

MINUTES OF THE OKOBOJI CITY COUNCIL MEETING HELD ON SEPTEMBER 8, 2020

Mayor VanderWoude called the meeting to order at 6:00pm on September 8, 2020. Councilmembers Delperdang and Robinson were present. Councilmember Andres was present via telephone. Councilmember Henges was excused. Others present were City Administrator Michael Meyers, Police Chief Jason Petersen, Steve Schwaller, Rebecca Peters, Steve Anderson, Mark Ward, Kae Hoppe, Nate Hanson, Carrie Meyer, Kip Knutzon, and Dan Sanders.

CONSENT AGENDA:

Motion made by Councilmember Mendenhall and a second by Councilmember Robinson to approve the consent agenda which included the minutes of the August 11, 2020 City Council meeting, the Claims Report, the Accounts Payable Report, and the Bank Cash Report. The following Councilmembers voted “YEA”: Andres, Delperdang, Mendenhall, Robinson. Motion passed 4-0.

CITIZEN APPEARANCES:

Steve Schwaller expressed concern over traffic issues on Exchange Street and Stake Out Road. Schwaller also commented on trash, litter, and other nuisances on Exchange Street.

OLD BUSINESS:

City Administrator Meyers updated the Council on construction of East Lake Park. Meyers advised that the Minnie Queen should be arriving within the current week. Meyers reviewed some park identification signage with the Council. No action taken.

City Administrator Meyers updated the Council on on-going construction happening at Nature Center Road and Lakeshore Drive. Meyers advised the Council on an anonymous letter received about this project. Meyers reminded the Council of previous discussion on this issue pertaining to allowing the road to settle over the winter and to pave in Spring 2021. Meyers advised that he had worked out the issues of snow removal with Dickinson County in that the County would remove snow on Nature Center Road and that the City would do Lakeshore Drive as usual. Meyers reminded the Council on the next phase of the Iowa Great Lakes Sanctuary District’s project happening on Alexander Street, Lakeshore Drive, and Center Lake Road.

NEW BUSINESS:

Rebecca Peters provided the Council an update on Okoboji Tourism and requested funding of \$84,857.83 equating 50% of the City’s hotel-motel tax revenues. Councilmember Delperdang discussed with the Council reconsidering the funding structure of Okoboji Tourism. Delperdang asked that the Finance Committee meet prior to authorizing the expenditure. No action taken.

Mayor VanderWoude introduced the second reading of Ordinance No. 257, “An Ordinance Amending the Code of Ordinances of the City of Okoboji, Iowa by Adding New Language to Chapter 69 in “No Parking Zones” designating Lakeshore Drive and Fairfield Street to be No Parking on the Odd Addressed Side of the Road and by Adding Chapter 69.12 “FINES””.

Mayor VanderWoude advised that the proposed parking fine would be \$50.00. Mayor VanderWoude inquired with Police Chief Petersen on when the towing of a vehicle is or is not appropriate.

Councilmember Delperdang commented that he was surprised the Council had not heard more comment from businesses located on Lakeshore Drive. Councilmember Andres agreed with Councilmember Delperdang and wondered about how many spaces would be eliminated for these businesses. Andres was concerned that vehicles would be pushed around Givens Street as a result.

Councilmember Delperdang discussed situations where houses are closer to the road that have short driveways and often times a car might be parked mostly on the driveway and slightly off the driveway. Delperdang acknowledged these situations with Police Chief Petersen and inquired on how this might be handled.

Councilmember Andres discussed that this parking ordinance, if approved, could be ever changing to meet the exact needs of the community.

Councilmember Robinson reminded the Council as to why this was being discussed in the first place and that was safety of vehicles, bikers, and pedestrians. Robinson advised that at parts the street is too narrow with too many blind curves and hills to allow parking. Councilmember Delperdang commented that there are multiple parties interested in the use of Lakeshore Drive and that now was the time to figure out what solution fits best for everyone.

Motion made by Councilmember Robinson and a second by Councilmember Mendenhall to approve the second reading of Ordinance No. 257. The following Councilmembers voted "YEA": Andres, Delperdang, Mendenhall, Robinson. Motion passed 4-0.

Mayor VanderWoude introduced the second reading of Ordinance No. 258, "An Ordinance Amending the Code of Ordinances of the City of Okoboji, Iowa, by adding new Chapter 152 – "Drainage Limitations" pertaining to the discharge of storm water."

Carrie Meyer and Kip Knutzon addressed the Council pertaining to a sump pump on their property. Knutzon advised that on their property was a sump pump discharge significantly uphill from the street but acknowledged that after a heavy rain event or snow melt event that it is likely the storm water will reach the street. Knutzon did not believe they should be in violation of the proposed ordinance for something like this.

