

COUNCIL PROCEEDINGS

Regular City Council Meeting: Monday, July 3, 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, P. Clayton, J. Finn*--4
Media Present: E. Funston (KILR), A. Petersen (EN)--2; via Zoom: KUOO--1
Others Present: Michelle Howing**, Lexie Ruter--2

Minutes

Moved by Goebel, seconded by J. Heckard to approve the minutes of the May 15, 2023 council session. VOTE: ayes--6 abstain: J. Clark--1

Standing Committee Reports

- a. Finance Committee - June 28
b. Excel! Estherville Oversight Minutes - June 27

*Jennifer Finn arrives.

Bills

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

Table with 3 columns: Vendor Name, Category, and Amount. Includes entries like A & B Business Solutions, Inc. (Maint. \$ 73.79), ABM Equipment & Supply, LLC (Equip. 14,100.00), and Bank Plus (With. 10,815.00).

Bolton & Menk, Inc.	Svcs.	\$	8,725.00
Bomgaars Supply	Supp.		93.06
Brockmiller, Kelli	Ref.		23.92
Card Services	Misc.		14,787.23
Castillo, Wilmer	Ref.		455.09
Center Point Large Print	Books		233.70
CenturyLink	Acct.		192.52
Christensen Construction, Inc.	Svcs.		1,920.00
City Laundering Co.	Svcs.		42.08
Clemens Lawn & Sales	Svcs.		1,287.00
Collection Services Center	Svcs.		942.44
Community Ambulance Service	Pay.		46,250.00
Constellation NewEnergy	Power		3,080.02
Core-Mark Midcontinent, Inc.	Supp.		4,500.66
Corn Belt Power Coop.	Power		1,016.99
Debt Service Fund	Transfer		23,177.17
Delta Dental of Iowa	Ins.		2,308.48
DGR Engineering	Svcs.		14,679.15
Dickinson County Regional	Compost-Cemetery		230.00
Donaldson Docks	Ref.		1,095.81
Drain Pro of NW IA, LLC	Svcs.		630.00
Duitsman Plumbing & Heating	Svcs.		997.11
Duitsman, Warren	Svcs.		400.00
Electric Emergency Fund	Transfer		452,774.75
Electric Fund	Transfer		1,958.33
Emmet County Auditor	Pay.		8,048.98
Emmet County Recorder	Svcs.		17.00
Environmental Resource Assoc.	Supp.		142.96
Equipment Rev.-Enterprise	Transfer		14,495.50
Equipment Rev.-General	Transfer		24,798.92
Erickson, Maria	Ref.		72.58
Estherville Area Chamber	Pay.		11,250.00
Estherville Aviation, Inc.	Fees		3,230.25
Estherville, City of	Acct./Ins.		89,060.91
Estherville Communications	Acct.		742.52
Estherville Housing	Rent		11,500.00
Estherville Iron & Metal	Svcs.		728.00
Estherville News	Publication		1,430.09
Expertpay	Svcs.		358.14
EZ-Liner Industries	Parts		72.18
Fastenal	Parts/Supp.		62.19
Fisher, Cory	Reimb.		195.80
Fleming, Cindy	Ref.		61.59
Flexible Plastics, Inc.	Curb Bags		5,448.24

Foundation Analytical Laboratories	Svcs.	\$ 2,386.50
Foxfury, LLC	Svcs.	395.98
Fredrickson, Mike	Svcs.	734.79
Fredrickson, Paul	Svcs.	560.00
Fredrickson, Tammy	Grant	10,000.00
Frideres, Grady	Svcs.	30.00
Frideres ,Michelle	Svcs.	720.23
Garibay, Julian	Ref.	93.45
GDF Enterprises, Inc.	Mower Maint	68.14
General Fund	Transfer	187,213.50
GPM	Svcs.	5,033.63
H&D Underground, Inc.	Svcs.	8,595.00
Hawkins, Inc.	Supp.	14,219.40
Heartland Security Service	Acct.	131.70
Hevern, Lyle	Svcs.	2,500.00
Howing, Michelle	Grant	10,000.00
IA Dept. of Transportation	Supp.	3,601.86
Inland Truck Parts Co.	Parts	884.61
Inman Electric Co., Inc.	Svcs.	5,311.56
Intoximeters, Inc.	Supp.	1,660.00
Iowa Dept. of Public Safety	Fees	1,200.00
Iowa Great Lakes Doors	Svcs.	1,943.00
Iowa Lakes Electric Coop.	Power	284,497.15
Iowa Lakes Regional Water	Acct.	132.04
Iowa League of Cities	Dues	3,247.00
Iowa One Call, Inc.	Svcs.	284.50
Iowa Prison Industries	Supp.	417.12
Iowa Public Employees	With.	31,576.25
Irwin, Alexandria	Svcs.	600.00
Irwin, Jeff	Svcs.	560.00
J & K Snowmobile	Equip.	423.70
Jack's Uniforms & Equipment	Uniforms	323.82
Jacobson-Westergard, Inc.	Svcs.	8,831.40
Jatho, Trayton	Svcs.	500.00
JCL Solutions	Supp.	904.60
John Deere Financial	Parts	1,520.10
Johnston Autostores	Parts	1,160.14
Kiwanis Noon Estherville	Dues	135.00
Laidig, Lane	Svcs.	5,400.00
Leal, Pablo	Svcs.	40.00
Madison National Life Insurance	Ins.	971.88
Magazine Subscription Service	Subsc.	1,896.28
Mango Languages	Subsc.	1,020.92
Matheson Tri-Gas, Inc.	Supp.	81.46

