81
Collection Services Center	Svcs.		840.14
Community Ambulance Service	Pay.		44,750.00
Constellation NewEnergy	Power		4,455.86
Corn Belt Power Coop.	Power		1,816.10
Debt Service Fund	Transfer		27,410.00
Delta Dental of Iowa	Ins.		4,606.99
Depyper, Mackenzie	Ref.		108.12
DGR Engineering	Svcs.		6,167.40
Drain Pro of NW IA, LLC	Svcs.		1,385.00
Duitsman Plumbing & Heating	Svcs.		67.58
EAGP	Pay.		2,357.33
ECCOG	Svcs.		46,671.42
ECCOG Recycling	Svcs.		1,000.00
Electric Emergency Fund	Transfer		11,073.13
Electric Fund	Transfer		1,958.33
Emmet County Auditor	Pay.		16,665.90
Emmet County Clerk/Court	Svcs.		60.00
Equipment Rev.-Enterprise	Transfer		13,632.89
Equipment Rev.-General	Transfer		25,422.24
ESRI	Svcs.		600.00
Estherville Area Chamber	Pay.		11,586.40
Estherville Aviation, Inc.	Fees		6,022.47
Estherville, City of	Acct./Ins.		140,688.20
Estherville Communications	Svcs.		168.70

Estherville Housing	Rent	\$	11,000.00
Estherville Iron & Metal Co.	Svcs.		217.00
Estherville News	Publications		1,076.31
Estherville Printing Co.	Supp.		151.90
Expertpay	Svcs.		358.14
Fareway Stores	Supp.		1.99
Fastenal	Supp.		1,883.91
Fire Service Training Bureau	Fees		50.00
Flexible Plastics, Inc.	Supp.		7,488.43
Fothergill, Lee	Grant		2,500.00
Foundation Analytical Laboratories	Svcs.		1,349.70
Francotyp-Postalia, Inc.	Postage		115.26
Friesner, Brad	Reimb.		31.17
Galls, LLC	Supp.		375.97
Garage Fund	Transfer		40,830.66
General Fund	Transfer		132,864.66
General Traffic Controls, Inc.	Part		241.50
Girl & A Bucket Cleaning	Svcs.		849.60
Group Benefit Partners	Fees		4,332.00
Harris, Weston	Ins.		1.00
Hawkeye Sow Center	Ref.		2.68
Hawkins, Inc.	Supp.		10,470.89
Hinrickson, Jacob	Reimb.		150.00
Hotsy Corporation	Svcs.		569.70
Hulstein Excavating, Inc.	Svcs.		391,046.36
Inland Truck Parts Co.	Part		47.03
Inman Electric Co., Inc.	Shipping		2,924.54
Internachi	Dues		499.00
International Assoc. of Chiefs	Dues		190.00
Iowa Assoc. Municipal Utilities	Fees		2,215.55
Iowa D.A.R.E. Association	Dues		100.00
Iowa Homeland Security	Reimb.		20,140.12
Iowa Lakes Comm. College	Power		23,509.59
Iowa Lakes Electric Coop.	Power		223,040.00
Iowa Lakes Regional Water	Acct.		109.64
Iowa Library Association	Dues		340.00
Iowa One Call, Inc.	Svcs.		37.90
Iowa Public Employees	With.		32,387.61
Iowa Water Environment Assoc.	Fees		160.00
J & J Trailer Sales & Weld	Supp.		119.25
Jack's Uniforms & Equipment	Supp.		39.95
Jackson, Mark A. Consulting	Svcs.		1,320.00
Jacobson-Westergard, Inc.	Svcs.		6,957.50
JCL Solutions	Supp.		324.19

