

CITY OF OKOBOJI
REGULAR COUNCIL MEETING
TUESDAY, MARCH 14th, 2017

PRESIDING: Mayor VanderWoude

COUNCILMEMBERS PRESENT: Julie Andres, Jim Hentges, Jerry Robinson, Walter Mendenhall (telephonically)

COUNCILMEMBER ABSENT: Jim Delperdang

OTHERS PRESENT: Dick Notestine, James McMahon, Molly Scott, David Scott, Alison Duncan, Erin Block, Stephanie Parks, Brad Beck, David Stein, Jason Petersen, and Jason Peters

After the Pledge of Allegiance the Mayor called the meeting to order at 6:00P.M. Hentges/Andres moved to adopt the agenda. All ayes. Motion carried. Hentges/Robinson moved to approve the consent agenda, which included minutes of the previous meeting 02/14/2017, Claims for March 2017, Bank Cash Report for February 2017, Renewal of a Class C Beer Permit (BC) with Sunday Sales for Casey's General Store #2681 and Renewal of a Class C Beer Permit (BC) with Sunday Sales for Mau Marine, Inc. All Ayes with Councilmember Andres abstaining. Motion carried.

PUBLIC HEARING

Council to conduct a public hearing to consider the City budget for Fiscal Year 2017/18 and subsequent Resolution No. 17-01 "A Resolution adopting and certifying the City of Okoboji Fiscal year 2017/18 budget": Mayor VanderWoude opened the public hearing. Mayor VanderWoude stated that the tax levy would not be increasing and thanked staff for their work. Councilmember Mendenhall asked whether money was budgeted for the Blue Water Festival. Administrator Peters stated that \$2500 was budgeted. Councilmember Mendenhall stated he wanted noted in the minutes that if the Tourism Board does not match the \$2500 that the City support the Blue Water Festival with an additional \$2500. With no comments from the public, Mayor VanderWoude closed the public hearing. Hentges/Andres moved to adopt and certify the City of Okoboji's budget for fiscal year 2017/18. Roll call all ayes. Motion carried.

OLD BUSINESS

Dick Notestine of 2206 Lakeshore Drive to address the Council regarding his continuing concerns about City owned adjacent alley and lot owned by Bob VanOrsdel: Mr. Notestine stated that his position has not changed and he does not want to get involved in a lawsuit. Mr. McMahon stated that he wished to know where the Council stood on this matter. Mayor VanderWoude stated that her recollection from past meetings was that they would wait until Mr. VanOrsdel was available and that Administrator Peters had spoken to Mr. VanOrdel. Administrator Peters stated that he had reported in January that Mr. VanOrsdel may be available in May. Councilmember Andres inquired as to whether there was another option for Mr. VanOrsdel. Attorney Stein stated that the main focus in this matter is a private property issue between owners. Attorney Stein also stated one option may be to vacate portions of the alley, but it would be more beneficial to have Mr. VanOrsdel at a meeting to discuss the matter. Mayor VanderWoude stated that she wanted all the parties at a meeting before a decision was made. Councilmember Hentges stated that the City needs to reach out to Mr. VanOrsdel to request that he be at the May meeting. No action taken, information only.

NEW BUSINESS

Council to hear report from City Engineer Beck regarding the seawall on Dixon Beach: Engineer Beck stated that he has viewed the seawall and has provided the Council with options. The first is to

remove and replace the wall, the second is to remove the existing wall and grade a slope along the lakeshore bank and line with rip rap, the third option is to leave the existing wall in place and add riprap to help protect the existing wall and lakeshore bank. The final option would be to repair only the damaged section. Engineer Beck suggested that the City get further input from the properties that may be affected. Molly Scott stated that the ice heave has damaged the wall and thinks that the long-term solution should be to replace the entire wall. The Council and Engineer Beck had a discussion regarding the history of riprapping the area and what a timeline would look like to fix the issue. Engineer Beck will report back again at the April meeting. No action taken, information only.

Council to consider a recommendation from the Planning and Zoning Committee regarding Rick and Valerie Sampson's of 5503 Lakeshore Drive request of the City to vacate an unneeded easement and conveyance of the same by quit claim deed, in return for conveyance of a new easement to the City and set date for the Public Hearing to approve vacation/conveyance of said easements: Engineer Beck explained the reasoning for the vacation/conveyance. Hentges/Robinson moved to set a public hearing date of April 11th, 2017 to approve the vacation/conveyance of unneeded easement at 5503 Lake Shore Drive and conveyance of the same by quit claim deed, in return for conveyance of a new easement to the City. Roll call, all ayes. Motion carried.

