

COUNCIL PROCEEDINGS

Regular City Council Meeting: Monday, November 6, 2023 (5:00 p.m.)

Mayor/Council Present: Mayor K. Billings presiding--1; J. Heckard, J. Clark, A. Goebel, R. Gage, G. Heckard, D. Seylar, R. Guge--7

Council Absent: None--0

Staff Present: G. Van Langen, B. Shatto, E. Burton, P. Clayton, J. Finn*--5

Media Present: E. Funston (KILR), A. Petersen (EN), KICD--3

Others Present: Lee Carpenter, Will Breck, Zachary Ehret, Lexie Ruter--4

Minutes

Moved by Goebel, seconded by Gage to approve the minutes of the Oct. 16, 2023 council session.
VOTE: ayes--7

Standing Committee Reports

a. Finance Committee - Nov. 1

Petitions and Communications

- a. Invitation to Estherville Annual Banquet
- b. Mayor/Council Goal Setting Session - Nov. 15 at 5:30 p.m. at the Library

*Jennifer Finn arrives.

Bills

Moved by Clark, seconded by Goebel to approve the bills for the month of Oct., 2023. VOTE:
ayes--7

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|--------------------------------|--------|----|-----------|
| A & A Rain Gutter | Svcs. | \$ | 2,400.00 |
| Access Systems Leasing | Maint. | | 576.58 |
| Adams, Matt | Reimb. | | 814.55 |
| AFLAC Benefit Services | Ins. | | 1,315.25 |
| Ahlers & Cooney, P.C. | Svcs. | | 99.00 |
| Alex Air Apparatus, Inc. | Supp. | | 280.00 |
| Alpha Wireless Communications | Svcs. | | 150.00 |
| Amy's Sign Design | Svcs. | | 4,982.50 |
| Asmus Farm Supply, Inc. | Supp. | | 92.38 |
| AT&T Mobility | Acct. | | 434.24 |
| Atco International | Supp. | | 360.10 |
| Avera Holy Family Health | Svcs. | | 929.00 |
| Baker & Taylor Books | Books | | 1,597.56 |
| Bank Plus | With. | | 1,065.00 |
| Black Hills Energy | Acct. | | 1,894.14 |
| Blacktop Service Company | Supp. | | 2,707.50 |
| Bolton & Menk, Inc. | Svcs. | | 19,410.10 |
| Bomgaars Supply | Supp. | | 502.17 |
| Border States Industries, Inc. | Supp. | | 765.00 |
| Burbach Aquatics, Inc. | Svcs. | | 2,420.09 |

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|--------------------------------|----------------|----|------------|
| Burgos, Yamil | Ref. | \$ | 68.30 |
| C & G Manufacturing, LLC | Svcs. | | 261.82 |
| Card Services | Misc. | | 2,333.38 |
| Central States Industrial | Part | | 2,051.49 |
| CenturyLink | Acct. | | 195.61 |
| Chavez, David | Ref. | | 30.00 |
| Chrestiansen, Justine | Ref. | | 57.61 |
| City Laundering Co. | Svcs. | | 42.08 |
| Clemens Lawn & Sales | Svcs. | | 200.00 |
| CMBA Architects | Svcs. | | 675.00 |
| Cohrs Construction, Inc. | Supp. | | 2,228.77 |
| Collection Services Center | Svcs. | | 1,413.66 |
| Constellation NewEnergy | Power | | 2,767.30 |
| Corn Belt Power Coop. | Power | | 1,016.99 |
| Cummins Sales &Service | Svcs. | | 4,056.57 |
| Dakota Supply Group, Inc. | Part | | 255.85 |
| Dale, Paris | Ref. | | 102.93 |
| Debt Service Fund | Transfer | | 40,228.50 |
| Delta Dental of Iowa | Ins. | | 2,252.02 |
| DGR Engineering | Svcs. | | 1,648.00 |
| Display Sales Company | Supp. | | 266.12 |
| Doty, Reno | Reimb. | | 9.88 |
| Drinovsky, Derrick | Svcs. | | 15.00 |
| East Side Cemetery Assn. | Pay. | | 19,000.00 |
| ECCOG | Svcs. | | 55,630.88 |
| Electric Emergency Fund | Transfer | | 176,795.49 |
| Electric Fund | Transfer | | 1,958.33 |
| Electric Pump, Inc. | Svcs. | | 5,755.20 |
| Elliott Equipment Co. | Part | | 2,132.17 |
| Emmet County Auditor | Pay. | | 8,642.12 |
| Emmet County ISU Extension | Svcs. | | 90.00 |
| Emmet County Treasurer | Svcs. | | 218.00 |
| Engineered Equipment Solutions | Part | | 966.82 |
| Environmental Resource Assn. | Svcs. | | 152.05 |
| Equipment Rev.-Enterprise | Transfer | | 14,586.26 |
| Equipment Rev.-General | Transfer | | 24,778.50 |
| Estherville Area Chamber | Dues | | 15,065.00 |
| Estherville Aviation, Inc. | Fees | | 3,230.25 |
| Estherville, City of | Acct./Ins. | | 97,305.14 |
| Estherville Communications | Internet/Phone | | 2,113.13 |
| Estherville Housing | Rent | | 100.00 |
| Estherville Iron & Metal Co. | Fees | | 210.00 |
| Estherville News | Publication | | 1,159.27 |
| Estherville Paint & Glass | Svcs. | | 16.50 |

