

**CITY OF OKOBOJI
REGULAR COUNCIL MEETING
TUESDAY, MARCH 10, 2015, 6:00 P.M.**

PRESIDING: Mayor Mary VanderWoude

COUNCILMEMBERS PRESENT: Mendenhall, Robinson, Andres, Hentges, Delperdang

OTHERS PRESENT: David Stein, Chris Yungbluth, Cris Hedgpeth, Kae Hoppe, Tom Tourville, Ann Bonestroo, Hank Miguel.

After the Pledge of Allegiance, the Mayor called the meeting to order at 6:00 P.M. Hentges/Andres moved to adopt the agenda. All ayes. Motion carried. Mendenhall/Hentges moved to approve the consent agenda, which included the minutes of the previous meeting 02/10/15, claims for March 2015, Clerk's Report ending February 2015, renewal of a Class C Liquor License for the Outrigger Restaurant & Lounge with Sunday sales, renewal of a Class B (WBN) Wine Permit for the Barnswallow with Sunday sales, renewal of a Class C Liquor License for Rabab's neighborhood Bistro LLC with Sunday sales and outdoor service area. Before the vote was taken City Administrator Dennis Daly reported he was not able to produce a Clerk's Report ending February 2015 but will make it available along with the March 2015 Clerk's Report for the April meeting. All ayes. Motion carried.

CITIZENS APPEARANCES

Okoboji resident Hank Miguel approached the Council concerning three issues. Miguel produced a brochure showing electric cars produced by Polaris that could possibly be used by police or as a utility vehicle. Miguel also spoke of water that currently comes from Julia Street onto Lakeshore Drive in the vicinity of the former Jim Delperdang residence. Miguel went on to say that if the area were to be viewed now one would find that erosion has taken place. Miguel stated that along with that in the same area there is a large amount of dog feces that has been deposited. Miguel encouraged the council to draft an ordinance that would prohibit the practice of dogs littering another person's property. Miguel spoke of the feral cat problem in town and encouraged the Council to look into this and possibly drafting an ordinance to control the problem or at least prohibit residents from feeding wild animals in town.

NEW BUSINESS

Council to discuss sending a letter to the IDNR concerning Okoboji Zoning laws

with possible action: The Mayor stated it was her opinion that this issue was cleared up at the last meeting and it was clear this was something that wasn't going to be done based on the letters received last time from the IDNR and that they understand the City zoning laws. The Mayor went on to say that she has found a letter has been drawn up addressed to the IDNR from the Okoboji City

Councilmembers. The Mayor thought that any future letters to the IDNR would be from a private citizen. The Mayor is wondering what is so important about sending a letter now and why.

Councilmember Mendenhall stated that since there are planning and zoning laws about docks coming from residential property, he expects the IDNR to respect city zoning. Mendenhall went on to say he doesn't expect any big change but he wants the IDNR to know how the city feels about these issues. It would be his recommendation the IDNR follow the planning and zoning rules and such a letter would be nothing more than to ask the IDNR to support the zoning codes of the City and is wondering why it can't be supported by the Council.

Councilmember Andres believes the conversation from previous meetings centered on one individual's dock permit and that is a done deal. Andres is suspecting what Mendenhall is simply suggesting is to discuss this issue before another controversy develops. Andres further stated discussion should take place separate from future applications.

Discussion followed concerning legislative remedies, zoning laws, dock applications and etc.

Andres stated she wrote the letter in question at this meeting and is not “The” letter for debate but rather a letter for informational purposes. Delperdang asked how a motion could be approved for a letter that is not official and not part of this agenda.

After further discussion a motion was made by Andres to approve the city to construct a letter to be reviewed by IDNR discussing City zoning. Before a second was made discussion took place concerning the issue of the letter and should a letter be presented to the Council at a later time for further discussion and scrutiny. At this time Andres withdrew the original motion. No action taken. Information only.

Council to consider a granted variance to Ms. Kae Hoppe of 1728 Nichols Avenue for the construction of a new addition, garage addition, and new deck on a nonconforming structure:

Daly explained the purpose of the meeting and why the request was needed. Before voting Robinson noted that in the Board of Adjustment minutes he noticed an error in the minutes that reflected Keith Kueck of 2305 Park View Avenue had objections to the granting of the variance. Daly stated that the Board of Adjustment minutes should read as having no objections and he would make the appropriate change. Robinson/Mendenhall moved to approve the variance granted to Ms. Kae Hoppe of 1728 Nichols Avenue. All ayes. Motion carried.

Fire Chief Chris Yungbluth to give the annual Fire Department report: Fire Chief Chris Yungbluth gave the annual Fire Department report for January 1, 2014 to December 31, 2014. The report given to the Council outlined the types of calls per month, i.e. EMS calls, statistics concerning Fire Department and EMS responses plus mutual aid calls. Yungbluth gave to the council a list of officers and equipment. Yungbluth reported that new motors for the fire boat will be able to be purchased at no cost to the city as the Fire Department has funds available from various projects. Yungbluth went on to say the Okoboji Dive Team is at the top of technology with the equipment they have to rescue and recover individuals. Councilmember Hentges stated the Okoboji Dive & Rescue Team has other better funded teams taking note of what they do for ice rescue. Councilmember Robinson stated that as a board member of the Fire Department for the past couple years he has learned a lot and that every citizen should give every fire department member a pat on the back for their commitment on a volunteer basis.

