

**CITY OF OKOBOJI
REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 8, 2013, 6:00 P.M.**

PRESIDING: Mayor VanderWoude

COUNCILMEMBERS PRESENT: Dulin, Robinson, Christensen, Hentges, Delperdang

OTHERS PRESENT: Tim Oswald, Sara Christensen, Julie Andres, Leo Parks, Jr., Jason Petersen, Mr. & Mrs. Tom Throckmorton, Phil Petersen

After the Pledge of Allegiance, Mayor VanderWoude called the meeting to order at 6:00 P.M. Christensen/Hentges moved to adopt the agenda. All ayes. Motion carried. Hentges/Robinson moved to approve the consent agenda, which included the minutes of the previous meeting 09/10/13, claims for October 2013, and the Clerk's Report ending September 2013. All ayes. Motion carried.

NEW BUSINESS

Council to consider a dock configuration change and an increase for the number of hoists presented by Leo Parks, Jr., for Public Access #1 (Lake Street): Councilmember Christensen asked Parks what other arrangements Parks must make with the IDNR. Daly stated if the city approves this permit, it would go to the IDNR, and then other hoists must be moved. Councilmember Delperdang asked if this request is any different from other requests such as this. Daly stated no. Christensen asked if our dock ordinance disallows commercial use on them. Daly stated a commercial use on a public access is not allowed. Christensen stated Parks previously stated it was for him and not his renter. Daly stated it was his opinion that if Parks owned the hoist and is on the permit, he probably could let someone else put their boat in the hoist. Christensen asked whether it is a boat owned by the renter or a rental boat by Okoboji Boats. Christensen questioned the use of the city owned public access. Daly stated the dock in question is not a commercial dock and cannot be used as such. Christensen then asked if a rental boat from Mr. Parks is found on this or any other access hoist, could the permit be withdrawn. Daly stated that could happen. Daly stated he has spoken to the IDNR, and was told if the City approves this request, then Mr. Parks would have to file this on behalf of the permit holders for that dock. Delperdang wanted to make sure this situation is not being treated any differently from other requests such as this. Sizes and heights of boat hoists were briefly discussed. The Mayor asked how many hoists are on the other accesses. Daly brought everyone up to speed on those numbers. Councilmember Robinson stated since the IDNR has been there, it should at least meet their requirements. The address of the permit was discussed. Christensen asked if the permit should be in the renter's name since it could be their boat. Daly stated if it were Mr. Parks' hoist, he wouldn't think it would have to be in the renter's name, but he wasn't sure of this. Christensen went on to say this gets back to the use of the dock, as it seems to him the City is wholesale granting it for commercial use, and should it not be in the renter's name. Daly stated it could not be in the renter's name as that person could not produce enough liability insurance; thus, the reason for Mr. Parks to apply as he is already on the permit and is able to produce the applicable liability insurance. Parks stated the space is not being rented out as a commercial use, and is being used for his renter's parents' boat. Parks was asked if he is renting the hoist or if it is the renter's. Parks said it could be either his lift or his renter's, but he is simply letting that person use his spot on the dock. Christensen asked if this boat would be registered to whoever works for him (Parks). Parks stated yes. Christensen asked if it were later found that any boats on this dock were registered to him or Okoboji Boats that he would recognize the issue at hand. Parks stated this would be fine, as he owns the house next door and is allowed on the dock permit. After further discussion, Parks stated if he put his own boat in that spot, it would be fine too. Christensen asked Parks if he rents that boat. Parks stated he puts his own boat there, and does not charge for the hoist. Christensen then asked Parks if he uses it for storage of his own boats for rental. Parks stated it could be a rental boat or use for himself also. Christensen again asked if the space would be for a rental boat. Parks stated he drives his rental boats from time to time, so it is possible. Christensen asked Parks if he would say he would never put a rental boat on that space. Parks stated he would not say that he would never do that.

The Mayor asked for a motion to consider the request for the dock configuration change and increase for the number of hoists requested by Leo Parks, Jr. for Public Access #1. Due to lack of a motion, the issue died.

