

CITY OF OKOBOJI
REGULAR COUNCIL MEETING
TUESDAY, DECEMBER 13, 2016

PRESIDING: Mayor VanderWoude

COUNCILMEMBERS PRESENT: Walter Mendenhall, Jerry Robinson, Julie Andres, Jim Hentges, Jim Delperdang.

OTHERS PRESENT: Dick Notestine, James McMahon, Owen Primavera, Barbara Mendenhall, Jim Willis, Kiley Miller, Barry Sackett, Rick Sampson, Valerie Sampson, Les Marousek, Jamie Whitney, TJ Thayer, Bob Krischbaum, Kae Hoppe, Connie Rhodes, Mark McGill, Kris Walker, Jason Petersen, Brad Beck, Dave Stein and Jason Peters.

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. Robinson/Mendenhall moved to approve the consent agenda, which included minutes of the previous meetings 11/15/16, 11/18/16 and 11/19/16, claims for December 2016, Bank Cash/Treasurers Report for November 2016 and Renewal of a Class B Liquor Permit for Arrowwood Resort with Sunday sales. All Ayes. Motion carried.

NEW BUSINESS ITEM MOVED

Council to consider hiring and setting a wage for new City Clerk / Zoning Administrator: Mayor introduced and welcomed Jason Peters. Mr. Peters' salary will be set at \$65,000 per year. Councilmember Hentges inquired as to whether Mr. Peters would receive same benefits and probationary period as other city employees. Mayor VanderWoude replied yes. Andres/Mendenhall moved to approve the hiring and setting a wage of Mr. Peters as City Clerk/Zoning Administrator. Roll call all ayes. Motion carried.

CITIZENS APPEARANCES

Dick Notestine of 2206 Lakeshore Drive revisited his concern about city owned adjacent alley and lot owned by Bob VanOrsdel: Mr. Notestine is concerned in the way Mr. VanOrsdel is using the alley way to get to his property. He feels Mr. VanOrsdel should use access from Lakeshore Drive instead of the alley. Councilmember Delperdang indicated that he had been contacted by Mr. VanOrsdel to discuss the issue. Councilmember Hentges asked whether there is the possibility of an additional access point to the alley way behind the properties in question and the Councilmembers discussed the viability of this option. James McMahon also brought into question the viability of allowing additional access to the alley way behind the properties in question. City Attorney Dave Stein indicated that there may be private property interests involved as well as city property interests and discussed possible options on how to address the issue. Mr. Notestine inquired as to adverse possession. City Attorney Dave Stein suggested that all the parties get together to discuss the matter and that if Mr. VanOrsdel is not able to physically attend a Council meeting that arrangements be made to have him teleconference into a future meeting or have a representative attend on his behalf. No action was taken.

PUBLIC HEARINGS:

Public Hearing: Council to conduct a Public Hearing Considering an Amendment to the Zoning Ordinances creating a text amendment to the city's zoning ordinance for the creation of a new Section 11.22 Lakeshore Landscaping and Development Regulations. Additional zoning amendments related to the proposed new lakeshore landscaping regulations will affect amendments for new Section 6.9, Section 7.6 and Section 8.10 of the Okoboji Zoning Ordinance. Proposed Ordinance No. 213.

Mayor VanderWoude opened the floor for questions or comments. There were no comments from the public. Councilmember Hentges stated that the proposed ordinance thoroughly addresses the Council's concerns. Councilmember Mendenhall addressed all the hard work that was involved in creating the new regulations. Council considered the recommendation from the Planning and Zoning Commission. Mendenhall/Hentges moved to approve. Roll call all ayes. Motion carried.

First reading of Proposed Ordinance No. 231, an ordinance creating a new Section 11.22 Lakeshore Landscaping and Development Regulations. Additional zoning amendments related to the proposed new lakeshore landscaping regulations will affect amendments for new Section 6.9, Section 7.6 and Section 8.10 of the Okoboji Zoning Ordinance. Hentges/Andres moved to approve. Roll call all ayes. Motion carried.

Consideration of waiving second and third readings of Proposed Ordinance No. 231 and adoption of Proposed Ordinance No. 231. No discussion. Councilmember Mendenhall/Hentges moved to waive second and third readings of Proposed Ordinance No. 231 and adoption of Proposed Ordinance No. 231. Roll call all ayes. Motion carried. City staff will publish the ordinance in the Dickinson County News at the next available publication date.