Johnston Autostores	Parts	\$	6,748.70
Kapp's Fire Extinguisher	Svcs.		3,365.50
Kimball Midwest	Tools		506.38
Kiwanis Noon - Estherville	Dues		200.00
Krause, Robert	Ins.		1.00
Legislative Services Agency	Ia Code Books		145.00
M. E.'s Body Shop	Svcs.		974.98
Madison National Life Insurance	Ins.		976.41
Main Street Specialities	Maint.		146.00
McGuinness, C. H., Co., Inc.	Parts		1,001.69
McMaster-Carr	Part		77.98
Mediacom Business	Acct.		2,515.96
Menendez, Ronald	Svcs.		800.00
Mid-Iowa Solid Waste Equipment	Dumpsters		13,422.21
Mid-States Organized Crime	Fees		150.00
Midwest Boiler	Svcs.		1,350.00
Minnesota Municipal Utilities	Fees		1,380.00
Municipal Fire & Police Retirement	With.		21,840.98
Municipal Supply, Inc.	Parts		161.94
My-Lor, Inc.	Supp.		171.45
Nalco Company, LLC	Supp.		806.07
Napa Auto Parts	Parts		894.21
Nationwide Retirement Solutions	With.		3,170.00
North Central International	Svcs.		5,254.95
North Central Laboratories	Supp.		1,920.47
Northern Balance & Scale, Inc.	Svcs.		159.00
NorthStar Bank	Bonds		53,893.83
Nuway - K&H Cooperative	Propane		535.00
O'Reilly Automotive, Inc.	Parts		170.49
Ovivo USA, LLC	Part		3,217.95
Pelzer Law Firm, LLC	Svcs.		1,947.00
Perez, Gilberto	Ref.		26.43
Peters, Dave	Ins.		1.00
Petty Cash	Postage		19.20
Plows Plus, Inc.	Svcs.		652.04
Pomp's Tire Service, Inc.	Svcs.		221.97
Pratt, Brice	Ins.		1.00
Preston, Brett	Reimb.		40.74
Presto-X	Svcs.		170.00
Pro Cooperative Cardtrol	Diesel		15,327.49
Productivity Plus Account	Supp.		1,089.00
Quill Corporation	Supp.		727.46
R & D Industries, Inc.	Svcs.		1,900.00
Ramboll Consulting, Inc.	Svcs.		1,685.50

Regional Wellness Center	With.	\$	314.46
Resco	Supp.		1,568.04
Rierson, Blake	Ins.		1.00
Rodriguez, Rosalia	Ins.		1.00
Rolfson, Julia	Pay.		150.00
Roy's Auto, Inc.	Svcs.		560.80
S & R Auto & Tire, Inc.	Svcs.		3,297.11
Salt Source, LLC	Salt		14,382.59
Sande Construction & Supplies	Svcs.		192,658.12
Scott County Library System	Books		22.00
Sentinel	Subscr.		262.60
Shatto, Brent	Reimb.		51.08
Sioux City Journal	Subscr.		379.99
Smart Technology Team Solutions	Svcs.		2,021.99
Spee Dee Delivery Service	Svcs.		37.08
Spencer Daily Reporter	Subscr.		99.00
Stalls Farm & Home Dist., Inc.	Supp.		894.30
Standard, The	Ins.		232.74
Stantec Consulting Service	Svcs.		10,595.00
Staples Credit Plan	Supp.		1,156.49
Starnet - River Valley Telephone	Acct.		179.80
State Hygienic Lab-Univ. of	Svcs.		114.50
Step Saver, Inc.	Salt		15,800.00
Storey Kenworthy	Supp.		775.75
Streicher's, Inc.	Supp.		490.28
Swift Air Corp.	Svcs.		435.60
TIF #1 - Industrial Park	Transfer		1,132.00
Treasurer, State of Iowa	Taxes		60,195.44
TubaChristmas	Svcs.		154.20
Tyler Business Forms	Supp.		61.58
Tyler Technologies, Inc.	Fees		28,064.50
U. S. Postal Service	Postage		846.00
Unitypoint Clinic-Occ. Med.	Svcs.		42.00
Upper Des Moines Opportunity	Ref.		18.33
USA Bluebook	Supp.		3,022.50
Vacuum Cleaner Center, The	Supp.		448.95
Valley Contracting, Inc.	Svcs.		6,076.98
Van Wert, Inc.	Supp.		5,854.00
Verizon Wireless	Acct.		298.26
Vermeer Sales & Service, Inc.	Supp.		429.89
Wages/Salaries	Wages/Salaries		183,416.19
Wastewater Admin.	Transfer		11,475.00
Wastewater Fund	Transfer		7,500.00
Watch Guard Video	Svcs.		4,280.00