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| Estherville Printing Co. | Svcs. | \$ | 931.25 |
| Estherville Veterinary | Svcs. | | 71.00 |
| Expertpay | Svcs. | | 537.21 |
| Fastenal | Part | | 175.88 |
| Fire Service Training Bureau | Fees | | 150.00 |
| Flexible Plastics, Inc. | Supp. | | 5,448.24 |
| Forge & Build | Supp. | | 1,885.97 |
| Foundation Analytical Laboratories | Svcs. | | 1,557.50 |
| Francotyp-Postalia, Inc. | Svcs. | | 115.26 |
| Fusion Pros, LLC | Svcs. | | 410.00 |
| Galls, LLC | Supp. | | 186.38 |
| Garage Fund | Transfer | | 47,967.00 |
| Garrison, Angelica | Ref. | | 62.15 |
| General Fund | Transfer | | 138,940.83 |
| General Traffic Controls, Inc. | Part | | 372.00 |
| Great Lakes Concrete, Inc. | Svcs. | | 417.75 |
| Harvego, Emma | Ref. | | 39.10 |
| Hawkins, Inc. | Parts | | 11,657.10 |
| Hernandez, Garcia | Ref. | | 217.29 |
| Hotsy Corporation | Svcs. | | 190.00 |
| Hy Vee, Inc. | Supp. | | 20.96 |
| Inman Electric Co., Inc. | Svcs. | | 1,566.67 |
| Iowa Assoc. Municipal Utilities | Svcs. | | 2,437.00 |
| Iowa DNR | Svcs. | | 115.00 |
| Iowa Great Lakes Doors | Svcs. | | 111.00 |
| Iowa Lakes Comm. College | Power | | 2,004.10 |
| Iowa Lakes Electric Coop. | Power | | 298,757.00 |
| Iowa Lakes Regional Water | Acct. | | 132.04 |
| Iowa Law Enforcement Academy | Svcs. | | 350.00 |
| Iowa One Call, Inc. | Svcs. | | 340.00 |
| Iowa Prison Industries | Svcs. | | 707.04 |
| Iowa Public Employees | With. | | 33,091.35 |
| Irby, Stuart C., Co. | Part | | 1,695.95 |
| J & K Snowmobile | Parts | | 117.92 |
| Jack's Uniforms & Equipment | Supp. | | 151.90 |
| Jacobson-Westergard, Inc. | Svcs. | | 12,152.10 |
| JCL Solutions-Spencer | Supp. | | 747.62 |
| Jewell, Brandon | Ref. | | 30.00 |
| John Deere Financial | Supp. | | 1,151.74 |
| Johnson, Michael | Ref. | | 55.81 |
| Johnston Autostores | Parts | | 5,707.59 |
| Juergens, Cory Construction | Svcs. | | 117,534.95 |
| Kautz, Renee | Books | | 90.00 |
| Knopik Sand & Gravel, Inc. | Supp. | | 5,545.65 |

