

COUNCIL PROCEEDINGS

<u>Regular City Council Meeting:</u>	Monday, May 15, 2023 (5:00 p.m.)
<u>Mayor/Council Present:</u>	Mayor K. Billings presiding--1; J. Heckard*, J. Clark, A. Goebel, R. Gage, G. Heckard, D. Seylar, B. Carlin--7
<u>Council Absent:</u>	None--0
<u>Staff Present:</u>	B. Burton, P. Clayton, G. Van Langen, B. Shatto, T. Gray, N. Danner, T. Sheridan*, J. Finn*--8
<u>Media Present:</u>	E. Funston (KILR), A. Petersen*(EN), G. Bower (KICD)--3 via Zoom: KUOO--1
<u>Others Present:</u>	Sue Zitterich, Barb & Dale Nissen, Carol & Jeff Bernholtz, Kristi Henning, Dakin Schultz** (IDOT)--7

Minutes

Moved by Clark, seconded by Goebel to approve the minutes of the May 1, 2023, council session.
VOTE: ayes--6 absent: J. Heckard--1

*J. Heckard, T. Sheridan, J. Finn, A. Petersen arrive.

Petitions and Communications

- a. IDOT representative Dakin Schultz presented an overview of the 2023 highway improvements projects in Estherville.

**Dakin Schultz leaves.

Reports

Moved by G. Heckard, seconded by J. Heckard to approve the Financial Statement for the month of Apr., 2023. VOTE: ayes--7

Approval of Liquor License

Moved by Goebel, seconded by Seylar to approve a Class E Liquor License for Casey's General Store #1328 at 1332 No. 9th St., and a Class C Liquor License for Top Hat Lounge at 704 Central Ave. pending dram. VOTE: ayes--7

Ordinance Regarding Fireworks

Mayor Billings opened the public hearing on the proposed fireworks ordinance. Discussion was held. Public hearing was closed.

Gage introduced an ordinance to adopt ordinance banning all fireworks, except display permits. Motion died for lack of a second.

Carlin introduced an ordinance that allows fireworks permit may be granted only to parcels of common owned land consisting of at least 1.5 acres at locations 150 feet distance from any structures. Permits can be approved by city staff, which was seconded by Gage. VOTE: ayes: Carlin, J. Heckard, Clark, Goebel, Gage, G. Heckard, Seylar--7

Moved by Carlin, seconded by Gage that the rule requiring the proposed ordinance be considered on three different council meetings be waived. VOTE: ayes: Carlin, J. Heckard, Gage, G. Heckard, Seylar--5 nays: Clark, Goebel--2

Resolution No. 2415
2022-23 Budget Amendment

Mayor Billings opened the public hearing on amending the FY 2022-23 Budget. City Clerk Burton reviewed the changes to the budget. No written or oral objections were heard, and the public hearing was closed.

Seylar introduced Resolution No. 2415 entitled “A RESOLUTION AMENDING THE CURRENT BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2023” and moved its adoption, which was seconded by Carlin. VOTE: ayes: Seylar, Carlin, J. Heckard, Clark, Goebel, Gage, G. Heckard--7

***All except T. Gray & N. Danner left.

Resolution No. 2416
2023 Watermain Improvements Project

Mayor Billings opened the public hearing on the proposed resolution approving plans and specifications and form of contract for the 2023 Watermain Improvements Project. No bids were received. Clayton will seek bids to extend 12” main across No. 9th St. at 5th Ave. No. and three storm sewer repairs on No. 9th St.

Seylar introduced Resolution No. 2416 entitled “RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND FORM OF CONTRACT FOR THE 2023 WATERMAIN IMPROVEMENTS PROJECT IN THE CITY OF ESTHERVILLE, IOWA” and moved its adoption, which was seconded by Goebel. VOTE: ayes: Goebel, Clark, Gage, G. Heckard, Seylar, Carlin, J. Heckard--7

Pay Estimate #7
2021 South Industrial Park Project

Pay Estimate #7 for \$300.00 to Hulstein Excavating for the 2021 South Industrial Park Project was presented for approval.

Moved by Carlin, seconded by Clark to approve Pay Estimate #7 for \$300.00 to Hulstein Excavating. VOTE: ayes--7

Resolution No. 2417
Sale of Property
608 22nd Avenue North

A bid tabulation of the bid proposals for Part Lot 2, Aud Plat 2-73 (608 22nd Ave. No.) was presented for review. Six (6) bids were received, however, three (3) bids didn’t include the required earnest money so they weren’t included on the bid tabulation. Council concurred with that decision. After discussion, Council decided to accept the proposal from David Welch for a total bid of \$1,000. He intends to demolish the existing house and garage and build a new 1,100 sf house with two car attached garage.

Carlin introduced Resolution No. 2417 entitled “RESOLUTION TENTATIVELY APPROVING THE SALE OF PART LOT 2 AUD PLAT 2-73 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 G. Heckard. (This resolution tentatively approves the sale and sets June 5, 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, Seylar, Carlin, J. Heckard, Clark, Goebel--7

Resolution No. 2418
Zoning Reclassification

Greg Van Langen, Code Enforcement Officer presented information on zoning reclassification for Lot 6, Block 1, Dow's Addition (503 South 8th Street) from Light Industrial (LI) to Multi-Family Residential (R-3).

Gage introduced Resolution No. 2395 entitled "RESOLUTION FIXING TIME AND PLACE FOR HEARING AND PRESCRIBING NOTICE ON RECLASSIFYING USE RESTRICTIONS ON LOT 6, BLOCK 1, DOW'S ADDITION (503 SOUTH 8TH STREET) ESTHERVILLE, EMMET COUNTY, IOWA" and moved its adoption, which was seconded by Seylar. (This resolution sets June 5, 2023 at 5:00 p.m. in the council chambers as the time and place for the public hearing.)
VOTE: ayes: Gage, G. Heckard, Seylar, Carlin, J. Heckard, Clark, Goebel--7

Public Forum

The street sweeper is down for repair.

Updates

- a. Letters to property owners for the DOT project.
- b. Thank you to Brandon Carlin for his work on the Council.

Adjournment

Moved by Carlin, seconded by Gage to adjourn the meeting at 6:45 p.m. VOTE: ayes--7

Kenny Billings, Mayor

ATTEST:

Elizabeth Burton, City Clerk