

MINUTES OF THE OKOBOJI CITY COUNCIL MEETING HELD ON JULY 9, 2019

Mayor VanderWoude called the meeting to order at 6:00 PM on July 9, 2019. Councilmembers Delperdang, Andres, Robinson, and Mendenhall were present. Councilmember Hentges was excused. Others present were City Administrator Michael Meyers, Police Chief Jason Petersen, City Engineer Brad Beck, Jeff Thee, Ken Ferguson, Clark Matthews, Evan Del Val, Dan Sanders, Jim Kosse, Bob Moyle, Leo Jochum, Bev Jochum, Barbara Mendenhall, Hank Grant, Carol Cranston, Perry Cranston, Frances Shloss, Jan Grant, Bill Vollink, Perry Pearson, Kae Hoppe.

Motion made by Councilmember Andres and a second by Councilmember Mendenhall to adopt the agenda. The following Councilmembers voted "YEA": Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

CONSENT AGENDA

Motion made by Councilmember Mendenhall and a second by Councilmember Robinson to approve the Consent Agenda which included minutes from the previous City Council meetings, the claims and accounts payable report, and the bank cash report. The following Councilmembers voted "YEA": Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

CITIZEN APPEARANCES

Jan Grant discussed with the City Council that she and others have formalized a fundraising group to help raise funds to build 4 pickle ball courts within the City of Okoboji at Speier Park. City Administrator Meyers gave a brief history of the pickle ball group and acknowledged the popularity and the benefit of this project. The City Council had previously agreed to donate the land in Speier Park and accept future maintenance and responsibility of the complex. Grant requested that the City consider paying \$20,400.00 in design engineering fees to help the group get drawings, construction plans, estimates, and other necessary documentation so that they can take the next steps in their fundraising. Grant explained that they have over \$65,000.00 already pledged for this project. Meyers explained that if the group wishes to pursue the post-tension courts the total cost would be in the neighborhood of \$210,000.00. Mayor VanderWoude expressed concern about the City paying for the design engineering up front, VanderWoude commented that the City needed reassurance that the City is not just going to pay \$20,400.00 and potentially have the project not come to fruition. VanderWoude commented that the City would then be completely out that money. The Council discussed alternatives to help pay for the improvement. Councilmember Mendenhall commented that the City could draft a letter of intent to pay the \$20,400 after certain levels of funding have been reached. Councilmember Andres commented that the City wants to participate, they just want to ensure that it happens. Grant requested that the City then reimburse the group for the engineering cost. Councilmember Robinson said once the goal was met.

Motion made by Councilmember Mendenhall and a second by Councilmember Robinson to reimburse the design engineering fees once the pickle ball courts are built and playable. The following Councilmembers voted "YEA": Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

NEW BUSINESS

Mayor VanderWoude opened a public hearing to consider Ordinance No. 251, 'An Ordinance Approving Vacation of an Unneeded Easement in Return for Conveyance of a New Easement to the City and Subject to Certain Terms'. There were no letters received in favor or opposition of the ordinance. Evan Del Val and Matthew Clark explained the request for vacation.

Del Val explained that Project Blue, LLC is proposing a replat of three properties (6909 Lakeshore Drive, 6913 Lakeshore Drive, and 7001 Lakeshore Drive). When the lot lines are moved around, the existing easement makes two of the three lots unbuildable. Del Val explained that in return the applicant would be rerouting the sewer and conveying a new sewer easement to the City of Okoboji down the new lot lines.

Councilmember Robinson advised that the line that is being abandoned is a 12" line and the City is requested that a 30" line replace that existing line. Robinson commented that there seemed to be some uncertainty as to who would pay for that additional upsizing.

Del Val commented that the culvert coming across Lakeshore Drive is a 30" line dumping into a 12" line. Del Val advised that at the City's request the applicant install a 30" line to replace the 12" line to the lake. Del Val described the increase in cost due to this request. Del Val commented that the original plan was to replace the sewer with the 12" line. Del Val estimated a \$20,000 - \$30,000 increase in cost due to the upsizing. Del Val felt as though they did not have final numbers and would like to discuss in the future. Del Val advised that they are willing to move forward in good faith and determine this at a later point in time.

Councilmember Andres asked if the applicant would be willing to share in that cost share. Del Val commented that they were open to that option.

Councilmember Delperdang asked if the 30" dumping into a 12" has caused problems. City Engineer Brad Beck gave examples as to how the current setup is insufficient for the area. Beck advised that the cost to fix this now is light in comparison to what potentially could be future issues later. Beck explained that he was not in favor or willing to sign off on the relocation of the easement and a 12" line.