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| Laidig, Lane | Svcs. | \$ | 5,400.00 |
| Lavender, Diane | Ref. | | 15.00 |
| Leal, Pablo | Svcs. | | 40.00 |
| Leon, Margarita Garcia | Grant | | 3,567.50 |
| Locators & Supplies, Inc. | Supp. | | 564.75 |
| Machovec | Supp. | | 1,498.51 |
| Madison National Life Insurance | Ins. | | 964.60 |
| McCallen, Cady | Ref. | | 151.50 |
| McGuinness, C.H. Co., Inc. | Part | | 550.05 |
| Med Compass, LLC | Svcs. | | 2,280.00 |
| Mediacom Business | Acct. | | 1,236.54 |
| Menendez, Ronald | Svcs. | | 400.00 |
| Mickelson, Brooklyn | Ref. | | 49.38 |
| Mid-American Research Chem. | Supp. | | 682.00 |
| Molacek, Madison | Ref. | | 61.10 |
| Municipal Fire & Police Retirement | With. | | 17,357.95 |
| Municipal Supply, Inc. | Parts | | 1,839.96 |
| Myers, Chad | Reimb. | | 51.25 |
| My-Lor, Inc. | Supp. | | 14.01 |
| N & M Power Co. | Svcs. | | 19,300.00 |
| Nationwide Retirement Solutions | With. | | 3,932.50 |
| New 2 You Consignment | Grant | | 925.65 |
| North Central Laboratories | Supp. | | 907.84 |
| NorthStar Bank | With. | | 77,336.58 |
| Okobojo Motor Co. | Parts | | 47.00 |
| O'Reilly Automotive, Inc. | Supp. | | 597.84 |
| Ovivo USA, LLC | Parts | | 1,926.16 |
| P.E.O. Chapter One | Svcs. | | 776.00 |
| Pelzer Law Firm, LLC | Svcs. | | 1,879.00 |
| Perea Ramirez, Georgina | Ref. | | 56.28 |
| Peters, Dave | Ins. | | 1.00 |
| Petrich, Josh | Ins. | | 1.00 |
| Phase Shift Power, Inc. | Svcs. | | 2,666.10 |
| Pit Pros, Inc. | Svcs. | | 11,373.65 |
| Pomps Tire Service, Inc. | Svcs. | | 138.74 |
| Presto-X | Pest Control | | 105.66 |
| Pro Cooperative Cardtrol | Gas/Fuel | | 16,102.68 |
| Pure & Secure, LLC | Supp. | | 92.00 |
| R & D Industries, Inc. | Svcs. | | 1,951.25 |
| Regional Wellness Center | With. | | 344.76 |
| Reineke, Matthew D. | Reimb. | | 15.00 |
| River Valley Telecommunications | Svcs. | | 919.95 |
| Rubin Construction, LLC | Svcs. | | 31,565.22 |
| Ruzicka, David | Svcs. | | 236.89 |

