

## MINUTES OF THE OKOBOJI CITY COUNCIL MEETING HELD ON OCTOBER 13, 2020

Mayor VanderWoude called the meeting to order at 6:00pm on October 13, 2020. Councilmembers Delperdang, Robinson, Mendenhall, and Andres were present at roll call. Councilmember Hentges joined the meeting at 6:23pm. Others present were City Administrator Michael Meyers, Police Chief Jason Petersen, Water Superintendent Neal Houge, Rebecca Peters, Mackenzie Ashland, Steve Schwaller, John Hight, Chad Pritts, Dan Sanders, Butch Parks, Stephanie Parks, and Corey Harguth.

### **CONSENT AGENDA**

Motion made by Councilmember Robinson and a second by Councilmember Mendenhall to approve the consent agenda which include minutes of the September 8, 2020 City Council meeting, the Claims Report, the Accounts Payable Report, the Bank Cash Report, and the renewal of a Class C Liquor License (LC)(Commercial) with Outdoor Service and Sunday Sales for 'Okoboji Winter Project, Inc.' The following Councilmembers voted "YEA": Delperdang, Robinson, Mendenhall. Councilmember Andres abstained from the vote. Motion passed 3-0.

### **CITIZEN APPERANCES**

None

### **OLD BUSINESS**

City Administrator Michael Meyers provided an update on East Lake Park. Meyers advised that he now believed the project to be ahead of schedule and anticipated a ribbon cutting ceremony potentially on November 6, 2020. No action taken.

Meyers updated the Council on the request from the Okoboji Tourism Committee for 50% of the City's hotel-motel tax revenue. Meyers reminded the Council that the amount requested was \$84,857.83. Councilmember Robinson inquired about the remaining balance of the now disposed Okoboji Marketing Committee. Meyers advised that the City has created a restricted 'Hotel-Motel Tax' fund which will track the restricted portion of the hotel-motel tax. Meyers commented that the Okoboji Marketing Committee funds are technically restricted funds to be utilized for tourism promotion and purposes and would be utilized in that fashion as part of that hotel-motel fund.

Motion made by Councilmember Andres and a second by Councilmember Mendenhall to approve the request of the Okoboji Tourism Committee for \$84,857.83. The following Councilmembers voted "YEA": Andres, Delperdang, Robinson, Mendenhall. Motion passed 4-0.

### **NEW BUSINESS**

Mayor VanderWoude presented several quotes for the roofing project at the Okoboji Public Works, Fire, and Police Department. Mackenzie Ashburn, CMBA Architects, provided an overview of the quotes. City Administrator Meyers offered a recommendation of Quote #2B which was 1.5" insulation utilizing the existing gutter and accepting alternate #1 for new downspouts. The total cost for quote #2B and alternate #1 was to be \$106,000.00 from Grell Roofing. Meyers reminded the Council that the total budget for this project was \$115,850.00. Meyers also reminded the Council that the City has already expensed \$9,500.00 on architectural fees. Meyers advised that this project will get to this project before winter.

Motion made by Councilmember Robinson and a second by Councilmember Andres to approve quote #2B (\$99,000.00) and alternate #1 (\$7,000.00) from Grell Roofing for a total of \$106,000.00 contingent upon following up on references. The following Councilmembers voted "YEA": Andres, Delperdang, Robinson, Mendenhall. Motion passed 4-0.

Mayor VanderWoude moved agenda item 6M up the agenda to be considered. Mayor VanderWoude presented Application for Payment No. 1 for \$35,447.78 and Change Order #1 (increasing the cost by \$7,225.00) for the 2020 City of Okoboji Dixon Beach Retaining Wall Stabilization Project. VanderWoude advised that the change order was necessary due to the contractor needing to load their barge off of Givens Point as opposed to the Eden Street extension. John Hight, Beck Engineering, advised that Clary Lake Service is about halfway through the project and has done as much as they can until docks are removed.

Motion made by Councilmember Mendenhall and a second by Councilmember Robinson to approved Application for Payment #1 and Change Order #1. The following Councilmembers voted "YEA": Andres, Delperdang, Robinson, Mendenhall. Motion passed 4-0.

