

**CITY OF OKOBOJI
REGULAR COUNCIL MEETING
TUESDAY, MARCH 11, 2014, 6:00P.M.**

PRESIDING: Mayor Mary VanderWoude

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

OTHERS PRESENT: Jason Petersen, Brad Beck

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 02/11/14, claims for March 2014, Clerk's Report ending February 2014, a renewal of a Class C Liquor License for the Outrigger Restaurant and Lounge with Sunday sales, and a renewal of Class C Liquor License for The Fisherman's Wharf with Sunday sales and outdoor service area. Before a vote was taken, Councilmember Delperdang wished to make a correction and/or addition to the February 12, 2014, minutes. Delperdang asked that the bonding issue taken up at the February 12, 2014, meeting now include a statement that the decision was made to refinance existing bonds to take advantage of more favorable interest rates and not the borrowing of new money. All ayes. Motion carried.

Before starting the regular agenda items, City Administrator Dennis Daly wished to present the Mayor and City Council with an award. Daly stated the City of Okoboji was recognized by ISWEP (Iowa Storm Water Education Program) for its continued leadership and implementation efforts in the installation of Stormwater Green Infrastructure Practices in the Okoboji Watershed. Daly reported he and Councilmember Jerry Robinson attended the award ceremony at the 2014 Stormwater Conference in Ames, Iowa. City Engineer Brad Beck was also to attend, but could not due to an illness. Daly thanked the Mayor and Council for their continued support of LID practices. A special thanks went to Beck from the Mayor and Council for his continued support and design excellence for LID practices.

NEW BUSINESS

Council to conduct a public hearing to consider approval and adoption of the City budget for fiscal year 2014/15 and consider Resolution No. 14-03 "A resolution adopting and certifying the City of Okoboji Fiscal Year 2014/15 Budget:" The Mayor declared the public hearing open for comment considering the approval and adoption of the City budget for fiscal year 2014/2015. With no comments, the Mayor declared the public hearing closed for comment. Councilmember Robinson wanted to state this is the third year in a row the City has held the tax levy at a rate of \$4.48039 per \$1000 of valuation. Daly stated the anticipated collection for property taxes for 2014/15 for the General Fund and the Debt Service Fund would be \$1,396,370.00. Hentges/Delperdang moved to approve and adopt Resolution No. 14-03 adopting and certifying the City of Okoboji Fiscal Year 2014/15 Budget. Upon the call of the roll, the vote was as follows: AYES-Delperdang, Hentges, Robinson, Mendenhall; NAYS-None; Absent-Andres. With the vote being in the majority, the Mayor declared the motion duly carried.

Council to conduct a public hearing on the matter of the proposed authorization of a loan agreement and the issuance of not to exceed \$1,000,000 general obligation capital loan notes, Series 2014, (for essential corporate purposes) and the public hearing on the authorization and issuance thereof: The Mayor declared the public hearing open for comment on the matter of the proposed authorization of a loan agreement and the issuance of not to exceed \$1,000,000 general obligation capital loan notes, Series 2014. With no comment, the Mayor declared the public hearing closed for comment.

Councilmember Andres arrived at the meeting at 6:10 P.M.

Council to consider Resolution No. 14-04, Resolution instituting proceedings to take additional action for the authorization of a loan agreement and the issuance of not to exceed \$1,000,000 general obligation capital loan notes, Series 2014: Robinson/Hentges moved to approve and adopt Resolution No. 14-04. 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 Resolution No. 14-05, Resolution approving the preliminary official statement for the \$955,000 (Dollar Amount Subject To Change) general obligation loan notes, Series 2014: Hentges/Robinson moved to approve and adopt Resolution No. 14-05. 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 Resolution No. 14-06, Resolution authorizing the issuance of \$955,000 general obligation capital loan notes, Series 2014, and levying a tax for the payment thereof: Hentges/Andres moved to approve and adopt Resolution No. 14-06. 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 dock permit renewals: Councilmember Andres asked if a question could be placed on the city dock applications concerning commercial use. Daly stated no commercial use is allowed on any city owned public access dock permit. Andres asked Daly to confer with the city attorney. Daly stated the dock permits presented to the Council at this meeting are for Public Accesses 1-9 and the Dixon Beach City owned access, and are for five years. Hentges/Delperdang moved to approve the dock permits as presented. All ayes. Motion carried.

Council to consider a mediation settlement with Iowa Lakes Regional Water: The Council was presented with a letter from Ivan Webber of the Ahlers Law Firm of Des Moines, Iowa. Webber was the representing attorney for the cities of Okoboji and Arnolds Park concerning a mediation meeting with Iowa Lakes Regional Water concerning money owed for the water plant expansion and improvements at Central Water System. The proposed mediation settlement is as follows: 1. Iowa Lakes Regional Water will increase its guaranteed monthly payment from \$600.00 to \$2,000.00 starting March 1, 2014. 2. By May 1, 2014, Iowa Lakes Regional Water will pay Central Water System \$550,000.00 in full settlement of the present dispute. 3. The parties agree to renegotiate their contract by March 1, 2024, and failing to do so will submit all disputed items to binding arbitration. The total settlement over the next ten years would be in the amount of \$718,000.00. Daly reported once this is approved and the money is received from Central Water System, the cities of Okoboji and Arnolds Park will each receive a check in the amount of \$275,000.00. Daly stated these funds would then be placed against the debt the city has already incurred for the expansion and improvements, and he will meet with the Central Water System concerning the extra \$1400.00 they would be receiving for the monthly payment for water. After further discussion, Hentges/Robinson moved to accept the mediation as proposed. All ayes. Motion carried.