Wellmark Blue Cross/Blue Shield	Ins.	\$ 152,533.05
Werts Janitorial	Svcs.	60.00
Wesco Receivables Corp.	Supp.	4,387.42
Western Area Power Admin.	Power	34,965.48
White Tools, LLC	Tools	237.60
Williams & Company, P.C.	Grant	5,000.00
Young Brothers Lawn Protection	Svcs.	<u>1,711.88</u>
	TOTAL	<u>\$ 2,380,824.68</u>

#### Disbursements by Fund

Airport \$9,080.00; Cares Grant \$120.00; Econ. Dev. \$394,395.69; Elect. Emerg. \$1,132.00; Elect. Fund \$491,635.20; Equip. Rev.-General \$4,280.00; FICA & IPERS \$18,971.71; Garage Fund \$38,987.94; General Fund \$355,625.44; Group Ins. \$88,236.57; Ind. Park \$11,073.13; L.O.S.T Fund \$17,277.53; L.O.S.T. Rev. \$2,668.70; Parks & Rec. Rev. \$10,595.00; Police Misc. \$249.88; Police Ret. \$16,591.63; Pool Proj. \$298,495.12; Road Use Tax \$6,415.00; Self-Funded Ins. \$156,865.05; WWT Fund \$131,704.96; Water Fund \$143,007.94; TOTAL \$2,197,408.49

#### Receipts

Airport \$38,881.04; Debt. Svc. \$55,938.72; Elect. Aerial \$107.39; Elect. Fund \$540,105.41; Elect. Emerg. \$9,941.13; Emerg. Levy \$173.93; Equip. Rev.-Ent. \$27,265.78; Equip. Rev.-Gen. \$50,844.48 FICA & IPERS \$765.50; Garage \$81,961.33; General Fund \$384,382.45; Group Ins. \$2,168.29; Parks & Rec. Rev. \$5,422.50; Police Ret. \$641.06; Pool Proj. \$17,740.00; Self-Funded Ins. \$69,585.69; WWT Fund \$162,470.04; WWT Sinking Fund \$22,950.00; Water Fund \$141,817.55; TOTAL \$1,613,162.29

#### Run-off Election Process

Amy Sathoff, Emmet County Auditor addressed the council and explained the difference between Run-off Elections where the winner must have 50% + 1, which is what we presently have and Chapter 45 Elections which is where the winner is the one who receives the most votes. Council was receptive to considering an ordinance change

\*Amy Sathoff & Heidi Goebel leave.

#### Pay Application #11 Swimming Pool Project

Pay Estimate #11 for \$65,266.11 to Sande Construction for the swimming pool project was presented for approval.

Moved by Seylar, seconded by Carlin to approve Pay Estimate #11 for \$65,266.11 to Sande Construction. VOTE: ayes--6 absent: Clark--1

#### Ordinance No. 790 2020 Census - Ward Boundaries

Administrator Clayton presented a proposed Ordinance revising the precinct boundaries ordinance. No change to the precinct boundaries are proposed. This updates the ordinance to reflect the correct legislative district.

Gage introduced Ordinance No. 790 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.

\*\*Clark arrives.

Moved by Gage, seconded by Carlin that the previously titled Ordinance No. 790 be considered for the first time. VOTE: Gage, G. Heckard, Seylar, Carlin, J. Heckard, Goebel--6 abstain: Clark--1 (arrived after presentation)

Moved by Gage, seconded by Carlin that the rule requiring the previously entitled ordinance be considered on three different council meetings be waived. VOTE: ayes: Gage, G. Heckard, Seylar, Carlin, J. Heckard, Goebel--6 abstain: Clark--1 (arrived after presentation)

Moved by Gage, seconded by Carlin that the proposed Ordinance No. 790 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: Gage, G. Heckard, Seylar, Carlin, J. Heckard, Goebel--6 abstain: Clark--1 (arrived after presentation)

Ordinance No. 791  
Lawn Mowing

Administrator Clayton presented a proposed Ordinance revising lawn mowing.