Mayor VanderWoude presented quotes obtained by City Staff for a new skid loader. Meyers advised traditionally the City has turned over the City's skid loader on an annual basis. Meyers explained the last time this was done was in 2018. Meyers advised that Public Works staff has some frustrations with the current skid loader. Meyers commented that a new skid loader was not part of the budget for FY21. Meyers requested from the Council that they consider advisement on whether they want to the City to continue to turn over a skid loader on an annual basis or if they want the City to hold on to the equipment for a longer period of time. Meyers advised the City might consider waiting until FY22 to budget for the item. No action taken.

Councilmember Hentges joined the meeting at 6:23pm.

Mayor VanderWoude presented the third reading of Ordinance No. 257, "An Ordinance Amending the Code of Ordinances for 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"."

Councilmember Delperdang commented that the rationale for having three readings over the course of several months is to solicit input to help craft the ordinance. Delperdang advised that he is in favor of amending the ordinance having the ordinance start at the intersection of Lakeshore Drive and Givens Street heading north leaving the current parking restrictions from Givens Street to Highway 71 to remain as they presently are.

City Administrator Meyers requested that the Council consider a delay in implementation of this parking ordinance. Meyers advised that City Hall would like to include information in a future newsletter to appropriate notify the community. Meyers advised he felt February 1, 2020 could be considered. Meyers advised that City Staff would install posts prior to the freeze but wait until then to erect signage.

Meyers asked the Council specific to the inclusion of Fairfield Street of the ordinance and whether or not the Council wished to keep Fairfield Street contained within the ordinance. Councilmember

Delperdang acknowledged some resident pushback and support of this stretch. Councilmember Delperdang expressed that he did not support Fairfield Street to be part of this ordinance.

Councilmember Mendenhall inquired about emergency vehicles on Fairfield Street. Councilmember Hentges advised that while Fairfield Street is narrow, there is already no parking signs that help offset the traffic for EMS response. Councilmember Andres felt as though Fairfield Street should presently be excluded.

Motion made by Councilmember Hentges and a second by Councilmember Delperdang to approve the third reading of Ordinance No. 257 by amended the language to start the parking restriction at the intersection of Givens Street and Lakeshore Drive, to remove Fairfield Street from the ordinance, and to make it effective February 1, 2021. The following Councilmembers voted “YEA”: Andres, Delperdang, Hentges, Robinson, Mendenhall. Motion passed 5-0.

Motion made by Councilmember Hentges and a second by Councilmember Robinson to adopt Ordinance No. 257. The following Councilmembers voted “YEA”: Andres, Delperdang, Hentges, Robinson, Mendenhall. Motion passed 5-0.

Mayor VanderWoude presented the third 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.

City Administrator Meyers offered the opinion that he felt the language that was amended into the ordinance was too restrictive and requested that the Council reconsider. Meyers reminded that the existing language essentially states that any water discharging onto the street at any time was in violation of the ordinance. Meyers advised that the original intent of the ordinance was to be able to help resolve consistent problem areas in town that are creating a hazardous situation or otherwise damaging infrastructure. Meyers hoped the Council would consider amending the ordinance so that it would only be in violation of the chapter if the discharge creates a public nuisance, hazardous situation, or a build of ice. Meyers reminded the Council that the original intent of this ordinance was to assist with the aesthetics of the street, safety of pedestrians and cyclists, and to prevent infrastructure damage and not necessarily to stop the discharge of storm water completely.

Councilmember Mendenhall expressed concern with this language and thought perhaps it should be based on a specified time limit after a rain.

Councilmember Hentges thought that having a time limit would be difficult for City Staff to manage and felt that City Staff could make an easy determination on whether it be a nuisance or not. Meyers read aloud the City’s definition of nuisance.

Councilmember Robinson felt as though City Staff was well equipped to make a determination on whether or not the discharge created a nuisance.

Motion made by Councilmember Andres and a second by Councilmember Delperdang to approve the third reading of Ordinance No. 258. The following Councilmembers voted “YEA”: Andres, Delperdang, Hentges, Robinson, Mendenhall. Motion passed 5-0.

Motion made by Councilmember Mendenhall and a second by Councilmember Robinson to adopt Ordinance No. 258. The following Councilmembers voted “YEA”: Andres, Delperdang, Hentges, Robinson, Mendenhall. Motion passed 5-0.

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

Mayor VanderWoude acknowledged a letter received from Carrie Meyer. Meyers advised he spoke with her that earlier that day and wanted to relay her concerns with this ordinance.

Dan Sanders asked the Council if a trailer parking half on and half off the right-of-way would be considering in violation. Police Chief Petersen advised that any part of the trailer on the street would be in violation of the ordinance.

