

COUNCIL PROCEEDINGS

- Regular City Council Meeting: Monday, June 5, 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, E. Burton, M. Adams, J. Finn--5
- Media Present: E. Funston (KILR), A. Petersen (EN)*, G. Bower (KICD)--3; via Zoom: KUOO--1
- Others Present: Gene Haukoos, Sandy Kemper, Steve Erickson, Karen Russell, Kristy Henning--5

Minutes

Moved by Goebel, seconded by Seylar to approve the minutes of the May 15, 2023 council session.
VOTE: ayes--4 absent: G. Heckard, J. Heckard--

Standing Committee Reports

- a. Finance Committee - May 31
- b. Excel! Estherville Oversight Minutes - May 23

Petitions and Communications

- a. Thank you from ELC FFA

Bills

Moved by Clark, seconded by Gage to approve the bills for the month of May, 2023. VOTE: ayes--4 absent: G. Heckard, J. Heckard--2

A & B Business Solutions, Inc.	Maint.	\$	75.29
Access Systems	Maint./Supplies		862.43
Airport Capital - Snow Equipment	Transfer		12,567.01
Alibris, Inc.	Books		15.14
Alpha Wireless Communication	Svcs.		556.54
Amaril Uniform Company	Uniform Pants		267.35
Amy's Sign Design	Svcs.		5.00
Asmus Farm Supply, Inc.	Supp.		264.90
Assured Partners Great Plains	Svcs.		2,200.00
AT&T Mobility	Acct.		653.08
Avera Holy Family Health	Svcs.		907.00
Baker & Taylor Books	Books		961.27
Bank Plus	With.		10,940.00
Black Hills Energy	Acct.		2,068.91
Boji Portable Toilets, Inc.	Svcs.		50.00
Bolton & Menk, Inc.	Svcs.		2,800.00
Bomgaars Supply	Supp.		199.27
Border States Industries, Inc.	Supp.		1,386.72

Bradley, Dale	Reimb.	\$	215.69
Burrell Painting	Svcs.		8,045.00
Burton, Elizabeth	Reimb.		56.39
C & G Manufacturing, LLC	Svcs.		581.53
Cameron, Keith	Ref.		131.09
Card Services	Misc.		5,149.16
Center for Chiropractic Wellness	Svcs.		75.00
Center Point Large Print	Books		232.50
CenturyLink	Acct.		168.64
CFM Motorsports	Svcs.		558.22
CIT Sewer Solutions	Svcs.		49,744.00
City Laundering Co.	Svcs.		42.08
Clemens Lawn & Sales	Svcs.		587.00
Collection Services Center	Svcs.		942.44
Constellation NewEnergy	Power		3,291.27
Core-Mark Midcontinent, Inc.	Supp.		2,828.76
Corn Belt Power Coop.	Power		1,016.99
Cybrarian Corp.	License Renewal		909.45
Dahl, Shelby	Ref.		192.77
Davis, Sean	Ref.		141.07
Debt Service Fund	Transfer		80,617.17
Delta Dental of Iowa	Ins.		2,334.96
DGR Engineering	Svcs.		17,816.00
Dine, Ashley	Ref.		114.64
Display Sales Company	Supp.		4,711.99
Dorsey & Whitney, LLP	Svcs.		6,000.00
Drain Pro of NW IA, LLC	Svcs.		275.00
Duitsman Plumbing & Heating	Svcs.		622.50
ECCOG	Svcs.		73,796.05
Electric Emergency Fund	Transfer		54,148.34
Electric Fund	Transfer		1,958.33
Emmet County Auditor	Pay.		10,235.71
Emmet County Public Health	Svcs.		50.00
Environmental Resource Assoc.	Supp.		725.61
Equipment Rev.-Enterprise	Transfer		14,495.50
Equipment Rev.-General	Transfer		24,798.92
Erickson, Gavin	Ref.		141.07
Estherville Abstract Co.	Svcs.		785.00
Estherville Area Chamber	Pay.		180.00
Estherville Aviation, Inc.	Fees/Reimb.		4,118.40
Estherville Communications	Acct.		1,062.04
Estherville Housing	Rent		100.00
Estherville Iron & Metal Co.	Svcs.		154.00
Estherville News	Publication		1,774.73