Carlin introduced Ordinance No. 791 entitled “AN ORDINANCE AMENDING AND REVISING TITLE VI, CHAPTER 9 OF THE CITY CODE OF ESTHERVILLE, IOWA, CONCERNING LAWN MOWING” and asked that it be placed on file.

Moved by Carlin, seconded by G. Heckard that the previously titled Ordinance No. 791 be considered for the first time. VOTE: Carlin, J. Heckard, Clark, Goebel, Gage, G. Heckard, Seylar, --7

Moved by Gage, seconded by Carlin that the rule requiring the previously entitled ordinance be considered on three different council meetings be waived. VOTE: ayes: Gage, G. Heckard, Seylar, Carlin, J. Heckard, Goebel--6 nays: Clark--1

Moved by Carlin, seconded by G. Heckard that the proposed Ordinance No. 791 entitled “AN ORDINANCE AMENDING AND REVISING TITLE VI, CHAPTER 9 OF THE CITY CODE OF ESTHERVILLE, IOWA, CONCERNING LAWN MOWING” be finally passed and adopted. VOTE: ayes: Gage, G. Heckard, Seylar, Carlin, J. Heckard, Clark, Goebel--7

Ninja Park Playground Project

Administrator Clayton presented an invoice from Boland Recreation in amount of \$105,837 for the Ninja Park Playground Project for approval.

Moved by J. Heckard, seconded by Goebel to approve the invoice for \$105,837 for the Ninja Park Playground Project. VOTE: ayes--7

2022 City Special Election

City Clerk Burton presented the canvassing of the Special City Election for recording of the same in the official minutes of record.

Moved by G. Heckard, seconded by Seylar to accept the canvassing of the Special City Election. VOTE: ayes--6 abstain: Goebel--1 (was a candidate)

## Annual Reports

Tony Gray, Water Department Superintendent presented the Annual Report for the Water Dept. and Brad Friesner, Electrical Distribution Superintendent presented the Annual Report for the Electric Distribution & Generation.

\*\*\*Tony Gray leaves.

### Electric Reliability Plan

Administrator Clayton presented the City's Reliability Plan for approval and to authorize filing the plan with the Iowa Utilities Board.

Moved by Carlin, seconded by J. Heckard to approve the City's Reliability Plan and authorize filing the plan with the Iowa Utilities Board. VOTE: ayes--7

### Renewable Energy Interconnect Agreement

Administrator Clayton presented an updated agreement regarding renewable energy interconnection with the City's electric distribution system for approval.

Moved by Carlin, seconded by Goebel to approve the updated agreement regarding renewable energy interconnection the City's electric distribution system. VOTE: ayes--7

### Renewable Energy Interconnect

Administrator Clayton presented a proposed interconnection of a solar array at 15 No. 3<sup>rd</sup> St. for consumption at 9 No. 3<sup>rd</sup> St. for approval.

Moved by Clark, seconded by Goebel to approve the interconnection of a solar array at 15 No. 3<sup>rd</sup> St. for consumption at 9 No. 3<sup>rd</sup> St. VOTE: ayes--7

\*\*\*Brad Friesner leaves.

### Resolution No. 2321 28E Mutual Aid Agreement

Travis Sheridan, Emergency Management Director presented a 28E Mutual Aid Agreement for fire and emergency services response in and surrounding Dickinson County, Iowa.

Seylar introduced Resolution No. 2321 entitled "RESOLUTION ADOPTING 28E AGREEMENT FOR MUTUAL AID FOR FIRE AND EMERGENCY SERVICES RESPONSE IN AND SURROUNDING DICKINSON COUNTY, IOWA" and moved its adoption, which was seconded by Carlin. VOTE: ayes: Seylar, Carlin, J. Heckard, Clark, Goebel, Gage, G. Heckard--7

### Ordinance No. 792 Membership Qualifications

Travis Sheridan, Emergency Management Director presented revisions for the regulations on membership qualifications for the fire department for approval.

