

CITY OF OKOBOJI  
REGULAR COUNCIL MEETING  
TUESDAY, SEPTEMBER 12<sup>th</sup>, 2017

**PRESIDING:** Mayor VanderWoude

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

**OTHERS PRESENT:** Daniel Sanders, Jeff Thee, Tony Gray, Neil Slater, Phil Petersen, Judith Luhrs, Mike Luhrs, Todd Abrahamson, Molly Scott, David Scott, Tom Maser, Leo Jochum, Bev Jochum, Paul Johnson, Jill Peters, Kae Hoppe, Mike Manly, Shelly Manly, Bill Fowler, Jackie Fowler, Bernis Manley Brad Beck, Jason Petersen and Jason Peters.

After the Pledge of Allegiance the Mayor called the meeting to order at 6:00 p.m. Hentges/Robinson moved to adopt the agenda. All ayes. Motion carried. Robinson/Mendenhall moved to approve the consent agenda, which included minutes of the previous meeting 08/08/2017, Claims for September 2017, Bank Cash Report for August 2017. All ayes. Motion carried.

**OLD BUSINESS**

**Second reading of Proposed Ordinance No. 237, an ordinance by replacing language in 55.01 (3) to add a leash requirement.** A discussion took place between the Council and those in the audience regarding how this matter came before the Council. Mayor VanderWoude stated that this issue was brought to the Council by a concerned resident. Judith Luhrs stated that she wished those that wanted the leash law would come to the meeting to visit with them about the issue. Mayor VanderWoude stated that the City has received complaints about people letting their dogs run and not picking up their waste. Mendenhall stated that he believed that one of the attacks in question had taken place near his home and that the dog is now fenced in. A discussion took place on whether any citizens in attendance were in favor the leash requirement. There were none. Delperdang stated that the majority of the calls he has received have been against the leash requirement and he was leaning against the requirement. A discussion took place between the Council on what motion should be made at this time. Delperdang stated that the pro-leash requirement residents could come back at another time to ask for the requirement. Delperdang stated that he had talked to the City Attorney and the City would not be liable simply because it does not have a leash law. Administrator Peters stated under the current ordinance it is illegal for an animal to be “at large”. Reading failed due to a lack of motion.

**Consideration of waiving third reading of Proposed Ordinance No. 237.** Waiving third reading failed due to a lack of motion.

**Consider adoption of Proposed Ordinance No. 237.** Adoption failed due to a lack of second reading, lack of waiver of third reading, and lack of motion for adoption.

**Council to hear update from Engineer Beck regarding the seawall on Dixon Beach.** Engineer Beck explained that Certified Testing Services attempted to get soil samples for the area. Engineer Beck stated the attempt showed that the area was sandy. Engineer Beck stated that sandy soil would be good for a new wall, but not good for a sloped solution. Engineer Beck stated he had put together preliminary plans and a cost estimate for a steel sheet pile sea wall with a concrete cap. A discussion took place between the Council and Engineer Beck on whether the wall could be installed in front of the existing seawall. Engineer Beck stated it his hope that with this option the trees along the wall can be saved. Robinson stated that this option was quite expensive and wondered if there is any grant opportunities. Administrator Peters stated that he had explored whether the project would qualify for FEMA grants administered by the State of Iowa. Administrator Peters stated that because the area is not in a flood plain and the houses are not a part of the Flood Plain Insurance program, the odds of getting grant

funding are low. Administrator Peters stated that the City would have to go through the Lakeshore Landscaping permitting process. A discussion took place between the Council and Engineer Beck on the measures taken to fix the sink hole in front of Farners property. A discussion took place between the Council and Engineer Beck regarding the depth of the current wall. Robinson stated that given the cost of the project, it would have to be programmed into next year's budget or issue bonds. Hentges stated that he felt that this option seems to be the best one to keep the water clean. Robinson/Hentges moved to direct Engineer Beck to pursue the permitting process with the Iowa DNR and the Army Corp of Engineers for the installation of a Steel Sheet Pile Sea Wall. Phil Petersen thanked city staff and Engineer Beck for their work on the seawall.