Estherville Paint & Glass	Svcs.	\$	433.97
Estherville Printing Co.	Svcs.		354.85
Estherville, City of	Acct./Ins.		91,314.44
Eventful	Ref.		287.79
Expertpay	Svcs.		358.14
Fastenal	Parts/Supp.		618.78
Feld, Ed M. Equip. Co., Inc.	Supp.		17.25
Fire Service Training Bureau	Fee		50.00
Forge & Build	Supp.		347.00
Foundation Analytical Laboratories	Svcs.		1,249.50
Frideres, Michelle	Svcs.		240.00
Galls, LLC	Supp.		3,283.25
General Fund	Transfer		140,087.75
Gippert, Jaden	Ref.		141.20
Hall, Ket	Grant		2,500.00
Hall, Mark	Reimb.		97.85
Hash, Roger	Reimb.		86.55
Hauan, Kim	Ref.		96.63
Hawkins, Inc.	Parts		14,391.87
Helmich, Ella	Svcs.		30.00
Helmich, Nick	Reimb.		68.36
Hemmesch, Trevor	Ref.		61.87
Hevern, Lyle	Svcs.		2,000.00
Hinrickson, Jacob	Reimb.		415.00
Hulstein Excavating, Inc.	Svcs.		300.00
Humboldt Engraving	Svcs.		250.00
Hy Vee, Inc.	Supp.		14.95
IA Dept. of Justice	Svcs.		200.00
IMWCA	Ins.		99,563.00
Inland Truck Parts Co.	Parts		74.00
Inman Electric Co., Inc.	Svcs.		54.94
Iowa Assoc. Municipal Utilities	Fee		1,355.00
Iowa DNR/Operator Certificate	Svcs.		480.00
Iowa Great Lakes Doors	Parts		101.00
Iowa Lakes Electric Coop.	Power		218,113.00
Iowa Lakes Regional Water	Acct.		100.24
Iowa One Call, Inc.	Svcs.		122.10
Iowa Prison Industries	Signs		390.89
Irby, Stuart C., Co.	Part		2,546.60
Irwin, Alexandria	Svcs.		240.00
Irwin, Jeff	Svcs.		240.00
Isidro, Meriam	Ref.		123.69
iWorQ	Fees		5,000.00
J & K Snowmobile	Tire/Wheel		325.50

Jacobson-Westergard, Inc.	Svcs.	\$ 11,295.00
Jatho, Trayton	Svcs.	125.00
JCL Solutions-Spencer	Supp.	300.21
Jensen, Walt	Reimb.	93.85
JLK Underground Utilities	Svcs.	2,057.00
Johnson, Andrew	Ref.	93.40
Johnston Autostores	Parts/Supp.	1,814.33
Kautz, Jeff	Reimb.	30.00
Kimball Midwest	Parts	591.84
Kiwanis Noon Estherville	Dues	200.00
Klingbeil, Andrew	Ins.	1.00
Knight Protection, Inc.	Svcs.	810.00
Laidig, Lane	Svcs.	5,400.00
Larson, Nicholas	Reimb.	60.00
Leonardo Company	Svcs.	11,300.00
Madison National Life Insurance	Ins.	1,073.04
Matheson Tri-Gas, Inc.	Supp.	452.06
McGuinness, C. H. Co., Inc.	Part	558.22
McMaster-Carr	Parts	484.55
Mediacom Business	Acct.	1,755.74
Menendez, Ronald	Svcs.	400.00
Mid-Iowa Solid Waste Equipment	Recycle Contnrs	8,810.00
Midwest Boiler	Svcs.	1,430.00
Midwest Scoring, LLC	Part	595.00
Minnesota Municipal Utilities	Ad	45.00
Municipal Supply, Inc.	Parts	1,833.41
Napa Auto Parts	Parts	54.33
National Tactical Officers	Fees/Reimb.	1,575.00
Nationwide Retirement Solutions	With.	2,645.00
Nebraska Hoist & Crane, LLC	Svcs.	856.00
Neeley, Hunter	Ref.	114.82
North Central Laboratories	Supp.	1,058.29
NorthStar Agency	Ins.	288.00
NorthStar Bank	Loan	350,602.71
Nuway - K&H Cooperative	Propane	447.15
One Office Solution	Supp.	99.50
O'Reilly Automotive, Inc.	Part	487.36
Ouellette, Holly	Reimb.	50.47
Outlet Store	Supp.	36.49
Pelzer Law Firm, LLC	Svcs.	2,271.00
Pepsi-Cola	Supp.	910.86
Pictometry International Co.	Imagry License	5,742.00
Pit Pros, Inc.	Svcs.	45,784.25
Pomps Tire Service, Inc.	Svcs.	1,254.64