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| S & R Auto & Tire, Inc. | Svcs. | \$ | 28.60 |
| Sandvig, Megan | Ref. | | 200.40 |
| Shatto, Brent | Reimb. | | 191.25 |
| Sieverts Furniture & Floor | Grant | | 3,547.05 |
| Sifrit, Brittany | Ref. | | 15.00 |
| Simon, Mike | Reimb. | | 52.94 |
| Skarshaug Testing Lab, Inc. | Supp. | | 929.25 |
| Smart Technologies | Svcs. | | 316.99 |
| Spee Dee Delivery Service | Svcs. | | 109.00 |
| Stalls Farm & Home Dist., Inc. | Parts/Supp. | | 1,292.18 |
| Standard, The | Ins. | | 246.72 |
| Staples | Supp. | | 2,255.82 |
| State Hygienic Lab-Univ. of | Supp. | | 375.50 |
| State Library of Iowa | Fees | | 0.00 |
| Step Saver, Inc. | Supp. | | 45,000.00 |
| Stith, Justin | Ref. | | 49.71 |
| Streicher's, Inc. | Supp. | | 91.98 |
| Texas Refinery Corp. | Supp. | | 3,548.66 |
| TIF #1 - Industrial Park | Transfer | | 10,375.00 |
| Tiller, Ahnie Marie | Ref. | | 138.49 |
| Treasurer, State of Iowa | Taxes | | 35,825.20 |
| Tyler Business Forms | Supp. | | 385.99 |
| Tyler Technologies, Inc. | Fees | | 1,877.95 |
| U. S. Postal Service | Postage | | 1,276.15 |
| UMB Bank, N.A. | Bond | | 57,290.00 |
| Unitypoint Clinic-Occ. Med. | Svcs. | | 294.00 |
| USA Bluebook | Parts | | 4,161.30 |
| Utility Equipment Co. | Parts | | 1,834.57 |
| Van Holland Lawn Service | Svcs. | | 3,226.99 |
| Van Wert, Inc. | Supp. | | 656.06 |
| Verizon Wireless | Acct. | | 82.44 |
| Wages/Salaries | Wages/Salaries | | 186,371.10 |
| Wastewater Admin. | Transfer | | 11,720.83 |
| Wastewater Fund | Transfer | | 7,500.00 |
| Weber, Ashley | Ref. | | 29.35 |
| Wellmark Blue Cross/Blue Shield | Ins. | | 65,003.76 |
| Werts Window & Awning Cleaning | Svcs. | | 35.00 |
| Wesco Receivables Corp. | Supp. | | 42,944.45 |
| Western Area Power Admin. | Power | | 29,832.77 |
| White Tools , LLC | Tools | | 189.00 |
| Williams & Company, P.C. | Audit | | 10,000.00 |
| Ziegler, Inc. | Supp. | | <u>652.77</u> |
| | TOTAL | \$ | <u><u>1,970,699.52</u></u> |

Disbursements by Fund

Airport \$11,899.71; Apron Repair \$132,019.95; Cares Grant \$1,498.51; Debt Svc. \$57,290.00; Economic Dev. Rev. \$15,000.00; Elect. Fund \$577,710.16; Elect. Emerg. \$10,375.00; FICA & IPERS \$21,442.04; Garage Fund \$30,561.68; General Fund \$256,187.19; Group Ins. \$38,896.90; Ind. Park TIF \$176,795.49; L.O.S.T. Fund \$16,284.76; L.O.S.T. Rev. \$3,833.62; Parks & Rec Constr. \$5,691.75; Police Misc. \$288.99; Police Ret. \$12,318.90; Pool Project \$2,420.09; Road Use Tax \$13,310.16; Self-Funded Ins. \$65,003.76; WWT Fund \$156,359.55; WWT Constr. \$4,925.10; WWT Sinking \$23,312.50; Water Fund \$150,902.61; TOTAL \$1,784,328.42

Receipts

Airport \$2,549.72; Debt Svc. \$160,790.54; Elect. Fund \$726,388.67; Elect. Aerial Fund \$78.83; Emerg. Levy \$105,948.29; Emerg. Levy \$16,409.36; Equip. Rev.-Ent. \$14,586.26; Equip. Rev.-Gen. \$24,778.50; FICA & IPERS \$104,364.66; Garage Fund \$47,967.00; General Fund \$796,030.97; Group Ins. \$197,288.36; Ind. Park TIF #1 \$117,948.29; Police Ret. \$72,858.71; Pool Project \$50.00; Self-Funded Ins. \$68,620.12; WWT Fund \$190,653.62; WWT Sinking \$11,720.83; Water Fund \$202,118.55; TOTAL \$2,861,151.28

Change Order #1
Certificate of Substantial Completion
Pay Estimate #1, Final
East Elevated Tank Painting Project

Administrator Clayton presented Change Order #1 increasing the project by \$3,000, a Certificate of Substantial Completion, and Pay Estimate #1, final, in the amount of \$196,500 for approval.