Public Hearing: Council to conduct a Public Hearing Considering an Amendment to Chapter 135 by adding Section 135.09(13) establishing specifications for trenching in the City Right-of-Way and supplemental specifications for public improvements in the City Right-of-Way. Proposed Ordinance No. 232. Council considered recommendations from City Engineer Brad Beck. No discussion.

First reading of Proposed Ordinance No. 232, an Amendment to Chapter 135 adding Section 135.09(13) establishing specifications for trenching in the City Right-of-Way and supplemental specifications for public improvements in the City Right-of-Way. Robinson/Andres moved to approve. Roll call all ayes. Motion carried.

Consideration of waiving second and third readings of Proposed Ordinance No. 232 and adoption of Proposed Ordinance No. 232. No discussion. Councilmember Robinson/Hentges moved to waive second and third readings of Proposed Ordinance No. 232 and adoption of Proposed Ordinance No. 232. Roll call all ayes. Motion carried. City staff will publish the ordinance in the Dickinson County News at the next available publication date.

NEW BUSINESS

Jane Shuttleworth to present information on the Second Annual Okoboji Blue Water Festival and request funding for fiscal year 2017/18: Mayor VanderWoude moved item up in the agenda. Ms. Shuttleworth was not able so Barry Sackett presented information on the success of the First Annual Okoboji Blue Water Festival and requested that the Council consider a funding request in the amount of \$5000 for fiscal year 2017/18 to support the Second Annual Okoboji Blue Water Festival. No action taken, information only.

Council to review Agreement and Easement RE Storm Sewer with Valerie and Rick Sampson, 5503 Lakeshore Drive with possible action: Rick Sampson would like to explore the option of shifting the location of the current easement. City Engineer Brad Beck explained an agreement has been drafted to reimburse the city for the expense involved the relocation of the current easement. The agreement will allow Mr. Beck to begin working on the relocation. A discussion of the history of drainage problems on

the property was held. Delperdang/Andres moved to approve Agreement and Easement RE Storm Sewer with Valerie and Rick Sampson, 5503 Lakeshore Drive. All ayes. Motion carried.

Steve Dulin to discuss his concern over lack of parking regulations in the city: Mayor VanderWoude explained that this item was removed due to the issue being taken care earlier in the day. No action taken.

Jim Willis with Iowa Municipal Benefits Plan to present a new program created to assist Iowa Cities: Jim Willis gave a presentation on a benefits plan focused on banding cities in Iowa with population less than 5,000 together to give them greater buying power. Council discussed who would serve as the actual agent and what effect this would have on the City's current agreements with their local agent. The Council discussed exploring the new program. No action taken, information only.

Kiley Miller, CEO for IA Lakes Corridor to give annual report: Kiley Miller, President and CEO of the Iowa Lakes Corridor Development Corp., presented the quarterly report to the Council. Miller thanked the Council for its support. Mr. Miller stated that a 30,000 shell building was being built for potential industrial firms. The Council thanked Miller for his report. No action taken, information only.

Connie Rhodes, Lakes Area Dog Park, to request funding for Phase II in their development: Connie Rhodes of the Lakes Area Dog Park, presented information on the success of Phase I of the Lakes Area Dog Park. Phase II will include installing gravel in the parking lot and two water stations. Ms. Rhodes asked that the Council consider a funding request in the amount of \$1000 for Phase II. No action taken, information only.

Jamie Whitney, Upper Des Moines Opportunity, Inc. to give annual report and request funding for FY 2017/18: Jamie Whitney and TJ Thayer of Upper Des Moines Opportunity, Inc. presented an annual report regarding their work in the 12 County area providing emergency energy assistance, food assistance, special projects, and housing assistance to those in need. Mr. Whitney explained that 100% of any City funding would stay in the area to help local residents. Jamie Whitney and TJ Thayer of requested that the Council consider a funding request in the amount of \$500 for fiscal year 2017/18 to support the Upper Des Moines Opportunity, Inc. No action taken, information only.