Presto-X	Pest Control	\$	105.66
Pro Cooperative Cardtrol	Gas/Fuel		24,522.56
Productivity Plus Account	Part		103.00
R & D Industries, Inc.	Svcs.		956.75
Regional Transit Authority	Pay.		1,875.00
Regional Wellness Center	With.		5,444.76
Reineke, Matthew D.	Reimb.		218.77
Reinking, Austin	Ref.		178.35
Resco	Parts		93.63
Rockmount Research & Alloy	Tools		1,336.87
Rodriguez, Rosalia	Svcs.		20.00
Rogne, Issac	Ref.		134.79
S & R Auto & Tire, Inc.	Svcs.		114.43
Saenz, Arnoldo Lee	Ref.		155.72
Sander, Izaak	Svcs.		240.00
Sandry Fire Supply, LLC	Svcs.		895.59
Schacherer, Matt	Ins.		1.00
Schmitz, Ian	Reimb.		154.54
Shatto, Brent	Reimb.		124.11
Sheldon Power & Equipment	Part		1,234.41
Shuder, Logan	Ref.		79.89
Skarshaug Testing Lab., Inc.	Supp.		166.87
Smart Technologies	Supp.		56.97
Snyder Logging & Tree Service	Svcs.		500.00
Spee Dee Delivery Service	Svcs.		108.02
Standard, The	Ins.		246.72
Staples	Supp.		437.02
State Hygienic Lab-Univ. of	Supp.		154.50
Step Saver, Inc.	Supp.		54,000.00
Storey Kenworthy/Matt Parriott	Supp.		2,368.89
Sunset Law Enforcement	Supp.		299.99
Syn-Tech Systems, Inc.	Supp.		131.50
T&T Designs - Becca Bates	Llg Shirts		2,318.00
TIF #1 - Industrial Park	Transfer		57,940.00
Todd, Michael Industrial Supply	Parts		2,565.59
Toyne, Inc.	Svcs.		1,218.30
Treasurer, State of Iowa	Taxes		20,864.05
U. S. Postal Service	Postage		1,001.85
Union Pacific Railroad Company	Svcs.		267.00
Unitypoint Clinic-Occ. Med.	Svcs.		336.00
Upper Des Moines	Ref.		9.23
USA Bluebook	Supp.		647.95
Verizon Wireless	Acct.		164.58
Walker Process Equipment	Part		5,966.00

Wastewater Admin.	Transfer	\$ 11,727.50
Wastewater Fund	Transfer	7,500.00
Wellmark Blue Cross/Blue Shield	Ins.	90,191.62
Werts Janitorial	Svcs.	35.00
Western Area Power Admin.	Power	33,367.59
White Tools, LLC	Supp.	128.60
Williams & Company, P.C.	Svcs.	4,250.00
Wolfe, Justin	Reimb.	77.91
Young's Carpet Care	Svcs.	<u>165.00</u>
	TOTAL	<u>\$ 1,803,920.48</u>