Del Val commented that they would provide to the City the cost of 12" line and the cost of the 30" line. The difference in cost between the two is the consideration for cost share. Councilmember Delperdang advised that he was not interested in delaying the negotiation. Delperdang offered that the City would be willing to pay \$15,000.00 for the project. Del Val requested that the City consider a 50% cost share and not a set number.

Councilmember Robinson advised that this was not a budgeted item or in consideration for the current Fiscal Year. Administrator Meyers commented that this would almost certainly trigger a budget amendment.

Councilmember Delperdang advised that he would be willing to consider the 50% cost share. City Engineer Brad Beck advised the City might consider a cap on the amount of which they participate. Delperdang offered 50% of the project not to exceed \$15,000.00. Del Val asked if the applicant

could have more time to further fine tune their numbers. Mayor VanderWoude commented that by not having this vacation and cost settled, she was not sure if this would create issues with the finalization of the platting and vacation of the easement.

The public hearing was closed.

Mayor VanderWoude presented Resolution 19-14, “A Resolution Approving the Vacation of an Unneeded Easement in Return for Conveyance of a New Easement to the City and Subject to Certain Terms”.

A motion was made by Councilmember Robinson and a second by Councilmember Mendenhall to approve Resolution 19-14 and that the City would participate 50% of the increased cost of the storm sewer relocation not to exceed \$15,000.00. The following Councilmembers voted “YEA”: Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

Mayor VanderWoude presented the first consideration of Ordinance No. 251, “Ordinance Approving the Vacation of an Unneeded Easement in Return for Conveyance of a New Easement to the City and Subject to Certain Terms”.

A motion was made by Councilmember Delperdang and a second by Councilmember Mendenhall to approve the first consideration of Ordinance No. 251. The following Councilmembers voted “YEA”: Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

A motion was made by Councilmember Delperdang and a second by Councilmember Mendenhall to waive the 2nd and 3rd readings of Ordinance No. 251. The following Councilmembers voted “YEA”: Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

A motion was made by Councilmember Delperdang and a second by Councilmember Mendenhall to adopt Ordinance No. 251. The following Councilmembers voted “YEA”: Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

Mayor VanderWoude presented Resolution 19-15, a resolution “To Approve the Preliminary Plat of Project Blue Addition”. City Administrator Meyers gave an overview of the Project Blue Addition which is comprised of three lots presently addressed 6909, 6913, and 7001 Lakeshore Drive. Meyers advised that there would be two riparian lots and one non-riparian lots. Councilmember Delperdang asked if the non-riparian lot would need to be rezoned from R-3 to R-1. Meyers commented he did not feel as though this was necessary as it is more in character with a R-3 lot than a R-1 lot.

A motion was made by Councilmember Robinson and a second by Councilmember Andres to approve Resolution 19-15. The following Councilmembers voted “YEA”: Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

Mayor VanderWoude presented Resolution 19-16, a resolution “To Approve the Final Plat of the Project Blue Addition”. Meyers explained that this is the final step of the platting process.

A motion was made by Councilmember Robinson and a second by Councilmember Mendenhall to approve Resolution 19-16. The following Councilmembers voted “YEA”: Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

Mayor VanderWoude opened a public hearing to consider Ordinance No. 252, “An Ordinance Amending the 2013 Okoboji Zoning Ordinance by Amending Section 11.22 Lakeshore Landscaping and Development Regulations”. There were no letters received in favor or opposition of the ordinance.

City Administrator Meyers explained the ordinance in detail. Meyers advised that he felt as though the existing lakeshore landscaping ordinance was perhaps too restrictive, difficult to interpret at parts, and a burden on City Staff, the Board of Adjustment, and residents. This was recommended by the Planning and Zoning Commission for approval. Meyers explained the changes of the ordinance including: modifies the existing lakeshore landscaping regulations to redefine terms stone, split stone, manufactured stone, lessen notification radius from 500’ to 200’, remove the Board of Adjustment from the process, allow for retaining wall height variations, clarify plant listing, allow for suspension of storm water reports over winter, allow for administrative mid-project changes, allow for lakeshore elevators/carts/trolleys/lifts and clarify ground cover removal. Meyers explained that he felt the revised ordinance still meets the intent of what the City wants on the lakeshore but makes it easier for City Staff and residents to navigate. Meyers advised that the City worked with property owners, landscapers, and engineers who have gone through the existing process to help create the changes.

Councilmember Delperdang advised that this could be an ever changing ordinance as technology and techniques change and improve. Delperdang also commented on difficult it is to interpret this and other zoning amendments on the website and asked that the City look into clarifying.