Council to conduct a public hearing to adopt the Fiscal Year 2015/16 city budget and consider Resolution No. 15-02 “A RESOLUTION ADOPTING AND CERTIFYING THE CITY OF OKOBOJI FISCAL YEAR 2015/16 BUDGET”:

The Mayor now declared the public hearing open for comment to adopt the city budget for fiscal year 2015/16. With no comments to be made the Mayor declared the public hearing closed. Hentges/Mendenhall moved to approve and adopt Resolution No. 15-02 “RESOLUTION ADOPTING AND CERTIFYING THE CITY OF OKOBOJI FISCAL YEAR 2015/16 BUDGET”. Upon the call of the roll the vote was as follows; AYES: Delperdang, Hentges, Andres, Robinson, Mendenhall. NAYS: None. With the vote being in the majority the Mayor declared the motion duly carried.

Council to consider the third introduction of Ordinance #225, “AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OKOBOJI, IOWA, BY AMENDING THE TRAFFIC CODE BY ADDING A NEW CHAPTER 77 CONCERNING GOLF CART OPERATION ON CITY STREETS”:

Before a motion was made on the agenda item the Mayor asked City Administrator Dennis Daly if the change had been within the ordinance for the speed limit to be increased from 10 MPH to 15 MPH and was it legal to do so. Daly reported the change had been made and that according to the city attorney the city was well within its right to make the change prior to final passage and adoption. Hentges/Robinson moved have Ordinance No. 225 introduced for the third time. Upon the call of the roll the vote was as follows; AYES: Delperdang, Hentges, Andres, Robinson, Mendenhall. NAYS: None. With the vote being the majority the Mayor declared the motion duly carried. Robinson/Hentges moved to have Ordinance No. 225 placed on

its final passage and adoption. Upon the call of the roll the vote was as follows; AYES: Delperdang, Hentges, Andres, Robinson, Mendenhall. NAYS: None. With the vote being in the majority the Mayor declared the motion duly carried.

Council to consider quotes for the purchase of new city equipment (Water pickup, Lawnmower, Truck chassis, Equipment for truck chassis): The Council reviewed a quote for a new 2015 Chevrolet Silverado 1500 4WD Double Cab pickup from Okoboji GM of Spirit Lake, Iowa in the amount of \$26,754.95, a quote for a new Toro Groundsmaster 7200D ZTR mower with a 60" side discharge deck from Midwest Turf & Irrigation of Sioux City, Iowa in the amount of \$17,944.00, and a quote for equipment to be mounted on a new truck chassis in the amount \$77,800.00 from Crysteel Truck Equipment of Lake Crystal, MN. Daly reported that he had just received a quote from Sheehan Mack Sales & Equipment Inc. from Sioux Falls, South Dakota for a 2016 Mack GU432 chassis in the amount of \$87,433.76. Daly stated that all current equipment will be able to be sold. After further discussion it was moved by Delperdang/Hentges to approve the purchases of the vehicles and equipment for the quotes as provided or less. All ayes. Motion carried.

Council to consider a new 8 month Class C Liquor License for the Brooks Golf Club with Sunday sales and outdoor service area: Hentges/Robinson moved to approve the 8 month Class C Liquor License for Brooks Golf Club. All ayes. Motion carried.

Council to consider a new 6 month Class C Liquor License for The Ranch Okoboji LLC with Sunday sales and outdoor service area: Hentges/Andres moved to approve the 6 month Class C Liquor License for the Ranch Okoboji LLC. All ayes. Motion carried.

REPORT OF OFFICERS

Police Chief Jason Petersen stated everything is running well and has no report at this time.

Councilmember Hentges stated he is very concerned by the upcoming school bond election to allow the construction of a new school addition in Milford, Iowa thus eliminating the middle school currently in Arnolds Park. Hentges stated it is proposed that property taxes would be raised approximately \$1.35 per \$1000 of valuation and indicated that everyone should be concerned as the impacts on property taxes will be tremendous.

Councilmember Robinson stated he had received an email from Okoboji resident Phil Petersen regarding dock issues with the IDNR and if another Councilmember is interested it is available at the office of the City Administrator. Robinson stated he had also received an email from the League of Cities stating that at the State legislative level there is a bill that is being proposed that would prohibit a city's ability to regulate and control the number of renters allowed in a facility.

Daly reported that Premier Communications, Inc. of Sioux Center, Iowa has filed a notice of application for certificate of franchise authority and intent to commence cable and/or video service within the city limits of Okoboji. Daly stated he has turned this over to the city attorney and will keep the Council advised.

Expenditures for the month of March 2015 are as follows; Public Safety - \$22,792.16; Public Works - \$12,428.65; Culture & Recreation - \$19,081.86; Community & Economic Development - \$1,062.50; General Government - \$30,527.06; Water - \$11,372.34; Road Use Tax - \$5,381.47; Trust & Agency - \$1,930.00. Receipts for the same period were \$83,475.09, creating a balance in all funds in the amount of

\$1,816,991.64. \$254,733.52 of the reported balance is invested in Certificates of Deposit with the United Community Bank.

Hentges/Robinson moved to adjourn. All ayes. Motion carried. Meeting adjourned at 7:24 P.M.

Mary VanderWoude, Mayor

ATTEST:

Dennis J. Daly CMC
City Clerk/Administrator