Council to consider an agreement between the Northwest Iowa Planning & Development Commission and the City of Okoboji, Iowa for SHIELD safety services: Administrator Peters stated that NWIPDC has provided workplace safety services to the Police, Fire, Roads and Water departments over the past years. Robinson/Andres moved to approve the agreement between Northwest Iowa Planning & Development Commission and the City of Okoboji, Iowa for SHIELD safety services. All ayes. Motion carried.

Council to review Arnolds Park/Okoboji Fire & Rescue Budget for FY2017/18: Councilmember Robinson explained the City's portion would be \$82,400 and this is the same amount as last year. No action taken, information only.

Council to consider a new 8 month Class C Liquor License for the Brooks National Golf Club with Sunday sales and outdoor service: Mayor VanderWoude explained that this is the same procedure that the Golf Course has done in the past. Hentges/Andres moved to approve a new 8 month Class C Liquor License for the Brooks National Golf Club with Sunday sales and outdoor service. All ayes. Motion carried.

Council to consider Engagement Agreement with Alhers and Cooney, P.C., to retain their firm as Bond Counsel to the City of Okoboji: Mayor VanderWoude explained that this is the firm the City has used in the past for bond counsel. Andres/Robinson moved to approve the Engagement Agreement with Alhers and Cooney, P.C., to retain their firm as Bond Counsel to the City of Okoboji. All ayes. Motion carried.

Council to consider Resolution No. 17-3 "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$1,700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OKOBOJI, STATE OF IOWA (FOR ESSENTIAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF": Mayor VanderWoude explained that this bonding would be for the Sanborn/Gordon street projects. Administrator Peters stated that during the discussions with our bond agent for potential bonding for the street projects, they discovered that the City could refinance a 2009 bond. This refinance will save the City an estimated \$48,000 over the life of this refinanced bond. Administrator Peters stated that the issuance not to exceed \$1,700,000 includes the refinancing of 2009 bond and the "new" money for the Sanborn and Gordon Street projects. Hentges/Robinson moved to fix a date of April 11th, 2017 to hold a public hearing on the authorization

of a loan agreement and the issuance of not to exceed \$1,700,000 general obligation capital loan notes of the City of Okoboji, State of Iowa (for essential corporate purposed), and providing for publication of notice. Roll call, all ayes. Motion carried.

OLD BUSINESS:

Attorney Stein to give update on litigation/administrative action in PERB case No. 100790 (possible closed session as allowed by Iowa Code Sections 21.5(1)(c) and/or 20.17(3).): Mayor VanderWoude had moved item to the bottom of the agenda. Pursuant to Iowa Code Sections 21.5(1)(c) and/or 20.17(3)., Attorney Stein recommended that the Council go into closed session. Robinson/Hentges moved to close the session to discuss litigation/administrative action in PERB case No. 100790. Roll call, all ayes. Motion carried. Those present during closed session were as follows: Mayor VanderWoude; Jim Hentges; Julie Andres; Jerry Robinson; Walter Mendenhall (telephonically), City Attorney David Stein; and City Administrator Jason Peters. Council went into closed session on or about 6:50 P.M. to discuss litigation/administrative action in PERB case No. 100790. Council came out of closed session on or about 7:08 P.M. Roll call, all ayes. No action was taken.

REPORT OF OFFICERS

Police Reports: Chief Petersen stated that he had been in contact with vendors regarding the cost of a system to store dash camera video recordings and was waiting for quotes.

Council Reports: Councilmember Andres thanked city staff for all their good work and thanked the police all their help.

Administrator Reports: Administrator Peters stated that the new Lakeshore Landscaping permit has been posted on the City's website. Administrator Peters stated that he had begun looking into putting together a 5 year Capital Improvement Plan for the City. Administrator Peters stated that the Board of Adjustment met on March 8th, 2017 to hear a request for a conditional use permit at 1651 Exchange Street and the vote was to deny the permit.

Expenditures for the month of February 2017 are as follows: General Fund - \$68,375.01; Trust & Agency - \$0.00; Road Use Tax - \$13,142.99; TIF - \$0.00; Debt Service/Property Tax - \$0.00; Capital Projects - \$0.00; Water - \$25,376.74. Receipts for the same period were in the amount of \$105,984.17 creating a balance in all funds in the amount of \$2,288,556.20. \$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 7:20 P.M.

Mary VanderWoude, Mayor