Council to consider Resolution No. 13-18, Resolution instituting proceedings to take additional action for the authorization of a loan agreement and the issuance of not to exceed \$800,000 general obligation capital loan notes, Series 2013: Tim Oswald of Piper Jaffray & Co. explained this resolution is to start the process for borrowing funds. Oswald went on to say when he and Daly first met on the issue of upcoming projects, a solid number was not available, but found that \$800,000 would be sufficient. Oswald also noted the resolution is not to exceed that amount. Christensen/Dulin moved to approve and adopt Resolution No. 13-18. Upon the call of the roll, the vote was as follows: AYES-Delperdang, Hentges, Christensen, Robinson, Dulin; NAYS-None. 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 authorization of a loan agreement and the issuance of not to exceed \$800,000 General Obligation Capital Loan Notes (For an essential corporate purpose), Series 2013: The Mayor declared the public hearing open. With no written or oral objections to be heard or received, the Mayor declared the public hearing closed.

Council to consider Resolution No. 13-19, Resolution directing the acceptance of a proposal to purchase \$750,000 general obligation capital loan notes, Series 2013: Hentges/Christensen moved to approve and adopt Resolution No. 13-19. Upon the call of the roll, the vote was as follows: AYES-Delperdang, Hentges, Christensen, Robinson, Dulin; NAYS-None. With the vote being in the majority, the Mayor declared the motion duly carried.

Council to review and consider the annual State TIF Report: Robinson/Dulin moved to approve the annual State TIF report. All ayes. Motion carried.

Council to consider funding for the feasibility study for county-wide recycling through the Dickinson County Landfill Commission: Daly reported the Dickinson County Landfill Commission is requesting a contribution of \$1.00 per household from the City of Okoboji to assist in funding a feasibility study to be conducted by the Commission for county-wide recycling. Daly went on to say he has been chairman of the Commission for a number of years, and the Commission has discussed a program for recycling. Daly reported it is estimated approximately \$250,000 per year is spent on recycling services collectively by the entities belonging to the Commission. Daly stated the Commission felt it could possibly be cheaper for the Commission to administer the recycling. The cities of Milford, Arnolds Park, West Okoboji, Wahpeton, and Spirit Lake have already committed to this. Dickinson County approval is contingent upon 100% participation within the Commission. The Dickinson County Taxpayers Association has graciously committed \$2000.00. Christensen/Robinson moved to approve the \$1.00 per household contribution, which amounts to \$1167.00. All ayes. Motion carried.

Council to consider Pay Request #41 for Gridor Construction and MEC invoices (\$68,985.15) and 1/2 of the ILRW share (\$8,844.25) payable to the Central Water System in the total amount of \$78,829.50 for the water plant project: Dulin/Hentges moved to approve Pay Request #41 in the amount of \$78,829.50. All ayes. Motion carried.

Council to consider the Design Review Committee recommendation for design for The Okoboji Summer Theater renovation: Christensen/Robinson moved to approve the Design Review Committee recommendation for design for the Okoboji Summer Theatre renovation project. All ayes. Motion carried.

Council to consider the Southwest Minnesota/Northwest Iowa Emergency Response Unit Joint Powers Agreement (H.E.A.T. Tactical Team): Robinson/Dulin moved to approve the Southwest

Minnesota/Northwest Iowa Emergency Response Unit Joint Powers Agreement (H.E.A.T. Tactical Team).
All ayes. Motion carried.

REPORT OF OFFICERS

Police Chief Jason Petersen gave the police report.

Daly reported he and Chris Yungbluth are working on an application for a new ISO rating. Daly reported a lower rating could assist homeowners in lowering homeowner's insurance.

Daly reported Black Hills Energy will be placing AMI poles for remote meter readings. Daly stated Smith's Mobile Homes and The Inn golf course are the locations for those poles.

Expenditures for the month September 2013 are as follows: Public Safety - \$19,446.38; Public Works - \$15,751.62; Culture & Recreation - \$3,357.83; Community & Economic Development - \$46,354.45; General Government - \$31,879.20; Water - \$30,864.73; Road Use Tax - \$5,071.68; Capital Projects - \$44,722.96; Trust & Agency - \$1,567.35. Receipts for the same period were \$259,216.32, creating a balance in all funds in the amount of \$1,419,384.14. \$116,331.12 of the reported balance is invested in Certificates of Deposit with the United Community Bank.

Christensen/Hentges moved to adjourn. All ayes. Motion carried. Meeting adjourned at 6:55 P.M.

Mary VanderWoude, Mayor

ATTEST:

Dennis J. Daly, CMC
City Clerk/Administrator