Disbursements by Fund

Airport \$21,661.06; Am. Rescue Plan \$15,916.00; Apron Rpr. \$1,900.00; Debt Svc. \$295,064.39; Econ. Dev. Fund \$6,567.00; Elect. Fund \$444,128.32; Elect. Emerg. \$57,940.00; FICA & IPERS \$10,449.21; Garage Fund \$22,581.84; General Fund \$295,816.79; Group Ins. \$40,975.83; Ind. Park TIF \$111,588.34; L.O.S.T. Fund \$10,616.67; L.O.S.T. Rev. \$7,391.99; Police Misc. \$200.00; Self-Funded Ins. \$92,391.62; Snow Equip. \$369.00; Subdv. Dev. \$400.00; WWT Fund \$206,279.15; Water Fund \$150,388.27; Water Emerg. \$11,295.00; TOTAL \$1,803,920.48

Receipts

Airport \$2,332.47; Debt. Svc. \$91,689.71; Econ. Dev. \$50,000.00; Elect. Fund \$553,189.71; Elect. Aerial Fund \$113.23; Elect. Emerg. \$154,148.34; Emerg. Levy \$1,512.36; Equip. Rev.-Ent. \$14,495.50; Equip. Rev.-Gen. \$24,798.92; FICA & IPERS \$7,835.35; Garage \$1,082.00; General Fund \$329,668.02; Group Ins. \$18,358.94; Ind. Park TIF \$65,001.09; L.O.S.T. Rev. \$133,000.00; Park & Rec. Rev. \$40,000.00; Police Ret. \$5,901.10; Road Use \$73,281.55; Self-Funded Ins. \$69,609.39; Snow Equip. \$12,567.01; WWT Fund \$161,562.42; WWT Sinking Fund \$11,727.50; Water Fund \$152,512.40; TOTAL \$1,975,387.01

Approval of Liquor Licenses

Moved by Goebel, seconded by Seylar to approve a Class C Liquor License with Sunday Sales for V.F.W. Post #3388 at 314 South 1st Street and a Class E Liquor License for Casey's General Store #3034 at 1615 Central Ave. VOTE: ayes--4 absent: G. Heckard, J. Heckard--2

At-Large Council Member Appointment

A Council at Large position is vacant due to the resignation of Brandon Carlin.

Moved by Seylar, seconded by Gage to appoint Roger Guge to the vacant At-Large Council Member position. VOTE: ayes--4 absent: G. Heckard, J. Heckard--2

Mayor Billings administered the oath of office to Roger Guge as At-Large Council Member.

*A. Petersen arrives.

Ordinance No. 804
Ordinance Regarding Fireworks

The second reading was held of an ordinance regulating fireworks.

Moved by Clark, seconded by Goebel that the proposed Ordinance No. 804 entitled "AN ORDINANCE AMENDING TITLE II, DIVISION 1, CHAPTER 1, ARTICLE 4, OF THE CITY CODE OF ESTHERVILLE, IOWA, CONCERNING PUBLIC HEALTH AND SAFETY - FIREWORKS" be considered for the second time. VOTE: ayes: Clark, Goebel, Gage, Seylar, Guge--5

Resolution No. 2419
Sale of Property
608 22nd Avenue North

Mayor Billings opened the public hearing on the tentative sale of Part Lot 2, Aud Plat 2-73 (608 22nd Ave. No.). No written or oral objections were made and the public hearing was closed.

Seylar introduced Resolution No. 2419 entitled “RESOLUTION AUTHORIZING SALE OF REAL ESTATE AND EXECUTION OF DEED - PART LOT 2, AUD PLAT 2-73” and moved its adoption, which was seconded by Gage. VOTE: Seylar, Guge, Clark, Goebel, Gage--5

Ordinance No. 805
Zoning Classification

Code Enforcement Officer, Greg Van Langen presented information on the proposed zoning reclassification of Lot 6, Block 1, Dow’s Addition to be rezoned from Light Industrial (LI) to Multi-Family Residential (R-3) for approval.