McMaster-Carr	Supp.	\$	262.56
Mediacom Business	Acct.		2,020.38
Menards - Spencer	Equip.		32,911.63
Menendez, Ronald	Svcs.		400.00
Mid-American Research Chemicals	Supp.		386.22
Minton, Jeffrey	Ref.		89.57
Montandon Wrecker Service	Svcs.		100.00
Municipal Fire & Police Retirement	With.		16,908.22
Murphy Tractor & Equip Co.	Equip.		13,195.00
Napa Auto Parts	Supp.		114.24
Nationwide Retirement Solutions	With.		2,615.00
Nelson, Dustin	Reimb.		219.95
Nitchals, Jennifer	Svcs.		187.98
NorthStar Bank	With.		56,527.71
Northwest Iowa Planning	Dues		3,837.60
Novelty Machine Co.	Parts		4,603.41
O'Reilly Automotive, Inc.	Parts/Supp.		263.85
Origer, Seth	Reimb.		155.14
Otis Elevator Company	Maint.		5,000.04
Overdrive, Inc.	Svcs.		1,539.84
Pelzer Law Firm, LLC	Svcs.		1,279.24
Petty Cash	Misc.		17.76
Pit Pros, Inc.	Svcs.		25,567.31
Presto-X	Svcs.		105.66
Pro Cooperative Cardtrol	Gas/Fuel		11,675.84
Productivity Plus Account	Parts		937.50
Proquest, LLC	Svcs.		2,368.35
Rahn, Jacob	Ref.		87.09
Regional Wellness Center	With.		23,494.76
Resco	Parts		67,134.05
Riverside Hills Boarding	Svcs.		853.00
Sanchez, Jose	Ref.		193.39
Sander, Izaak	Svcs.		320.00
Schneider Geospatial, LLC	Svcs.		24,744.00
Schneider, Kyleigh	Svcs.		60.00
Shatto, Brent	Reimb.		1,331.41
Simon, Tristan/Zufall, Marshal	Grant		4,000.00
Skarshaug Testing Lab, Inc.	Supp.		304.68
Sliger, Devin	Reimb.		162.54
Smart Technologies	Svcs.		59.99
Spee Dee Delivery Service	Svcs.		107.60
Stalls Farm & Home Dist., Inc.	Supp.		1,368.81
Standard, The	Ins.		246.72
State Hygienic Lab-Univ. of	Svcs.		114.50

Step Saver, Inc.	Salt	\$ 54,000.00
Storey Kenworthy	Supp.	90.48
Sun City, LLC	Grant	10,000.00
Swift Air Corp.	Svcs.	11,742.65
Tendal, James Jr.	Reimb.	50.89
Thiel, Chris	Reimb.	68.98
Toyne, Inc.	Svcs.	760.78
Treasurer, State of Iowa	Taxes	29,600.44
Tyler Technologies, Inc.	Fees	30,135.00
U. S. Postal Service	Postage	999.35
UMB Bank, N.A.	Bond	500.00
Unified Contracting Service	Svcs.	4,082.75
U. S. Treasury	Taxes	303.06
Van Holland Lawn Service	Svcs.	11,676.25
Van Wert, Inc.	Meters	767.13
Verizon Wireless	Acct.	40.01
Vermeer Sales & Service, Inc.	Trenching Shovels	1,434.69
Wages/Salaries	Wages/Salaries	216,073.26
Wastewater Admin.	Transfer	11,727.50
Wastewater Emergency	Transfer	16,811.80
Wastewater Fund	Transfer	7,500.00
Wastewater Plant Const.	Transfer	25,000.00
Weideman, Joe	Reimb.	178.53
Weise, Staci	Ref.	91.89
Wellmark Blue Cross/Blue Sheild	Ins.	74,285.47
Werts Janitorial	Svcs.	35.00
Western Area Power Admin.	Power	25,132.84
White Tools, LLC	Tools	<u>812.50</u>
	TOTAL	<u>\$ 2,297,048.32</u>