Bob Kirschbaum, Pearson Lakes Art Center to give annual report and request funding for FY 2017/18: Bob Kirschbaum, introduced himself as the new executive director of the Pearson Lakes Art Center. Mr. Kirschbaum presented an annual report on the programs the Pearson Lakes Art Center provides to children in the area and requested that the Council consider a funding request in the amount of \$5000 for fiscal year 2017/18 to support the Pearson Lakes Art Center. No action taken, information only.

Council to consider the re-appointment of Joyce Waddell and Ann Fitzgibbons to the Board of Adjustment with term to expire January 8, 2021: Mayor VanderWoude combined the re-appointment of Joyce Waddell and Ann Fitzgibbons to the Board of Adjustment with terms to expire January 8, 2021. Hentges/Delperdang moved to approve Joyce Waddell and Ann Fitzgibbons to the Board of Adjustment with terms to expire January 8, 2021.

Council to review status of property at 1728 Nichols Ave owned by Kae Hoppe: Councilmember Robinson explained that the City was aware that Kae Hoppe has had difficulties in getting a contractor to rehabilitate the property and that he had received complaints from the neighboring property owners. Councilmember Hentges asked Ms. Hoppe whether she had any future plans for the property. Ms. Hoppe explained that she was unaware that this matter was going to be on the agenda and was not in a

position to discuss the matter. Councilmember Hentges asked Ms. Hoppe whether she would be agreeable to coming back and discussing the matter next month. Les Marousek asked whether the original permit is still valid and expressed safety concerns regarding the current state of the property. It was agreed that the issue would be tabled until the January 2017 Council Meeting agenda. No action was taken.

Council to consider the Employee Health & Dental Insurance renewal: Mark McGill and Kris Walker of Walker Insurance Agency, Inc. presented information on the renewal of the Employee Health and Dental Insurance plan with Blue Cross/Blue Shield. Councilmember Delperdang inquired to Mr. McGill and Ms. Walker as to their impressions of the plan presented earlier in the meeting by Jim Willis. Councilmember Andres asked Mr. McGill and Ms. Walker to provide information to the Council regarding the actual use of the plan to gain insight as to whether different insurance options can be explored. Hentges/Robinson moved to renew the Employee Health and Dental Insurance plan. All ayes. Motion carried.

Council to consider the City Audit for Fiscal Year ending June 30, 2016: Mayor VanderWoude explained that the Finance Committee had a met last week to go through the City Audit. Robinson/Hentges moved to accept the City Audit for Fiscal Year ending June 30, 2016. All ayes. Motion carried.

Council to consider yearly bonuses for all city employees: Hentges/Andres moved to give a \$250 yearly bonus to all city employees. All ayes. Motion carried.

Council to consider removing Dennis Daly's name as a signatory for City Accounts and adding Jason Peters name: Mayor VanderWoude added this item as an action item per the request of the City's financial institutions. Robinson/Delperdang moved to approve the removal of Dennis Daly's name as a signatory for City Accounts and add Jason Peters' name. All ayes. Motion carried.

REPORT OF OFFICERS

Police Reports: Chief Peterson reported that he had received a \$1,000 grant from ICAP that will be pooled with neighboring communities to purchase a drone.

Mayor Reports: Lissa Ballis has given her notice and the City will be posting the position of Deputy City Clerk.

Council Reports: Councilmember Hentges thanked Ms. Ballis for her service and expressed his gratitude for her hard work during a difficult period. Councilmember Andres welcomed Mr. Peters. Councilmember Robinson announced that the fire department had also received a positive financial audit report.

Administrator Reports: Mr. Peters thanked the Council and the Community for the opportunity to serve as their new City Clerk/City Administrator.

Expenditures for the month of November 2016 are as follows: General Fund - \$115,671.13; Trust & Agency - \$5,365.20; Road Use Tax - \$1,532.65; TIF - \$2,175.00; Debt Service/Property Tax - \$39,566.81; Capital Projects - \$7,879.41; Water - \$96,255.29. Receipts for the same period were in the amount of \$269,286.80 creating a balance in all funds in the amount of \$2,192,683.31. \$274,609.52 of the reported amount is invested in Certificates of Deposit with United Community Bank.

Moved to adjourn. All ayes. Mayor VanderWoude adjourned meeting at 7:58 P.M.

Mary VanderWoude, Mayor