## **NEW BUSINESS**

**Todd A. Abrahamson, Okoboji School District, to inform Council of the key points & considerations from their enrollment and demographic studies.** Mr. Abrahamson explained how their study of enrollment and demographics was completed. Mr. Abrahamson highlighted the key points and considerations from the study. Information only. No action taken.

**Central Water System to give council an update on Curly-leaf Pondweed.** Tony Gray, Water Superintendent Central Water System, explained that he was a part of a group that is looking into how to address curly-leaf pondweed. Mr. Gray explained that they have looked into mechanical harvesting and the use of herbicides. Mr. Gray stated that a public meeting will be held later in the month and he would inform Administrator Peters of the date. Information only. No action taken.

**Council to discuss paving and striping Lake Street.** Engineer Beck stated that he had been asked to provide an estimate of the number of spaces that could be added by paving Lake Street. Engineer Beck stated that given the dimensions, 13 stalls could be installed. Engineer Beck estimated that it would cost \$8-\$9 a square foot to install concrete parking stalls in the area. Delperdang stated that this matter was prompted by August's discussion of parking on Lakeshore Drive. Delperdang stated that a meeting was held with representatives of Mr. Parks regarding parking in the area and it was suggested that Lake Street could be used to alleviate some of the parking issues on Lakeshore Drive. Delperdang stated that he felt the City needed to look into the pros and cons of using this area as parking. Delperdang stated he felt that the properties surrounding Lake Street may want to have a driveways onto Lake Street and this would limit the number of spots available. Delperdang stated that there are many trees in the area and changing the grade would change the neighborhood. Delperdang stated he believed there is a utility easement that may limit the number of parking spaces. Delperdang stated he felt the City has done their due diligence and does not feel City could go much farther with this idea given all the limitations. Robinson stated that he felt the cost per parking spot would make this cost prohibited and would like more information. Jeff Thee stated he appreciated the time the Council has taken on this matter. Mr. Thee hopes that steps can be taken to come up with solutions to the parking issue and hopes that they can work together. A discussion took place between the Council and Mr. Thee regarding parking in the area. Robinson asked whether the area to the south was a usable area. Engineer Beck stated they would have to look into the grade. A discussion took place between the Council and Mr. Thee on whether the City should be responsible for providing parking in the area. Robinson stated that he felt this was a public safety issue and they need to work together to find new solutions. Delperdang stated he was willing to move forward to get more facts. Mendenhall stated that the increase in parking may be from the boat excursions that launch from the area and asked if it was possible for these people to be bused in from an offsite parking area. A discussion took place between the Council on how Lake Street is currently used by the neighbors. Engineer Beck stated that according the SUDAS standards Lakeshore Drive only supports one sided parking. The Council requested Engineer Beck come back next month with more information on whether Lake Street could be used as parking. Information only. No action taken.

**Council to consider request from Ocean Shores condominium association regarding concrete driveway work at 1112 Gordon Drive.** Administrator Peters stated that the agenda item lists the name

as Ocean Shores, the correct name is the Okoboji Shores Condominium. Administrator Peters stated that he was approached by Okoboji Shores to see if the City would be willing to replace a portion of their driveway that was not removed during the work on Gordon Drive. Administrator Peters stated that the Condos indicated that in the past this area has been maintained by the City. Administrator Peters stated they have offered to pay 1/3 of the cost. Administrator Peters stated that the total cost was \$6450. Hentges stated he felt that this was the Condo's property. Administrator Peters stated that if the work is done the engineers feel it will improve storm water runoff to some extent. Robinson stated that he cannot recall an instance where the City has participated in a request like this one. Administrator Peters stated that he had heard from other neighbors in the area and they feel that this should be a part of the project. Hentges/Robinson motion to deny request from Okoboji Shores condominium association regarding concrete driveway work at 1112 Gordon Drive. All ayes. Motion to deny carried.