Councilmember Hentges advised of the intent the issue comes from people dropping trailers on the street for several days if not weeks at a time unattended and unattached. Meyers advised that over the past several months some of these trailers have been in very hazardous locations. Councilmember Mendenhall advised it is all in an effort to clean up the streets for the safety of pedestrians, cyclists, and vehicles.

Councilmember Andres asked about construction zones and the exemption given in the ordinance. Police Chief Petersen advised that so long as a contractor is actively working on the site and not leaving the trailer overnight it would fall under that exemption.

Motion made by Councilmember Delperdang and a second by Councilmember Mendnehall to approve the third reading of Ordinance No. 259. The following Councilmembers voted “YEA”: Andres, Delperdang, Hentges, Robinson, Mendenhall. Motion passed 5-0.

Motion made by Councilmember Mendenhall and a second by Councilmember Andres to adopt Ordinance No. 259. The following Councilmembers voted “YEA”: Andres, Delperdang, Hentges, Robinson, Mendenhall. Motion passed 5-0.

Mayor VanderWoude presented the second reading of Ordinance No. 260, “An Ordinance Amending the 2013 Okoboji Zoning Ordinance by Amending Section 11.4 Steps, Decks, and Patios”.

Councilmember Mendenhall commented on specific language used in the ordinance pertaining to open space. City Administrator Meyers advised the intent of the language was to explicitly state that impervious surfaces such as decks, patios, etc. are not to be considered as open space. Meyers commented he can understand where the confusion lies and offered a suggestion to rectify.

Motion made by Councilmember Mendenhall and a second by Councilmember Hentges to approve the second reading of Ordinance No. 260 and by changed the language in 11.4.4 to be “Impervious patios and other hard surfaced areas shall not constitute open space” and 11.4.5 to be “Decks shall not constitute open space”. The following Councilmembers voted “YEA”: Andres, Delperdang, Hentges, Robinson, Mendenhall. Motion passed 5-0.

Motion made by Councilmember Mendenhall and a second by Councilmember Andres to waive the third reading of Ordinance No. 260.

Motion made by Councilmember Mendenhall and a second by Councilmember Robinson to adopt Ordinance No. 260. The following Councilmembers voted “YEA”: Andres, Delperdang, Hentges, Robinson, Mendenhall. Motion passed 5-0.

Mayor VanderWoude opened a public hearing to consider Ordinance No. 262, “An Ordinance Amending Section 63.04 “Special Speed Zones” Lowering the Speed Limit on the City of Okoboji’s Jurisdiction of 165<sup>th</sup> Street within the City of Okoboji from 35MPH to 25MPH.”

Chad Pritts spoke in support of Ordinance No. 262 citing consistency with Dickinson County and safety issues.

City Administrator Meyers advised that if the speed limit were changed, the City may consider moving the signage further east closer to the bottom of the hill heading east.

Mayor VanderWoude closed the public hearing.

Mayor VanderWoude presented the first reading of Ordinance No. 262.

Motion made by Councilmember Andres and a second by Robinson to approve the first reading of Ordinance No. 262. The following Councilmembers voted “YEA”: Andres, Delperdang, Hentges, Robinson, Mendenhall. Motion passed 5-0.

Motion made by Councilmember Delperdang and a second by Councilmember Robinson to waive the second and third readings of Ordinance No. 262. The following Councilmembers voted “YEA”: Andres, Delperdang, Hentges, Robinson, Mendenhall. Motion passed 5-0.

Motion made by Councilmember Hentges and a second by Councilmember Robinson to adopt Ordinance No. 262. The following Councilmembers voted “YEA”: Andres, Delperdang, Hentges, Robinson, Mendenhall. Motion passed 5-0.

Mayor VanderWoude presented Resolution 20-25, “A Resolution Setting a Public Hearing for November 10, 2020 at 6:00PM to Consider Amendments to the City of Okoboji Water Rates”.

Motion made by Councilmember Hentges and a second by Councilmember Andres to approve Resolution 20-25. The following Councilmembers voted “YEA”: Andres, Delperdang, Hentges, Robinson, Mendenhall. Motion passed 5-0.

Mayor VanderWoude presented a dock application from Kelly and Denise Norland, 2303 Holliday Way.

Motion made by Councilmember Robinson and a second by Councilmember Andres to approve the dock application for 2303 Holliday Way. The following Councilmembers voted “YEA”: Andres, Delperdang, Hentges, Robinson, Mendenhall. Motion passed 5-0.