Councilmember Delperdang commented that the way the ordinance was originally written that there was no flexibility to help with issues such as this. Delperdang advised that the original intent was to help resolve hazardous situations and not necessarily small one-off issues.

Councilmember Robinson inquired about amending the ordinance in such a manner that a property owner only be in violation if the sump pump discharge is creating a health, safety, or property damage problem.

Representatives of the Iowa Great Lakes Sanitary District discussed with the Council their concerns about the potential for illegal discharge into the sanitary sewer system and inquired how residents can resolve the issues.

Mayor VanderWoude advised that there needed to be some fine-tuning of the language. Councilmember Delperdang offered assistance on this.

Motion made by Councilmember Delperdang and a second by Councilmember Mendenhall to approve the second reading of Ordinance No. 258. The following Councilmembers voted “YEA”: Andres, Delperdang, Mendenhall, Robinson. Motion passed 4-0.

Mayor VanderWoude introduced the second reading of Ordinance No. 259, “An Ordinance Amending the Code of Ordinances of the City of Okoboji, Iowa, by adding in new language in Chapter 69 parking regulations” pertaining to the parking of unattached trailers on City streets.

Carrie Meyer discussed with the Council her concern about this specifically pertaining to boat trailers. Meyer advised that she has a small parking area in front of her residence and that occasionally she parks her boat trailer at this location. Meyer advised that she did not believe this should be considered in violation and commented that a majority of her trailer was on her property.

Councilmember Delperdang felt that this again was an area where flexibility could be considered. Delperdang reminded of the issues which originally spurred the discussion were very hazardous in nature and wondering if considering just hazardous trailers could be considered in the language.

Councilmember Mendenhall felt as though this left too much room for interpretation for police enforcement.

Motion made by Councilmember Delperdang and a second by Councilmember Robinson to approve the second reading as is but add in language pertaining to only being in violation if it creates a hazardous situation. The following Councilmembers voted “YEA”: Delperdang, Robinson. The following Councilmembers voted “NAY”: Mendenhall, Andres. Motion failed 2-2.

Motion made by Councilmember Delperdang and a second by Councilmember Mendenhall to approve the second reading as originally presented. The following Councilmembers voted “YEA”: Delperdang, Robinson, Andres, Mendenhall. Motion passed 4-0.

Mayor VanderWoude opened a public hearing to consider Ordinance No. 260, “An Ordinance Amending the 2013 Okoboji Zoning Ordinance by Amending Section 11.4 Steps, Decks, and Patios”. There were no comments or written correspondence in favor or opposition of the proposed ordinance.

City Administrator Meyers gave an overview on the proposed changes which includes clarification on pathways, driveways, steps, patios, and decks as was recommended by the City’s Planning and Zoning Commission. Meyers commented that for R-3 zoned properties this would allow for a pervious pathway within the side yard and would allow for a impervious pathway in R-1/2 districts. Meyers advised that this defines size of driveways and allows for additional parking areas. Meyers commented that this allows for steps in the side yard as part of a sidewalk. Meyers advised that this allows R-1/2 districts to encroach 10’ in the front and rear yard with decks and patios.

Motion made by Councilmember Delperdang and a second by Councilmember Mendenhall to approve the first reading of Ordinance No. 260. The following Councilmembers voted “YEA”: Delperdang, Robinson, Andres, Mendenhall. Motion passed 4-0.

Motion made by Councilmember Mendenhall to waive the second and third readings of Ordinance No. 260. Motion failed due to a lack of a second.

Mayor VanderWoude opened a public hearing to consider Ordinance No. 261, "An Ordinance amending Section 11.5 Fences and Hedges". There were no comments or written correspondence in favor or opposition of the proposed ordinance.

City Administrator Meyers advised that this allows the Zoning Administrator to make a decision on an unapproved fence material as opposed to sending it to the Board of Adjustment. Meyers advised on the expense and time it takes to go through the Board of Adjustment process and did not believe it to be efficient.

Motion made by Councilmember Delperdang and a second by Councilmember Robinson to approve the first reading of Ordinance No. 261. The following Councilmembers voted "YEA": Delperdang, Robinson, Andres, Mendenhall. Motion passed 4-0.

Motion made by Councilmember Delperdang and a second by Councilmember Robinson to waive the second and third readings of Ordinance No. 261. The following Councilmembers voted "YEA": Delperdang, Robinson, Andres, Mendenhall. Motion passed 4-0.

Motion made by Councilmember Delperdang and a second by Councilmember Robinson to adopt Ordinance No. 261. The following Councilmembers voted "YEA": Delperdang, Robinson, Andres, Mendenhall. Motion passed 4-0.

Mayor VanderWoude introduced Resolution 20-21, "A Resolution Approving the Street Finance Report for July 1, 2019 through June 30, 2020"

Motion made by Councilmember Robinson and a second by Councilmember Delperdang to approve Resolution 20-21. The following Councilmembers voted "YEA": Delperdang, Robinson, Andres, Mendenhall. Motion passed 4-0.

