

**CITY OF OKOBOJI
REGULAR COUNCIL MEETING
TUESDAY, AUGUST 12, 2014, 6:00 P.M.**

PRESIDING: Mary VanderWoude

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

OTHERS PRESENT: John Adams, Tom Tourville, Cris Hedgpeth, Tom & Nyla Throckmorton, Mr. & Mrs. Louis Schwartz, Steve Schwaller, Fran Shloss, Jason Petersen, Ruth Whittenburg

After the Pledge of Allegiance, the Mayor called the meeting order at 6:00 P.M. Hentges/Andres moved to adopt the agenda. All ayes. Motion carried. Mendenhall/Robinson moved to approve the consent agenda, which included minutes of the previous meeting 07/15/14, claims for August 2014, and the Clerk's Report ending July 2014. All ayes. Motion carried.

CITIZENS APPEARANCES

Joan Schwartz of 1511 Lake Shore Drive addressed the Council concerning the death of a person on a boat at Okoboji Boat Works. Schwartz learned from Councilmember Hentges, who is a member of the Arnolds Park/Okoboji Rescue Department, and Police Chief Jason Petersen that crowd control at the scene was difficult, but new protocols have been put into place to ensure better control at future emergencies. Schwartz urged the Council to review response protocols for emergencies, and she felt there is liability exposure to the city. Secondly, Schwartz urged the council to review emergency accesses on the site for future emergencies. Councilmember Hentges stated the access for this emergency was easily accessible, and the boat this emergency occurred on was a modern boat. Hentges went on to say it was chaos during this situation as it was a heart attack victim and times like this are difficult. He has spoken to law enforcement, and the manager of Okoboji Boat Works will have new protocols in place for the future. Mayor VanderWoude stated she had a statement from the City Attorney stating the city is exempt from any action taken against the city as this was in the jurisdiction of the IDNR and the County.

Okoboji resident Tom Throckmorton stated there are times when it is difficult to drive through this area due to traffic congestion. Police Chief Petersen stated it was his understanding the only congestion at this scene was on the boat, and crowd control was the main issue. Throckmorton asked if there are more problems in Smiths Bay, if the city wants the citizens to call every time they think something wrong or illegal is taking place. Petersen stated the police department will not deal with the access on the property or chicken smells and other things similar to that, but the department will deal with persons walking with open alcohol containers, trespassing, and things of a criminal nature.

Bob Sandahl of 2102 Holliday Way stated he hopes the proposed new sidewalk on Dixon Beach will not be widened as he felt it would precipitate more bicycle traffic that could be a hazard to walkers and homeowners in general in that area. Sandahl stated safety is the key issue for this project.

NEW BUSINESS

Council to discuss and consider setting a speed and weight limit on an alley located at 2206 Lake Shore Drive: City Administrator Dennis Daly reported he has found the property in question is city owned. Daly stated it was thought in the past that Dick Notestine of 2206 Lake Shore Drive owned the property, but after investigation, it has been determined Mr. Notestine does not own it. Daly went on to say since it is considered an access for the City, Notestine kindly asked that a speed and weight limit be put into place to assist in controlling traffic and weight limits of vehicles so as not to damage the surface of the street. Daly said the city should be cautioned about setting weight limits, and should have the city engineer offer an opinion. Councilmember Robinson stated there is the potential that a neighbor who owns property next to Notestine could access through this area to build a new home on the lot in the future. Robinson went on to say Notestine is concerned that with increased construction, traffic there could be the potential for damage to the street. Robinson further stated it is his opinion that a 5 MPH zone should be created with a possible weight limit not to exceed four tons. Daly stated he would have an agenda item for the next meeting to further consider the request.

Council to consider the re-appointment of Perry Pearson to the Planning & Zoning

Commission with term to expire 08/15/19: Robinson/Hentges moved to approve the re-appointment of Perry Pearson to the Planning & Zoning Commission with term to expire 08/15/19. All ayes. Motion carried.

Council to consider an appointment to the Board of Adjustment to fill a vacancy with term to expire 01/08/16: Hentges/Mendenhall moved to approve the appointment of Ann Fitzgibbons to the Board of Adjustment to fill a vacancy to expire 01/08/16. All ayes. Motion carried.

Council to consider a request by Mr. David Critchett of 2109 Holliday Way to lengthen the dock and add two hoists for wave runners for Dixon Beach Dock #13:

Robinson/Mendenhall moved to approve the request by Mr. David Critchett to lengthen his dock and add two hoists for wave runners. All ayes. Motion carried.

Council to discuss a possible ATV ordinance: The Mayor announced the City of Okoboji is the only city in the lakes area that does not have an ordinance allowing ATV use, and one of the main concerns is where an ATV could cross U.S. Highway 71. Police Chief Petersen gave examples of where crossings could possibly take place. The Mayor stated certain restrictions could be put into place. Councilmember Delperdang reminded everyone this has been discussed in the past. Councilmember Hentges stated he noticed a lot of kids are driving golf carts in the City of Arnolds Park, and wanted to make sure provisions would be in place to control situations such as that. Councilmember Robinson suggested the city attorney draft a proposed ordinance and bring to the Council for review at the September council meeting. Daly state he would visit with the city attorney.

REPORT OF OFFICERS

Police Chief Jason Petersen reported on the memorial tree planting at Speier Park for fallen police officers.

Councilmember Andres reported the new city website is up and running, and stated it is nice looking and very functional. Andres pointed out one new feature that is exciting is a new button that allows citizens to email the Councilmembers if they wish to do so. Andres also thanked everyone for their concerns about the Okoboji Boat Works emergency.

Daly reported City Engineer Brad Beck will be at the next meeting to present sewer lift station projected plans and costs. Daly also stated Beck will be working on the other projects noted by the Council for the future. Daly also reported he is now working on getting the Code of Ordinances for the City recodified, and will have information at the next meeting.

Expenditures for the month of July 2014 are as follows: Public Safety - \$60,695.33; Public Works - \$14,920.46; Culture & Recreation - \$2,409.90; Community & Economic Development - \$8,576.25; General Government - \$76,160.62; Water - \$34,729.36; Road Use Tax - \$24,996.71; Capital Projects - \$1,200.00; Trust & Agency - \$597.96. Receipts for the same period were \$154,004.14, creating a balance in all funds in the amount of \$1,221,389.21. \$104,389.05 of the reported balance is invested in Certificates of Deposit with the United Community Bank.

Hentges/Andres moved to adjourn. All ayes. Meeting adjourned at 6:39 P.M.

Mary VanderWoude, Mayor

ATTEST:

Dennis J. Daly, CMC
City Clerk/Administrator