## **REPORTS**

City Administrator Meyers reported on potential Lakeshore Drive project, potential trail extension, and potential parking lot improvements at Speier Park. Meyers advised that time is of the essence. Meyers also requested that the Council meet with him pertaining to Dixon Beach docks.

Police Chief Petersen advised of some negotiation training his staff was presently going through.

Councilmember Delperdang requested more information pertaining to the timeline of the potential bond project.

Councilmember Andres advised that the City's Personnel Committee met with the police department to go over self-evaluations with officers. Andres advised they discussed visibility of the department and upcoming ordinance changes. Andres advised she felt our Police Department is doing great and thanked them for their service.

Councilmember Mendenhall discussed the request for a lakeshore landscaping application on Dixon Beach and felt some additional consideration should be given. Meyers advised that the City needs to give the homeowner an answer sooner rather than later.

ADJOURNMENT.

The meeting was adjourned at 7:40PM.

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Mayor Mary VanderWoude

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Michael Meyers, City Administrator

TOTAL REVENUES FOR SEPTEMBER 9, 2020 THROUGH OCTOBER 13, 2020 WAS \$415,036.84. TOTAL EXPENDITURES WERE \$83,019.77 GENERAL FUND, \$161.50 ROAD USE TAX FUND, \$1,475.75 CAPITAL PROJECTS-PICKLEBALL FUND, \$9,121.68 WATER FUND. TOTAL: \$93,778.70.

VENDOR	REFERENCE	AMOUNT
AFLAC	PREMIUMS	648.08
TLMV INC	FENCE MATERIAL	1,475.75
BLACK HILLS ENERGY	NATURAL GAS SERVICE	70.28
BOJI AUTO REPAIR	2015 DODGE RAM ENGINE REPAIR	7,344.51
BOMGAARS SUPPLY, INC.	PLEXIGLASS REINFORCEMENT	9.99
CARDMEMBER SERVICE	SEPTEMBER STATEMENT	1,986.70
CLERK OF DISTRICT COURT	COURT COSTS OKSTA0046906	60
CMBA ARCHITECTS	PUBLIC WORKS ROOF REPLACEMENT	3,901.71
DICKINSON COUNTY CONSERVATION	GREEN WASTE	80
DICKINSON COUNTY NEWS	AUGUST LEGAL PUBLICATIONS	667.02
EFTPS	FED/FICA TAX	4,852.17
EFTPS	FED/FICA TAX	4,774.50
EFTPS	FED/FICA TAX	5,146.52
FEAR COMPUTER SOLUTIONS	COMPUTER MAINTENANCE	220
GORDON FLESCH CO	COPIER PRINT QUARTERLY MINIMUM	248.13
GRAHAM TIRE SPENCER	TIRES-2015 SILVERADO	759.96
HEARTLAND SECURITY SERVIC	SECURITY SERVICE	26.95
HEIMAN INC	ANNUAL INSPECTION	185
IOWA ONE CALL	JULY/AUGUST NOTIFICATIONS	43.1
IOWA PUMP WORKS, INC.	LIFT STATION REPAIR	1,707.50
IPERS	IPERS-PROTECTN	6,617.91
IPERS	ADDTL PYMT FOR ERC CITY CONTR	173.54
JCL SOLUTIONS -	PARK SUPPLIES	124.12
KATE EBINGER	RECYCLE TAG REFUND	25
LAKES AREA DOG PARK	CONTRIBUTION FY 20/21	1,000.00
MEDIACOM COMMUNICATIONS	9/25-10/24	360.6
NEW YORK LIFE	ADDTL LIFE INS	118.39
O'REILLY AUTO PARTS	AUGUST STATEMENT	57.98
PEARSON LAKES ART CENTER	CITY COUNCIL MEETING SEPT	150
STATE HYGIENIC LABORATORY	WATER TEST	263
TREASURER, STATE OF IOWA	SEPT WATER EXCISE TAX	245
TREASURER, STATE OF IOWA	STATE TAXES	1,825.00
VERIZON WIRELESS	CELL PHONES & POLICE PCS	689.13
VERIZON WIRELESS	CELL PHONES & POLICE PCS	629.21
WEX BANK	FUEL CHARGES	851.1
Accounts Payable Total		47,337.85
Payroll Checks		46,440.85
***** TOTAL *****		93,778.70