Gage introduced Ordinance No. 792 entitled "AN ORDINANCE AMENDING AND REVISING TITLE II, CHAPTER 1, SECTION 221.3 OF THE CITY CODE OF ESTHERVILLE, IOWA, CONCERNING MEMBERSHIP QUALIFICATIONS" and asked that it be placed on file.

Moved by Gage, seconded by G. Heckard that the previously titled Ordinance No. 792 be considered for the first time. VOTE: Gage, G. Heckard, Seylar, Carlin, J. Heckard, Clark, Goebel--7



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

Moved by Gage, seconded by G. Heckard that the proposed Ordinance No. 792 entitled "AN ORDINANCE AMENDING AND REVISING TITLE II, CHAPTER 1, SECTION 221.3 OF THE CITY CODE OF ESTHERVILLE, IOWA, CONCERNING MEMBERSHIP QUALIFICATIONS" be finally passed and adopted. VOTE: ayes: Gage, G. Heckard, Seylar, Carlin, J. Heckard, Clark, Goebel--7

\*\*\*\*\*Travis & Mason Sheridan leaves.

Resolution No. 2322  
Resolution to Depositories

A proposed resolution was presented for the deposit of public funds belonging to the City of Estherville, or coming into its possession.

Carlin introduced Resolution No. 2322 entitled "RESOLUTION TO DEPOSITORIES" and moved its adoption, which was seconded by J. Heckard. VOTE: ayes: Carlin, J. Heckard, Clark, Goebel, Gage, G. Heckard, Seylar--7

Police Labor Agreement

Administrator Clayton presented a Tentative Agreement of the Estherville Police/AFSCME Council 61 Agreement dated Jan. 31, 2022 with modifications, wage adjustments and a 3% wage increase. The agreement is for a three year period with wages, insurance and overtime open for years 2 and 3.

Moved by Carlin, seconded by Clark to approve ratification of the Tentative Agreement with Estherville Police/AFSCME Council 61 Agreement dated Jan. 31, 2022. This agreement is for modifications, wage adjustments and a 3% wage increase. The agreement is for a three year period with wages, insurance and overtime open for years 2 and 3. VOTE: ayes--7

Public Works Labor Agreement

Administrator Clayton presented a Tentative Agreement of the Estherville Public Works Labor/AFSCME Local 3651 Agreement dated Jan. 31, 2022 with modifications, wage adjustments and a 3% wage increase. The agreement is for a three year period with wages only open for years 2 and 3.

Moved by Carlin, seconded by G. Heckard to approve ratification of the Tentative Agreement with Estherville Public Works Labor/AFSCME Local 3651 Agreement dated Jan. 31, 2022. This agreement is for modifications, wage adjustments and a 3% wage increase. The agreement is for a three year period with wages only open for years 2 and 3. VOTE: ayes--7

Personnel Operating Policy

Administrator Clayton presented an amendment to the City's Personnel Operating Policy to include employee benefit policies for approval.

Moved by Seylar, seconded by Goebel to approve the amendment to the City's Personnel Operating Policy. VOTE: ayes--7

Resolution No. 2323  
City Employees  
Cost of Living Adjustment

Administrator Clayton presented information establishing employment terms and conditions to include a wage adjustment and a 3% cost of living increase for FY 23 for non-bargaining unit members.

Seylar introduced Resolution No. 2323 entitled "A RESOLUTION ESTABLISHING EMPLOYMENT TERMS AND CONDITIONS" and moved its adoption, which was seconded by Goebel. VOTE: ayes: Seylar, Carlin, J. Heckard, Clark, Goebel, Gage, G. Heckard, Carlin-  
-7

Updates

- a. Deer Creek Apartments - Schedule a City Council tour.

Adjournment

Moved by Goebel, seconded by Seylar to adjourn the meeting at 6:22 p.m. VOTE: ayes--7

Kenny Billings, Mayor

ATTEST:

Elizabeth Burton, City Clerk