**Council to consider an Application for Payment #1 in the amount of \$39,669.06 payable to Rens Concrete, Inc. for the 2017 City of Okoboji Gordon Drive Street Project.** Mayor VanderWoude moved this item up in the agenda. Engineer Beck stated that cooperation with contractor has been good and their work has been good. Mendenhall/Robinson move to approve Application for Payment #1 in the amount of \$39,669.06 payable to Rens Concrete, Inc. for the 2017 City of Okoboji Gordon Drive Street Project. All ayes. Motion carried.

**Council to consider a Board of Adjustment granted variance to Duane and Joan Haith of 1503 Prospect Street to allow for the expansion of an existing nonconforming structure and for the addition to encroach approximately 3.1 feet into the rear yard setback and to encroach approximately 3.6 feet into the southwesterly side yard setback.** Administrator Peters explained that the Board of Adjustment had voted to approve a variance at 1503 Prospect Street to build an addition for a handicap accessible bathroom. Robinson/Mendenhall moved to approve the granted variance to Duane and Joan Haith of 1503 Prospect Street to allow for the expansion of an existing nonconforming structure and for the addition to encroach approximately 3.1 feet into the rear yard setback and to encroach approximately 3.6 feet into the southwesterly side yard setback. All ayes. Motion carried.

**Council to hear update from Park Board meeting held August 21<sup>st</sup>, 2017.** Administrator Peters stated that he has received a large amount of inquiries regarding whether the City would install pickleball courts in Speier Park and based on these inquiries a Park Board meeting was held. Administrator Peters stated he estimated the cost of installing two courts would be \$100,000. Administrator Peters stated that grant opportunities to install courts of any kind are limited and he has approached several groups about possible funds. Administrator Peters stated that based on the number inquiries he has received, he has no doubt the courts would be used. A discussion took place between the Council on where pickleball can be played in the area. Information only. No action taken.

**Council to review the Street Financial Report for July 1, 2016 to June 30, 2017 and consider Resolution No. 17-21 "Street Financial Report for July 1, 2016 to June 30, 2017".** Administrator Peters explained that the report was put on each Council member's desk before the meeting and that it would need to be submitted to the state before September 30<sup>th</sup>. Robinson/Hentges moved to approve the Street Financial Report for July 1, 2016 to June 30, 2017 and approve Resolution No. 17-21 "Street Financial Report for July 1, 2016 to June 30, 2017". Roll call vote. All ayes. Motion carried.

**Council to accept resignation of Rebecca Peters from the Board of Adjustment.** The Council thanked Rebecca Peters for her service and stated that she will be missed. Hentges/Robinson moved to accept the resignation of Rebecca Peters from the Board of Adjustment. All ayes. Motion carried.

### **REPORT OF OFFICERS.**

Police Reports: Chief Petersen stated he and the street department have reviewed areas on Lakeshore Drive that are continual problems.

Council Reports: Councilmember Hentges stated that the recent charity auction raised \$11,000 for the Fire Department.

Administrator reports: Administrator Peters stated a meeting has been scheduled for September 20<sup>th</sup>, 2017 at 5:30 pm at the Arnolds Park Pavilion by the private donor group that is interested in beautifying the area. Administrator Peters stated that he had been approached by a group from the hospital that are forming a Healthy Hometown initiative and would like input from Okoboji.

Expenditures for the month of August 2017 are as follows: General Fund - \$69,871.16; Trust & Agency - \$500.00; Road Use Tax - \$0.00; TIF - \$0.00; Debt Service/Property Tax - \$0.00; Capital Projects - \$4,840.00; Water - \$53,662.41. Receipts for the same period were in the amount of \$162,193.51 creating a balance in all funds in the amount of \$2,562,626.71. \$427,060.11 of the reported amount is invested in Certificates of Deposit with United Community Bank.

Mayor VanderWoude entertained a motion to adjourn. Hentges/Mendenhall moved to adjourn. All ayes. Mayor VanderWoude adjourned meeting at 7:55 P.M.

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Mary VanderWoude, Mayor