Council to consider quotes for street removal and replacement: Robinson/Andres moved to approve a quote for street removal and replacement from Beck Excavating, Inc. for Prospect Street and Brooks North Lane patch work in the total amount of \$43,724.80. All ayes. Motion carried. Daly stated funds are available and will not require any extra borrowing of funds for the projects.

Council to consider a Dickinson County Landfill Commission Assessment for 2014/15: Delperdang/Mendenhall moved to approve an assessment from the Dickinson County Landfill Commission in the amount of \$2.00 per housing unit for a total amount of \$2,334.00 for fiscal year 2014/15. All ayes. Motion carried.

Council to consider a new Class C Liquor License for Rabab's Neighborhood Bistro LLC with Sunday sales and outdoor service area: Robinson/Hentges moved to approve the new Class C Liquor License for Rabab's Neighborhood Bistro LLC. All ayes. Motion carried.

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

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

Council to consider an offer for the sale of a street sweeper co-owned with the City of Arnolds Park: Hentges/Andres moved to accept an offer of \$27,500.00 from the City of Avoca for the purchase of the street sweeper co-owned with the City of Arnolds Park. All ayes. Motion carried.

RAGBRAI update: Mayor VanderWoude gave a report on RAGBRAI committee findings. Discussion followed about fund raisers, RAGBRAI logo, proposed camping sites in the area, liability insurance concerning camping and alcohol use on city property, and police protection. The Mayor announced that Advisory and Executive Committees would be meeting again on March 24th,

REPORT OF OFFICERS

Police Chief Jason Petersen gave the police report stating he has added two police officers to the pool of officers from which he can draw when a shift needs to be filled.

The Mayor asked Daly if he had received a response from the Okoboji Marketing Committee concerning the request for the use of hotel/motel tax money for the Lakes Area Hockey Association. Daly stated he would follow-up with the committee to see where they are with the request.

Councilmember Delperdang asked Daly if the City is protected concerning our zoning with the definitions of shared ownership. Daly stated he felt the city was protected for the most part, and would confer with the city attorney on this issue.

Councilmember Andres reported she is working with Daly and Sheri Donnenwerth concerning RFPs for a new city website. Andres stated the goal is to produce a more user friendly, nicer looking, and more efficient website. Andres stated hopefully something would be ready for April but no later than May.

Councilmember Robinson reported on the committee that is continuing the ongoing search for a city attorney. Robinson is asking that a special closed meeting be conducted to review the two candidates that were interviewed. Mayor VanderWoude called a special meeting for March 25, 2014, at 5:30 P.M.

Robinson also reported it is time to consider replacing the city car that Daly uses. Robinson stated the car is now currently in for repair. The repairs are anticipated to be in excess of \$1000, and it does not make much sense to continue to spend on a vehicle that is only worth \$3000-\$3500. Robinson thought possibly trade the vehicle or reimburse Daly for the use of his own vehicle. Robinson stated he would have information for the April meeting.

Councilmember Mendenhall stated in light of some future development, the City should make a future request viable. The Mayor suggested any future zoning meetings should be conducted during the evening hours so those interested would be able to attend.

Daly reported the garbage collection contract would end this June 1, 2014, with Waste Management. Daly asked if the Council wants to send out RFPs to solicit for a possible new contractor and/or rates, or if the Council just wishes to renew with Waste Management. After discussion, the Council stated they would be fine with a renewal. Daly stated this would be an item for action at a future meeting.

Daly reported he has been receiving complaints concerning turkey problems within the city limits. He has spoken to the IDNR about this and is awaiting a response, and will report at a later meeting.

Daly reported the City has received a new Moody's rating of an A1 from an A2.

Expenditures for the month of February 2014 are as follows: Public Safety - \$46,045.20; Public Works - \$24,268.89; Culture & Recreation - \$19,920.38; Community & Economic Development - \$1,062.50; General Government - \$32,457.00; Water - \$14,162.48; Road Use Tax - \$1,844.54; Trust & Agency - \$68.50. Receipts for the same period were \$213,417.17, creating a balance in all funds in the amount of \$1,989,909.03. \$118,256.83 of the reported balance is invested in Certificates of Deposit with the United Community Bank.

Hentges/Andres moved to adjourn. All ayes. Motion carried. Meeting adjourned at 7:38 P.M.

Mary VanderWoude, Mayor

ATTEST:

Dennis J. Daly, CMC
City Clerk/Administrator