Mayor VanderWoude closed the public hearing.

Mayor VanderWoude presented the first consideration of Ordinance No. 252, “An Ordinance Amending the 2013 Okoboji Zoning Ordinance by Amending Section 11.22 Lakeshore Landscaping and Development Regulations”.

A motion was made by Councilmember Delperdang and a second by Councilmember Andres to approve the first consideration of Ordinance No. 252. The following Councilmembers voted “YEA”: Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

A motion was made by Councilmember Robinson and a second by Councilmember Mendenhall to waive the 2nd and 3rd readings of Ordinance No. 252. The following Councilmembers voted “YEA”: Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

A motion was made by Councilmember Robinson and a second by Councilmember Mendenhall to adopt Ordinance No. 252. The following Councilmembers voted “YEA”: Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

Mayor VanderWoude opened a public hearing to consider Ordinance No. 253, “An Ordinance Amending the 2013 Okoboji Zoning Ordinance by Adding a New Article IV.B (CN) Conservation Zoning District”. There were no letters received in favor or opposition of the ordinance.

Perry Pearson, Planning and Zoning Chairman, advised the Council that the Planning and Zoning Commission had been working on and discussing the creation of this zoning district for many months. Barbara Mendenhall, Planning and Zoning Commissioner, discussed that the Planning and Zoning Commission had been discussing ways to conserve open spaces and addressing concerns of how to protect the properties in an ecologically sound manner. B. Mendenhall commented that the City should consider the encouragement this zoning district. B. Mendenhall commented that several Lakes Area communities have this type of zoning district. B. Mendenhall also commented that the Commission received considerable input from Northwest Iowa Planning and Development as well as the Dickinson County Conservation Board staff considering the amount of land that they own in the City that could be considered for voluntary rezoning.

Mayor VanderWoude ask which properties could or should be considered. B. Mendenhall commented that the City should consider re-zoning Speier Park to set an example to the community. B. Mendenhall also commented on property now owned by Dickinson County, Omaha Beach Home Owner Association, other ag land, and other land owned by private property owners. B. Mendenhall felt all of these properties could be beneficial to be put into conservation zoning and that the City should want to promote this ideal.

Pearson commented that the properties would have to voluntarily request rezoning which would require Planning and Zoning as well as City Council approval.

Dan Sanders asked what the tax impact would be for parcels which considered rezoning. Meyers explained that he did not believe that local municipal zoning would reclassify the tax class of a certain property. Meyers advised that regardless of taxing district the City’s property tax is still the same, the County determines tax classification unrelated to municipal zoning. Meyers did comment on the potential for long term tax revenue impact in that any parcel rezoned Conservation would be significantly more difficult to develop in the future. Meyers advised that yes, this is a reversible action, but difficult to do. Councilmember Robinson commented that he understands the intent of this zoning district but was concerned about restricting future tax revenue.

Mayor VanderWoude expressed concern that the permitted and conditional uses allowed within the text had nothing to do with conservation in her estimation. Councilmember Delperdang felt the same. B. Mendenhall commented that the Planning and Zoning Commission would be willing to reexamine the uses.

Councilmember Mendenhall commented that he did not believe that the uses were overly restrictive in that a lot of these uses were conditional uses which would require board review. Pearson gave examples as to when certain conditional uses were relevant.

Kae Hoppe spoke relating to the ‘primitive campground’ conditional use and advised the Council that Iowa Great Lakes Sanitary District rules require infrastructure to the sanitary sewer so anything would have to have appropriate facilities to do so.

Councilmember Robinson believed that this needed to be sent back to the Planning and Zoning Commission for further refinement. Councilmember Andres remained worried about the potential financial impacts this might have on the community. Andres requested that City Staff model out the impacts. Robinson advised that he agrees in concept but that it requires refinement. Councilmember Mendenhall advised that City Staff should reach out to the other municipalities to see how they administer similar zoning classifications.

Pearson thanked the Council for their input and advised the Commission would continue to work on it.

A motion made by Councilmember Robinson and a second made by Councilmember Mendenhall to send this back to the Planning and Zoning Commission to reconsider the uses of the district, the necessity for the district, and the financial impacts of the district. The following Councilmembers voted "YEA": Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

Mayor VanderWoude tabled further consideration of Ordinance No. 253.

Mayor VanderWoude presented to the Council consideration for City Staff to list the 2008 Sterling Dump Truck on GovDeals.com.