Seylar introduced Ordinance No. 805 entitled “ AN ORDINANCE AMENDING TITLE VI, CHAPTER 5, ARTICLE 4, SECTION 2 OF THE CITY CODE OF ESTHERVILLE, IOWA, RECLASSIFYING USE RESTRICTIONS ON LOT 6, BLOCK 1, DOW’S ADDITION (503 SOUTH 8TH STREET), ESTHERVILLE, EMMET COUNTY, IOWA” be considered for the first time. VOTE: ayes: Seylar, Guge, Clark, Goebel, Gage--5 absent: G. Heckard, J. Heckard--2

**G. Heckard & J. Heckard arrive.

Airport Hangar Eviction

City Clerk Burton presented information from the Airport Commission recommending to proceed with the legal proceedings for a hangar eviction for not providing a copy of insurance and State registration and if plane is not flown by July 6, 2023.

Moved by Gage, seconded by Goebel to move forward with legal proceedings for hangar eviction if plane is not flown by July 6, 2023. VOTE: ayes--7

Ordinance No. 804
Ordinance Regarding Fireworks

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

Moved by Seylar, seconded by G. Heckard that the proposed Ordinance No. 804 entitled “AN ORDINANCE AMENDING TITLE II, DIVISION 1, CHAPTER 1, ARTICLE 4, OF THE CITY CODE OF ESTHERVILLE, IOWA, CONCERNING PUBLIC HEALTH AND SAFETY - FIREWORKS” be finally passed and adopted. VOTE: ayes: Seylar, Guge, J. Heckard, Clark, Goebel, Gage, G. Heckard--7

Ordinance No. 805
Zoning Classification

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

Moved by Seylar, seconded by Gage that the proposed Ordinance No. 805 entitled “AN ORDINANCE AMENDING TITLE VI, CHAPTER 5, ARTICLE 4, SECTION 2 OF THE CITY CODE OF ESTHERVILLE, IOWA, RECLASSIFYING USE RESTRICTIONS ON LOT 6, BLOCK 1, DOW’S ADDITION (503 SOUTH 8TH STREET), ESTHERVILLE, EMMET COUNTY, IOWA” be finally passed and adopted. VOTE: ayes: Seylar, Guge, J. Heckard, Clark, Goebel, Gage, G. Heckard--7

Appointment

Mayor Billings announced the appointment of Patricia Swalve to the Civil Service Commission to fill the vacancy of Shanna Carlin for a five year term to April 2024.

Moved by Goebel, seconded by Seylar to approve the appointment of Patricia Swalve to the Civil Service Commission. VOTE: ayes--7

Mayor Billings announced the appointment of Roger Guge to the Finance Committee to fill the vacancy of Brandon Carlin.

Pay Estimate 3 - Final Snow Removal Equipment

City Clerk Burton presented the Engineer’s Statement of Project Completion and final payment of \$13,195.00 to Murphy Tractor & Equipment Co., Inc. for the Airport Snow Removal Equipment Project for approval.

Moved by Gage, seconded by Goebel to approve the Engineer’s Statement of Project Completion and final payment of \$13,195.00 to Murphy Tractor & Equipment Co., Inc. for the Airport Snow Removal Equipment Project. VOTE: ayes--7

Abandoned Property

Code Enforcement Officer, Greg Van Langen presented information regarding two properties (1120 7th Ave. So. & 705 So. 12th St.) that have been abandoned. The property has been a nuisance for over 20 years with a significant amount of liens against them. The property owners are deceased and no family members are interested in taking over the property. Staff are requesting that the council authorize the City Attorney to pursue the properties as abandoned.

Moved by Seylar, seconded by G. Heckard to authorize the City Attorney to pursue the properties as abandoned. VOTE: ayes--7

Updates

a. IDOT construction meeting.

Adjournment

Moved by Clark, seconded by Goebel to adjourn the meeting at 6:00 p.m. VOTE: ayes--7

Kenny Billings, Mayor

ATTEST:

Elizabeth Burton, City Clerk