Disbursements by Fund

Airport \$5,666.41; Am. Rescue Plan \$901.00; Apron Rpr. \$5,320.00; Cares Grant \$395.98; Debt Svc. \$500.00; Elect. Fund \$1,030,538.66; Emerg. Levy \$47,125.75; FICA & IPERS \$19,555.41; Garage Fund \$22,772.88; General Fund \$379,09.29; Group Ins. \$42,345.34; Ind. Park TIF \$11,524.75; L.O.S.T. Fund \$73,142.57; L.O.S.T. Rev. \$4,000.00; Police Misc. \$92.99; Police Ret. \$12,135.33; Pool Proj. \$59.99; Road Use Tax \$3,837.60; Self-Funded Ins. \$76,788.53; Snow Equip. \$14,548.00; Subdv. Dev. \$16,811.80; WWT Fund \$160,408.66; Water Fund \$153,494.12; TOTAL \$2,080,975.06

Receipts

Airport \$3,060.81; Elect. Fund \$537,725.08; Elect. Aerial Fund \$75.00; General Fund \$106,485.68; Ind. Park TIF \$500.090; Pool Proj. \$50.00; Subdv. Dev. \$18,000.00; WWT Fund \$151,818.91; Water Fund \$161,496.41; TOTAL \$979,211.89

Approval of Liquor Licenses

Moved by Seylar, seconded by Guge to approve a Class C Liquor License with Outdoor Service for Top of Iowa Lucky Wife at 1686 3rd Ave. So.; and a Class B Beer Permit and Outdoor Service Area for the Estherville Area Chamber of Commerce, dba Sweet Corn Days in the 10 Block of So. 6th St. pending dram. VOTE: ayes--7

Reports

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

Ordinance No. 806 Rezoning Reclassification

Mayor Billings opened the public hearing on the proposed zoning reclassification of 21 So. 1st St. from Multi-Family Residential (R-3) to Commercial (C). No written or oral objections were heard, and the public hearing was closed.

Seylar introduced Ordinance No. 806 entitled "AN ORDINANCE AMENDING TITLE VI, CHAPTER 5, ARTICLE 4, SECTION 2 OF THE CITY CODE OF ESTHERVILLE, IOWA, RECLASSIFYING USE RESTRICTIONS ON PART LOTS 6 & 7, BLOCK 45, ORIGINAL PLAT (21 SOUTH 1ST STREET) ESTHERVILLE, EMMET COUNTY, IOWA" and asked that it be placed on file.

Moved by Seylar, seconded by G. Heckard that the previously titled Ordinance No. 806 be considered for the first time. VOTE: ayes: Seylar, Guge, J. Heckard, Clark, Goebel, Gage, G. Heckard--7

Moved by Seylar, seconded by Gage that the rule requiring the previously entitled 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 806 entitled "AN ORDINANCE AMENDING TITLE VI, CHAPTER 5, ARTICLE 4, SECTION 2 OF THE CITY CODE OF ESTHERVILLE, IOWA, RECLASSIFYING USE RESTRICTIONS ON PART LOTS 6 & 7, BLOCK 45, ORIGINAL PLAT (21 SOUTH 1ST STREET) ESTHERVILLE, EMMET COUNTY, IOWA" be finally passed and adopted. VOTE: ayes: Seylar, Guge, J. Heckard, Clark, Goebel, Gage, G. Heckard--7

Ordinance No. 807 Conditional Use in Commercial Zoning

Mayor Billings opened the public hearing on the proposed Conditional Use in Commercial Zoning of 21 So. 1st St. No written or oral objections were heard, and the public hearing was closed.

Seylar introduced Ordinance No. 807 entitled "AN ORDINANCE AMENDING AND REVISING VOLUME 2, ARTICLE 10, SECTION 10.2 OF THE ZONING CODE ORDINANCES OF THE CITY OF ESTHERVILLE, IOWA REGARDING PERMITTED USES IN COMMERCIAL DISTRICT (C) WITHIN THE CITY LIMITS ESTHERVILLE, IOWA" and asked that it be placed on file.

Moved by Seylar, seconded by G. Heckard that the previously titled Ordinance No. 807 be considered for the first time. VOTE: ayes: Seylar, Guge, J. Heckard, Clark, Goebel, Gage, G. Heckard--7

Moved by Seylar, seconded by G. Heckard that the rule requiring the previously entitled 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 806 entitled “AN ORDINANCE AMENDING AND REVISING VOLUME 2, ARTICLE 10, SECTION 10.2 OF THE ZONING CODE ORDINANCES OF THE CITY OF ESTHERVILLE, IOWA REGARDING PERMITTED USES IN COMMERCIAL DISTRICT (C) WITHIN THE CITY LIMITS ESTHERVILLE, IOWA” be finally passed and adopted. VOTE: ayes: Seylar, Guge, J. Heckard, Clark, Goebel, Gage, G. Heckard--7

Development Agreement

City Administrator Clayton presented a development agreement with Michelle Howing for a \$10,000 forgivable loan for assistance with a child care center.