A motion was made Councilmember Delperdang and a second by Councilmember Robinson to allow City Staff to pursue listing the truck on GovDeals.com and other online websites. The following Councilmembers voted "YEA": Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

Mayor VanderWoude presented Resolution 19-17, Resolution consenting to assignment of Trustee Agent Agreements; Escrow Agent Agreements, and/or Paying Agent and Registrar and Transfer Agent Agreements".

City Administrator Meyers explained that the City's bonds were previously held by BankersTrust and that they were recently acquired by UMB. This was a requirement to transfer our bonds to UMB.

A motion was made Councilmember Robinson and a second by Councilmember Andres to approve Resolution 19-17. The following Councilmembers voted "YEA": Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

Mayor VanderWoude presented and discussion a Board of Adjustment variance given to Mr. Sam O'Brien relating to an unapproved fence material.

Administrator Meyers explained that the Board of Adjustment recommended this for approval on a 5-0 vote and further detailed the project.

A motion was made by Councilmember Robinson and a second by Councilmember Andres to approve the variance. The following Councilmembers voted "YEA": Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

Mayor VanderWoude presented and discussion a Board of Adjustment variance given to Mr. and Mrs. Cranston for a deck extension that represented a rear yard encroachment.

Administrator Meyers explained that the Board of Adjustment recommended this for approval on a 3-2 vote and further detailed the project.

A motion was made by Councilmember Robinson and a second by Councilmember Andres to approve the variance. The following Councilmembers voted “YEA”: Delperdang, Andres, Robinson, and Mendenhall. Motion passed 4-0.

Councilmember Robinson was excused from the meeting at 7:53 PM.

Mayor VanderWoude presented and discussed the proposed redevelopment of the City’s property adjacent to East Lake Okoboji.

Administrator Meyers advised that he was just looking to gather a consensus that the City was comfortable moving forward on the conceptual drawings. The Council discussed parking options. Kae Hoppe expressed concern about parking. Meyers advised that he has been in close contact with 17 Oaks, the Dickinson County Trails Board, Imagine Iowa Great Lakes, and other stakeholders in the property. The Council advised they liked the plan and to move it forward with the input from stakeholders and City officials.

No action taken.

Mayor VanderWoude presented a quote for \$14,500.00 from Ferguson Waterworks for software deployment for new water meters.

Administrator Meyers explained that now was an ideal time to implement new software for the City’s new water meters. This is software for City Hall computers as well as the City’s water truck for mobile reads and full ability to utilize the new meters to their potential. Meyers explained that this whole project has been cash flowed based on water meter fees.

A motion made by Councilmember Andres and a second by Councilmember Mendenhall to approve the quote for \$14,500.00. The following Councilmembers voted “YEA”: Delperdang, Andres, and Mendenhall. Motion passed 3-0.

Mayor VanderWoude presented a quote for \$6,708.00 for 26 $\frac{3}{4}$ ” water meters from Ferguson Waterworks.

Administrator Meyers advised that the City has about 60 on-hand right now and this would take the City to be at about 85 on hand. Meyers advised that City Staff would get back to water meter installation after the summer maintenance rush. Meyers advised that the City has approximately 160 installed presently.

A motion made by Councilmember Andres and a second by Councilmember Delperdang to approve the quote for \$6,708.00. The following Councilmembers voted “YEA”: Delperdang, Andres, and Mendenhall. Motion passed 3-0.

REPORT OF OFFICERS

Police Chief Jason Petersen briefly addressed the Council on the 4th of July.

Mayor VanderWoude had no report.

Councilmember Mendenhall commented that he believes the City needs to further study Lakeshore Drive and the resurfacing of that street. Mendenhall commented that he understood the City had previously considered resurfacing a few years from now due to bond considerations but believes the City should continue to study to see if it can be done sooner.

Administrator Meyers discussed with the Council the need to schedule a special meeting to approve bidding out the Speier Park drainage project, the basketball court project, and the Carriage Lane resurfacing project. Meyers asked for support to write a letter to the Dickinson County Board of Supervisors to drop the speed limit from 35 to 25 on Stake Out Road between 175th and Chalstroms Beach Road. Meyers referenced comments from neighbors as well as the Okoboji Police Department. Meyers asked for some clarification on food trucks. Meyers advised the City was at the end of the fiscal year. Meyers discussed that Deputy City Clerk Jill Verdoorn would be at Clerk School in Ames, Iowa next week and thanked the Council for that opportunity. Meyers advised the Personnel Committee and Finance Committee should meet soon. Meyers discussed iPad implementation for Council meetings.

The meeting was adjourned at 8:17 PM.

ADJOURNMENT.

