

MINUTES OF THE OKOBOJI CITY COUNCIL MEETING HELD ON APRIL 13, 2021

Mayor VanderWoude called the meeting to order at 6:00PM on April 13, 2021. Councilmembers Robinson, Andres, and Hentges were present. Councilmembers Delperdang and Mendenhall were present via Zoom teleconferencing. Others present were City Administrator Michael Meyers, Police Chief Jason Petersen, Deputy City Clerk Jill Verdoorn, Jason Eygabroad, Tim Oswald, Dan Sanders, Dana Evaro, Steve Schwaller, Britney Hansen, and Darren Fishels.

CONSENT AGENDA

Motion made by Councilmember Hentges and a second by Councilmember Robinson to approve the consent agenda which included minutes from the March 9, 2021 City Council meeting, the Claims and Accounts Payable Report, Bank Cash Report, renewal of a Class C Beer Permit (BC) for Mau Marine, and renewal of a Class E Liquor License for Kum & Go. The following Councilmembers voted “YEA”: Delperdang, Hentges, Mendenhall, Robinson. Councilmember Andres abstained from the vote. Motion passed 4-0.

NEW BUSINESS

Mayor VanderWoude presented the second reading of Ordinance No. 263, “An Ordinance Amending the 2013 Okoboji Zoning Ordinance by Adding A-2 Conservation Zoning District and Amending A-1 Agriculture Zoning District”.

Councilmember Hentges advised that was concerned about the one-acre minimum place on the proposed Conservation Zoning District. Hentges felt that this was in contracts to the ten-acre minimum for the current Agriculture District. City Administrator Meyers explained that this one-acre minimum came from the originally presented Conservation Zoning District which the Planning and Zoning Commission felt was large enough at that time and advised that he did not believe there was necessarily a connection between the A-1 zoning district land minimum and the A-2 zoning district land minimum. Councilmember Andres asked why the Planning and Zoning Commission felt that one-acre was sufficient. Planning and Zoning Commission member Barb Mendenhall advised that she believed this was consistent with other Conservation Zoning Districts in the Lakes Area. B. Mendenhall advised she would research this further.

Councilmember Delperdang confirmed that nothing currently prevents conservation measures from being put into effect presently. Delperdang advised that this would not force conservation. B. Mendenhall acknowledged that the City could consider this an opportunity to promote conservation to the community.

Councilmember Andres asked for a list of properties that might be considered to be rezoned as Conservation. B. Mendenhall advised that there are a handful of properties that could be considered to be in conservation including but not limited to Speier Park and the Dixon Beach lakeshore properties owned by the City of Okoboji.

Councilmember Delperdang inquired on the processes of rezoning a property. City Administrator Meyers outlined the process which includes initiation of the request, Planning and Zoning

Commission recommendation, and a public hearing at a City Council meeting. Meyers also reminded that the City would notify all neighbors of this process prior to the City Council meeting.

Councilmember Delperdang advised that the idea of this property being in Conservation in perpetuity does not really exist as any property owner can request rezoning. B. Mendenhall advised that it was not any different than other properties and that the property could make sure request going through the appropriate process.

Planning and Zoning Commission member Jane Shuttleworth commented on the City's Comprehensive Plan and how the Comprehensive Plan calls for conservation type activities and uses.

Councilmember Delperdang advised that a new property owner would need to jump through hoops to reverse a conservation designation and inquired if this would make the property less valuable. Shuttleworth commented that there are those who desire to have their land in conservation and it positively effects their own quality of life.

Councilmember Andres inquired about the potential long-term impact of property valuations within the City of Okoboji. B. Mendenhall commented that property tax valuations are tied to the usage of the land and structures on the land.

Councilmember Delperdang commented on the aspect of spot zoning as to whether or not this might be considered spot zoning. City Administrator Meyers commented that spot zoning can be a tricky things at times but generally defined it as singling all properties for a zoning district that is completely different than that of the surrounding area that directly benefits that specific property while negatively effecting neighboring properties.

Councilmember Andres felt that the City had more responsibility to better understand the financial impact of this on future City budgets.

Councilmember Robinson reminded the City's commitment to water quality through its participation and contributions to the Dickinson County Clean Water Alliance. Councilmember Andres commented that there is a balance that needs to be taken into consideration and that the decision made pertaining to a Conservation Zoning District, an informed decision needs to be made, and in no way on how the City feels pertaining to keeping the lakes clean.

Shuttleworth commented that she felt that the minimum land area could likely be amended and asked what other additional information might be helpful.

Councilmember Andres referenced the City's Comprehensive Plan and how it is taken into account pertaining to zoning changes. Shuttleworth advised that the Comprehensive Plan continually calls out water quality measures. Andres asked if the properties identified are mostly all presently zoned A-1. City Administrator Meyers commented that several of these properties have different zoning jurisdictions and not just A-1.

Mayor VanderWoude requested data pertaining to the number of parcels greater than 1.00 acre and greater than 10.00 acres. Councilmember Andres asked for a listing of parcels that might be considered.