Mayor VanderWoude introduced Resolution 20-22, "A Resolution Setting a Public Hearing Date for October 13, 2020 at 6:00 PM to Consider Amendments to the City of Okoboji Code by Adding New Language in Chapter 63 of the City of Okoboji Municipal Code Pertaining to Lowering the Speed Limit in the City's Jurisdiction of 165th Street from 35 MPH to 25 MPH".

Motion made by Councilmember Robinson and a second by Councilmember Delperdang to approve Resolution 20-22. The following Councilmembers voted "YEA": Delperdang, Robinson, Andres, Mendenhall. Motion passed 4-0.

Mayor VanderWoude introduced Resolution 20-23, "A Resolution Requesting Reimbursement from the Iowa COVID-19 Government Relief Fund"

City Administrator Meyers explained that the City has approximately \$723.06 in direct COVID-19 expenses. Meyers explained that he also believes that up to 25% of public safety payroll expenses can be reimbursed as part of the CARES Act. Meyers advised that he was going to attempt to submit for \$18,823.12 for reimbursements of COVID-19 related material and payroll expenses.

Motion made by Councilmember Mendenhall and a second by Councilmember Robinson to approve Resolution 20-23. The following Councilmembers voted “YEA”: Delperdang, Robinson, Andres, Mendenhall. Motion passed 4-0.

Mayor VanderWoude introduced 20-24, “A Resolution to Hold City Council Meetings at the Pearson Lakes Art Center (2201 Hwy 71, Okoboji, Iowa 51355) Until Further Notice”.

Motion made by Councilmember Mendenhall and a second by Councilmember Robinson to approve Resolution 20-24. The following Councilmembers voted “YEA”: Delperdang, Robinson, Andres, Mendenhall. Motion passed 4-0.

Mayor VanderWoude moved agenda item ‘W’ and ‘X’ to the bottom of the agenda.

Mayor VanderWoude introduced a Board of Adjustment granted variance to Terrance L. and Michelle R. Smith of 2112 Holliday Way. City Administrator Meyers explained that the Board of Adjustment had granted the variance on a 4-1 vote and the Council must affirm the vote should they so choose.

Motion made by Councilmember Robinson and a second by Councilmember Mendenhall to affirm the vote made by the Board of Adjustment to approve the variance. The following Councilmembers voted “YEA”: Delperdang, Robinson, Andres, Mendenhall. Motion passed 4-0.

Mayor VanderWoude introduced a dock application for Public Access #8 for Patrick Kelley, 3606 Fairfield Street.

Motion made by Councilmember Robinson and a second by Councilmember Mendenhall to approve the dock application for Public Access #8 for Patrick Kelley, 3606 Fairfield Street. The following Councilmembers voted “YEA”: Delperdang, Robinson, Andres, Mendenhall. Motion passed 4-0.

Mayor VanderWoude introduced a quote from DeBerg Concrete for \$6,929.00 for a sidewalk on the east side of the pickleball facility.

City Administrator Meyers advised that this would be paid out of the pickleball fund.

Motion made by Councilmember Robinson and a second by Councilmember Delperdang to approve the quote from DeBerg Concrete for \$6,292.00. The following Councilmembers voted “YEA”: Delperdang, Robinson, Andres, Mendenhall. Motion passed 4-0.

Mayor VanderWoude opened discussion on a rate increase from Central Water Systems.

City Administrator Meyers advised that Central Water System is proposing a rate increase from \$3.50/1000 gallons to \$4.00/1000 gallons. Meyers advised that this would create a \$25,000 - \$30,000 impact on the City’s water budget. Meyers advised that he would bring options to Council including the possibility of a rate increase. No action taken.

Mayor VanderWoude opened discussion on a proposed Lakeshore Drive bond.

City Administrator Meyers spoke to the need to refinance existing debt and scheduling to possibly refinance debt and take on additional debt to resurface Lakeshore Drive. Meyers advised that there are discussions that need to take place between the City and a bonding attorney to help navigate IRS rules and regulations. Meyers also commented on potential future Iowa Great Lakes Sanitary District

projects that need to be taken into consideration when considering street resurfacing. Finally Meyers discussed the Iowa Department of Transportation's reconstruction of Highway 71 and how that might impact Lakeshore Drive. Meyers advised that the City needs to take all of this into consideration to ensure that the dollars are spent in the best possible manner. No action taken.