Moved by Clark, seconded by Goebel to approve a development agreement with Michelle Howing for a \$10,000 forgivable loan for assistance with a child care center. VOTE: ayes--7

**Michelle Howing leaves.

Resolution No. 2423 2023 Estherville Airport Apron & Taxiway Reconstruction Project

City Clerk Burton provided information on the 2023 Airport Apron & Taxiway Reconstruction Project.

Gage introduced Resolution No. 2423 entitled “RESOLUTION ORDERING CONSTRUCTION OF THE APRON AND TAXIWAY RECONSTRUCTION IMPROVEMENTS PROJECT AT THE ESTHERVILLE MUNICIPAL AIRPORT IN ESTHERVILLE, IOWA, SETTING A BID OPENING DATE AND A PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST” and moved its adoption, which was seconded by Seylar. VOTE: Gage, G. Heckard, Seylar, Guge, J. Heckard, Clark, Goebel--7

Contract with Regional Transit Authority for Bus Service

City Clerk Burton presented a proposed contract with Regional Transit Authority/RIDES for bus service for July 1, 2023 through June 30, 2024 for approval.

Moved by Clark, seconded by J. Heckard to approve the contract with Regional Transit Authority/RIDES for bus service for July 1, 2023 through June 30, 2024. VOTE: ayes--7

Sweet Corn Days Requests

A letter from the Estherville Area Chamber of Commerce requesting a number of items related to the Sweet Corn Days event on Aug. 3 through Aug. 6 including street closings, blocking off parking spaces, placing of sponsor boards on light poles, street dance and a fireworks permit was presented.

Moved by Seylar, seconded by Guge to approve:

- a. closing of the following streets from Thurs., Aug. 3 - Sun. Aug. 6 including No. 6th St. from Central Ave. to 2nd Ave. No. with 2nd Ave. No. remaining open for traffic (Thurs., Aug. 3 9:00 p.m. to 10:00 a.m. Sun., Aug. 6); No. 7th St. from Central Ave. to 2nd Ave. No. (Thurs., Aug. 3 9:00 p.m. to 10:00 a.m. Sun. Aug. 6); No. 8th St. from Central Ave. to 2nd Ave. No. (Sat. only); 1st Ave. No. between No. 6th and 9th Sts., the 10 block of So. 6th St. leaving all intersections accessible on Sat., Aug. 5 from 5:00 p.m. to 8:30 a.m. Sun., Aug. 6 for the street dance. The alley entrances to So. 6th St. would also be blocked off; and 1st Ave. So. from 5th St. to 6th St., but not blocking either street (Fri., Aug. 4 from 5:00 p.m. to 9:30 p.m.)
- b. blocking off the parking area on Central Ave. between 6th and 7th Sts. on Sat., Aug. 5 for the parade,

- c. sell liquor at the Street Dance on So. 6th St. Sat., Aug. 5,
 - d. placing Sweet Corn Sponsor boards on light poles two weeks prior to the event,
 - e. put up Sweet Corn Days banners two weeks prior to the event,
 - f. burning of the cobs in Library Square on Thurs., Aug. 3 at 5:30 p.m.,
 - g. use of City parking lot behind Central Perk and Heartland,
 - h. use of 6 small dumpsters (1½ c.y.) and 7 large dumpsters (3 c.y.) downtown at no cost,
- approval of Fireworks Permit with the proposed discharge on Fri. Aug. 4, at 9:30 p.m. with a rain date of Sat., Aug. 5. VOTE: ayes--7

Nuisance Abatement

Code Enforcement Officer, Greg Van Langen presented information regarding the property located at 604 North 11th Street. The property owner has been sent two nuisances abatements, one in 2022 and one in 2023 regarding a vehicle and a camper shell parked in the driveway for several years. Staff are requesting that the council authorize city staff to abate the items to abate the items.

Moved by Gage, seconded by Clark to authorize city staff to abate the items. VOTE: ayes--7

Updates

- a. Woody's intersection will be opened and the hill will be closed beginning Mon., July 10 at 1:00 p.m.
- b. Work on Hwy. 4 So. going out of town has begun.

Closed Session

Moved by G. Heckard, seconded by Seylar to adjourn into closed session at 5:30 p.m. pursuant to Section 21.5(1)c of the Code of Iowa and Section 21.5(1)j of the Code of Iowa. VOTE: ayes--7

Moved by Guge, seconded by G. Heckard to return to open session at 6:33 p.m. VOTE: ayes--7

Adjournment

Moved by Seylar, seconded by Clark to adjourn the meeting at 6:34 p.m. VOTE: ayes--7

Kenny Billings, Mayor

ATTEST:

Elizabeth Burton, City Clerk