Councilmember Andres asked on the process pertaining to the Comprehensive Plan update. City Administrator Meyers advised that this was a Planning and Zoning Commission activity where they would make a recommendation for Council approval. B. Mendenhall advised it was time to revisit the Comprehensive Plan but recalled significant discussion in the current Comprehensive Plan pertaining to conservation. Shuttleworth advised that she did not believe this zoning designation is tied into an update of the Comprehensive Plan.

Councilmember Delperdang felt that this created more restriction and more difficulties on property owners to utilize the property. B. Mendenhall agreed but advised that those who rezone their properties into conservation want to be in conservation.

Councilmember Delperdang commented on the symbolism of having a Conservation District and advised that the City of Okoboji has made commitments to conservation in many ways over the years and felt that the City does not need to defend their history in this realm. Delperdang felt this created more bureaucracy for future operations as well as future valuations and budgetary impacts.

Councilmember Robinson asked City Administrator Meyers to look into other cities conservation zoning districts and see how it has affected their property taxes. Meyers advised he would look into it, but commented that these districts have been in place for a long time and that it may be difficult to quantify. Councilmember Delperdang also asked if any property owners are requesting this rezoning or not.

B. Mendenhall advised that this was not something that came from nothing and that she was speaking with residents who were interested in this and inquiring why the City of Okoboji did not have a Conservation Zoning District.

Councilmember Robinson asked that these questions be answered and in the interest of time that these issues be brought back to the May meeting for continued discussion.

Motion made by Councilmember Robinson and a second by Councilmember W. Mendenhall to approve the second reading of Ordinance No. 263. The following Councilmembers voted AYE: Delperdang, Mendenhall, Robinson. The following Councilmembers voted NAY: Andres, Hentges. Motion passed 3-2.

Mayor VanderWoude presented Resolution 21-19, "A Resolution Setting a Public Hearing for May 11, 2021 at 6:00pm to Consider Amendments to the City of Okoboji Zoning Regulations Pertaining to Amendments to Section 14.4 'Nonconforming Uses or Structures in Any Residential Zoned Districts'."

City Administrator Meyers gave a brief overview of the proposed amendments. Meyers reminded the Council this was simply setting a public hearing and that the ordinance for action would be in May.

Motion made by Councilmember Hentges and a second by Councilmember Robinson to approve Resolution 21-19. The following Councilmembers voted "AYE": Andres, Delperdang, Mendenhall, Robinson, Hentges. Motion passed 5-0.

Mayor VanderWoude presented May 20, 2021 as the bit letting date for the proposed Lake Shore Drive, Speier Park, and Country Club Drive project.

Jason Eygabroad, Beck Engineering Inc., gave an update and overview of the proposed projects.

City Administrator Meyers advised that after the bid letting, the City Council would need to meet in special session to consider approval of the bid. The date of May 24, 2021 at 3:30 PM was set at City Hall.

City Administrator Meyers also discussed that the Council needs to provide input on the layout of the Speier Park parking lot. Meyers commented that with the repaving of the parking lot there is opportunity to restripe and maximize parking stalls. Meyers commented that there were a few options available and also commented that City Staff had potentially another option that removed the eastern entrances entirely to get more green space in Speier Park. Meyers commented that he would send additional information.

Motion made by Councilmember Hentges and a second by Councilmember Andres to approve the bidding with a bid letting date of May 20, 2021 for the Lake Shore Drive, Speier Park parking lot, and Country Club Drive project. The following Councilmembers voted "AYE": Andres, Delperdang, Mendenhall, Robinson, Hentges. Motion passed 5-0.

Mayor VanderWoude presented Resolution 21-20, "A Resolution Directing the Acceptance of a Proposal to Purchase \$3,085,000 (Dollar Amount Subject to Change) General Obligation Capital Loan Notes, Series 2021-B".

Tim Oswald, Piper Sandler, advised that they had sold the bonds today with an interest rate of 1.83% on a 19-year bond. Oswald reminded that the City was able to meet its financial goals in doing this bond.

Motion made by Councilmember Andres and a second by Councilmember Robinson to approve Resolution 21-20. The following Councilmembers voted "AYE": Andres, Delperdang, Mendenhall, Robinson, Hentges. Motion passed 5-0.

Mayor VanderWoude presented Resolution 21-21, "A Resolution to Return City Council Meetings to the City of Okoboji City Hall as per 17.04 of the City of Okoboji Municipal Code".

Mayor VanderWoude thanked the Pearson Lakes Art Center for allowing the City to utilize their facility during this time.

Motion made by Councilmember Robinson and a second by Councilmember Hentges to approve Resolution 21-21. The following Councilmembers voted "AYE": Andres, Delperdang, Mendenhall, Robinson, Hentges. Motion passed 5-0.

Mayor VanderWoude presented Resolution 21-22, "A Resolution Appointing Michael Meyers and Mary VanderWoude to Represent the City of Okoboji with the Iowa Communities Assurance Pool".