REPORTS

City Administrator updated the Council on an on-going roof project at the City's Public Works, Fire, and Police facility. Meyers advised that he expected to have quotes for this project by next Monday and requested that the Council consider meeting in special session to approve a quote. Meyers advised that he believed the Dixon Beach rip-rap project would likely start as soon as Thursday of the current week. Meyers advised that the Council could see a change order proposed due to the inability to access West Lake Okoboji from the Eden Street access and the need to load rock at Givens Street. Meyers requested that Councilmembers consider forming a committee to review docks on Dixon Beach. Meyers advised that the City continues to put documentation together for the on-going financial audit. Meyers continues to work with Iowa Codification on the recodification of the City's code. Lastly Meyers advised he would virtually be attending the Iowa League of Cities conference next week.

No police report.

Mayor VanderWoude asked that the Council consider how long they would like to meet at the Pearson Lakes Art Center.

No Council report.

ADJOURNMENT.

The meeting was adjourned at 8:15PM.

Mayor Mary VanderWoude

Michael Meyers, City Administrator

TOTAL REVENUE FOR AUGUST 14, 2020 THROUGH SEPTEMBER 8, 2020 WAS \$85,853.14. TOTAL EXPENDITURES WERE \$171,035.42 - \$113,790.89 GENERAL FUND; \$2,818.43 ROAD USE TAX FUND, \$89.00 CAPITAL PROJECT PICKLEBALL FUND, \$54,337.10 WATER FUND.

VENDOR	REFERENCE	AMOUNT
AHLERS & COONEY PC	TERMINATION OF URA	256.59
ALLIANT ENERGY	AUGUST ELECTRIC	5,113.29
BECK ENGINEERING INC	ENGINEERING FEES & RETAINER	3,900.00
BLACK HILLS ENERGY	NATURAL GAS SERVICE	69.39
BOMGAARS SUPPLY, INC.	DOCK REPAIR	33.17
BRENT SEXTON	UNIFORM ALLOWANCE	600
CAMPUS CLEANERS & LAUNDER	RUGS	44.1
CAMPUS CLEANERS & LAUNDER	RUGS	43.8
CANON FINANCIAL SERVICES	SEPT COPIER LEASE	72.04
CARDMEMBER SERVICE	AUGUST STATEMENT	1,535.88
CARNEY CONCRETE	CURB/GUTTER REPAIR	2,610.00
CARROT-TOP INDUSTRIES INC	FLAGS	324.15
CENTRAL STATES FUND	AUGUST PREMIUMS	14,050.80
CENTRAL STATES FUND	SEPT PREMIUMS	17,563.50
CENTRAL WATER SYSTEM	AUGUST WATER	39,714.50
CERTIFIED TESTING SERVICE	PICKLEBALL COMPACTION TEST	847.5
D&K REPAIR	REPLACE TIRE	406.39
DICKINSON COUNTY WATER	2021 WATER QUALITY CONTRIBUTIO	16,675.00
EFTPS	FED/FICA TAX	4,941.14
EFTPS	FED/FICA TAX	4,653.26
FICK'S ACE HARDWARE	CITY HALL LIGHTS	31.16
GENERAL TRAFFIC CONTROLS	TRAFFIC SIGNAL SERVICE	421.7
HEARTLAND SECURITY SERVIC	ALARM MONITORING	26.95
HEAT TACTICAL TEAM	HEAT DUES 2020	602.55
IGL SANITARY DISTRICT	CITY HALL SEWER FEE	171
IA DIVISION OF LABOR SERVICES	BOILER INSPECTION	80
IPERS	IPERS-PROTECTN	9,890.20
JCL SOLUTIONS -	PARK SUPPLIES	233.51
MEDIACOM COMMUNICATIONS	8/25-9/24	360.6
NEW YORK LIFE	ADDTL LIFE INS	118.39
NEW YORK LIFE INSURANCE	AUGUST PREMIUMS	543.75
NORTHWEST IOWA PLANNING	SHIELD FY21 1ST DRAW	2,000.00
PACKEBUSH SPRINKLER SERV	SPRINKLER REPAIR	80.25
PEARSON LAKES ART CENTER	CITY COUNCIL MEETING JULY	300
REGIONAL TRANSIT AUTHORITY	Q1 FY21 SUPPORT	1,000.00
SECURE BENEFITS SYSTEMS	FSA MEDICAL	97.34
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SHAMROCK RECYCLING, INC.	RECYCLE CONTAINER	316.62
SPENCER OFFICE SUPPLIES	COPY PAPER	69.98
STATE HYGIENIC LABORATORY	WATER TEST	313
STEIN LAW OFFICE	AUGUST LEGAL FEES	2,495.58
TREASURER, STATE OF IOWA	AUGUST WATER EXCISE TAX	4,127.00
TREASURER, STATE OF IOWA	STATE TAXES	2,729.00
VAHLSING'S CLEAN SWEEP	AUGUST JANITOR SERVICE	100
VERMEER SALES & SERVICE	CHIPPER PARTS	332.38
WEX BANK	FUEL CHARGES	786.66
Accounts Payable Total		140,779.46
Payroll Checks		30,255.96
***** REPORT TOTAL *****		171,035.42