Mayor Mary VanderWoude

Michael Meyers, City Administrator

REVENUES FOR 06/12/2019 THROUGH 07/9/2019 TOTALED: \$99,486.22.
 EXPENDITURES WERE AS FOLLOWS: GENERAL FUND: \$169,696.03, ROAD USE TAX:
 \$36,784.91, WATER FUND: \$9,176.40. TOTAL EXPENDITURES: \$215,657.34

CLAIMS REPORT

VENDOR	REFERENCE	AMOUNT
ADVANCED SYSTEMS INC	COPIER LEASE	54
AFLAC	PREMIUMS	319.85
AMY'S SIGN DESIGN	TRUCK DECALS	92.75
ARNOLDS PARK	ANNUAL DONATION	13,108.70
	SPEIER PARK BASKETBALL	
BECK ENGINEERING INC	COURTS	4,340.00
BLACK HILLS ENERGY	NATURAL GAS SERVICE	62.56
CARDMEMBER SERVICE	IDNR FEES & PAYMENT	109.33
CENTRAL STATES FUND	JUNE PREMIUMS	4,833.00
CITY OF ARNOLDS PARK	CAUSEWAY PLANTERS	578.25
CITY OF SPENCER	LAKES LAW ENFORCEMENT COOP	194.9
COOPERATIVE ENERGY CO.	DIESEL FUEL	1,004.50
CORNELL ABSTRACT CO.	EASEMENT SEARCH	116
	ANNUAL BOOM TRUCK	
CRANE SALES & SERVICE	INSPECTION	1,538.00
DELTA DENTAL OF IOWA	ACCT 31528-0002	640.62
DICKINSON COUNTY NEWS	PUBLICATIONS JUNE 2019	568.03
EFTPS	FED/FICA TAX	4,395.05
EFTPS	FED/FICA TAX	5,113.18
FEAR COMPUTER SOLUTIONS	LAPTOP & PHONE MAINTENANCE	130
	POLICE COMPUTER	
FEAR COMPUTER SOLUTIONS	MAINTENANCE	2,232.00
FERGUSON WATERWORKS		
#2516	1 1/2' METER	779.41
HALBUR LAKE SERVICE	DOCK INSTALLATION	2,200.94
HEARTLAND SECURITY SERVIC	SECURITY SERVICE	26.95
IGL CHAMBER OF COMMERCE	FIREWORKS DONATION	250
IOWA DEPT OF PUBLIC SAFETY	TERMINAL BILLING APRIL-JUNE	300
IOWA LEAGUE OF CITIES	DINNER FOR 5	75
IOWA ONE CALL	64 NOTIFICATIONS	57.6
IPERS	IPERS-PROTECTN	6,483.43
JCL SOLUTIONS -	TOILET PAPER	190.25
TIMOTHY JENSEN	BOOTS	100
KRUSE PAVEMENT SOLUTIONS	LAKESHORE DR ASPHALT	34,080.30
LAKES TREE SERVICE		1,000.00
MEDIACOM COMMUNICATIONS	6/25-7/24	398.76
MIDWEST TURF & IRRIGATION	MOWER PARTS	304
NEW YORK LIFE	ADDTL LIFE INSURANCE	118.39
NEW YORK LIFE INSURANCE	JUNE STATEMENT	611.31

OKOBOJI LITTLE LEAGUE	ANNUAL DONATION	600
OKOBOJI MARKETING		
COMMITTEE	1/2 OF HOTEL/MOTEL TAX	8,263.63
SENSUS USA INC	ANNUAL SUPPORT FEE	1,949.94
SHAMROCK RECYCLING, INC.	RECYCLING	316.62
SIOUX SALES COMPANY	FLASHLIGHT	119.94
SPIRIT LAKE PUBLIC LIBRARY	ANNUAL DONATION	10,725.30
STATE HYGIENIC LABORATORY	WATER TEST	263
STOREY KENWORTHY	UTILITY BILLS	282.76
TREASURER, STATE OF IOWA	STATE TAX	1,799.00
UNITED COMMUNITY BANK	STREETS CD	60,000.00
VERIZON WIRELESS	CELL PHONES	553.3
WATCHGUARD VIDEO	POLICE CAR CAMERA	5,020.00
WELLMARK BLUE CROSS AND	PREMIUMS	9,304.96
WEX BANK	FUEL	919.49
TOTAL ACCOUNTS PAYABLE		186,525.00
PAYROLL CHECKS		29,132.34
**** PAID TOTAL *****		215,657.34
***** REPORT TOTAL *****		215,657.34