Moved by Seylar, seconded by Guge to approve Change Order #1 increasing the project by \$3,000, a Certificate of Substantial Completion, and Pay Estimate #1, final, in the amount of \$196,500.
VOTE: ayes--7

Pay Estimate #3
Change Order #3
Engineer's Statement of Completion
Iowa DOT Statement of Completion
Pay Estimate #4, Final
2023 Airport Apron & Taxiway Reconstruction

City Clerk Burton presented Pay Estimate #3 in the amount of \$4,508.36, Change Order #3 decreasing by \$11,464.64, Engineer's Statement of Completion, Iowa DOT Statement of Completion and Pay Estimate #4 in the amount of \$12,802.30 for approval.

Moved by Gage, seconded by G. Heckard to approve Pay Estimate #3 in the amount of \$4,508.36, Change Order #3 decreasing by \$11,464.64, Engineer's Statement of Completion, Iowa DOT Statement of Completion and Pay Estimate #4 in the amount of \$12,802.30. VOTE: ayes--7

Estherville Area Chamber of Commerce
Annual Hotel/Motel Tax Report

Lexie Ruter Chamber Director/Economic Development Director presented the Hotel/Motel Tax Report for FY 2023. She also provided an update on Fright Hike and Sweet Corn Days.

Resolution No. 2438
Zoning Reclassification

Greg Van Langen, Code Enforcement Officer presented information on zoning reclassification for the W 97' of the S 100' of Lots 5 & 6, Blk 52 O P (703 1st Ave. So.) from Multi-Family Residential (R-3) to General Business (GB).

Seylar introduced Resolution No. 2438 entitled “RESOLUTION FIXING TIME AND PLACE FOR HEARING AND PRESCRIBING NOTICE ON RECLASSIFYING USE RESTRICTIONS FOR THE SOUTH 100’ OF LOTS 5 & 6, BLOCK 52, ORIGINAL PLAT ESTHERVILLE, EMMET COUNTY, IOWA” and moved its adoption, which was seconded by G. Heckard. VOTE: ayes: Seylar, Guge, J. Heckard, Clark, Goebel, Gage, G. Heckard--7

Resolution No. 2439
South Industrial Park Final Plat

Administrator Clayton presented information regarding the final plat for South Industrial Park for approval and acceptance.

Gage introduced Resolution No. 2439 entitled “A RESOLUTION APPROVING AND ACCEPTING THE FINAL PLAT ENTITLED SOUTH INDUSTRIAL PARK TO ESTHERVILLE, IOWA” and moved its adoption, which was seconded by Seylar. VOTE: ayes: Gage, G. Heckard, Seylar, Guge, J. Heckard, Clark, Goebel--7

Resolution No. 2440
Bond Issuance

Administrator Clayton presented information on a proposed sewer revenue loan agreement for the WWTP for approval.

Moved by Guge, introduced Resolution No. 2440 entitled “RESOLUTION TO FIX A DATE FOR A PUBIC HEARING ON A PROPOSAL TO ENTER INTO A SEWER REVENUE LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER” and moved its adoption, which was seconded by Gage. VOTE: ayes: Guge, J. Heckard, Clark, Goebel, Gage, G. Heckard, Seylar--7

Public Forum

Lexi Ruter, Chamber Director/Economic Development Director spoke about the new leadership class offered by the Chamber called “Lead the Ville”

Updates

- a. Nov. 10 City Offices, Library and ECCOG closed for Veteran’s Day Observance. There will be no residential garbage collection and recycling collection on Fri.
- b. Hwy 4 North - paving main line next Tues., Nov. 14 depending on weather.

Closed Session

Moved by Clark, seconded by G. Heckard to adjourn into closed session at 5:40 p.m. pursuant to Section 21.5(1)j of the Code of Iowa. VOTE: ayes--7

Moved by Guge, seconded by Goebel to return to open session at 6:00 p.m. VOTE: ayes--7

Adjournment

Moved by Guge, seconded by Goebel to adjourn the meeting at 6:01 p.m. VOTE: ayes--7

Kenny Billings, Mayor

ATTEST:

Elizabeth Burton, City Clerk