Motion made by Councilmember Hentges and a second by Councilmember Andres to approve Resolution 21-22. The following Councilmembers voted "AYE": Andres, Delperdang, Mendenhall, Robinson, Hentges. Motion passed 5-0.

Mayor VanderWoude presented the "Okoboji City Administrator Agreement 2021" between the City of Okoboji, Iowa and Michael P. Meyers.

Councilmember Andres expressed that this agreement was worked on quite a bit with the City Administrator and the City Attorney. Andres commented that this 3-year term and agreement was beneficial to both the City as well as the City Administrator. Andres commented that the City is happy with Meyers and commended his education, skill, and commitment to the City.

Councilmember Mendenhall expressed that this shows a mutual commitment between the City and the City Administrator.

Motion made by Councilmember Robinson and a second by Councilmember Andres to approve the “Okoboji City Administrator Agreement 2021”. The following Councilmembers voted “AYE”: Andres, Delperdang, Mendenhall, Robinson, Hentges. Motion passed 5-0.

Mayor VanderWoude presented a transfer of a dock permit from Lee Seeman Jr to Alan Spencer owned of 3251 Lake Shore Drive, Whitecap Lot 3, on Dixon Beach.

Motion made by Councilmember Hentges and second by Councilmember Robinson to approve the transfer of the dock permit. The following Councilmembers voted “AYE”: Andres, Delperdang, Mendenhall, Robinson, Hentges. Motion passed 5-0.

Mayor VanderWoude presented a quote from Barden Incorporated for pavement maintenance at the Speier Park basketball court, Public Works parking lot, and portions of Sanborn Avenue.

City Administrator Meyers explained this as an alternative way to seal coating the streets by using a soy-based agent known as RePlay. Meyers explained that this would be a trial application applied to newly paved City asphalt areas to see how well it works. Meyers advised that City Staff would like to consider this in the future for Lake Shore Drive if the results are favorable. Meyers advised that due to the upcoming Lake Shore Drive project there would not be the usual street maintenance expense on Lake Shore Drive and that he recommended the City utilized some of its Road Use Tax on this project.

Motion made by Councilmember Robinson and a second by Councilmember Hentges to approve the quote from Barden Incorporated. The following Councilmembers voted “AYE”: Andres, Delperdang, Mendenhall, Robinson, Hentges. Motion passed 5-0.

Mayor VanderWoude presented Resolution 21-23, “A Resolution Waiving the City’s Right to Review the Egralharve Club Subdivision as Required by Iowa Code 354.9”.

Meyers explained that there is a subdivision of property happening in Dickinson County and as the property is located within two miles of the City’s jurisdiction the City is required to take action. Meyers praised State Law for providing cities with this opportunity but advised that this was not really relevant given that the subdivision is on the west side of West Lake Okoboji near the City of Wahpeton. Meyers advised that the Planning and Zoning Commission has met and recommended to the Council that the City waive their right to review as opposed to approving or denying.

Motion made by Councilmember Mendenhall and a second by Councilmember Robinson to approve Resolution 21-23. The following Councilmembers voted “AYE”: Andres, Delperdang, Mendenhall, Robinson, Hentges. Motion passed 5-0.

Mayor VanderWoude presented a new 8-month Class C Liquor License for Monarch Art Club.

Britney Hansen, owned of Monarch Art Club, thanked the Council for consideration and gave an overview of her business. Hansen advised she would have a very small café with arts programming and would have a very limited cocktail menu.

Motion made by Councilmember Hentges and second by Councilmember Robinson to approve the liquor license. The following Councilmembers voted “AYE”: Andres, Delperdang, Mendenhall, Robinson, Hentges. Motion passed 5-0.

REPORTS

City Administrator Meyers thanks the Council for their approval of the employment contract. Meyers updated the Council on the employment handbook. Meyer advised that the construction season is off to a fast start with many zoning permits being applied for. Meyers advised on a proposed Dixon Beach lakeshore landscaping project. Meyers updated on the pickleball facility. Meyers updated on FEMA floodplain mapping for Dickinson County. Meyers advised he would be meeting Imagine Iowa Great Lakes in the coming week.

Police Chief Jason Petersen advised on the strip down of the old police car and commented it should be ready to be bid out soon.

Mayor VanderWoude had no report.

Councilmember Mendenhall asked that City Administrator Meyers update on proposed boulder wall extension on the previously discussed Dixon Beach lakeshore landscaping project. Mendenhall also expressed concern over the timing of the upcoming sanitary sewer project. City Administrator Meyers commented that the Iowa Great Lakes Sanitary District would be doing a project prior to the City’s Lake Shore Drive project. Meyers commented that the District put everything together as quickly as they could in an effort to get the project in before the City of Okoboji project so that they did not excavate into the City’s new street. Meyers advised that the City and the District are working closely together to accomplish both projects. Meyers advised the City could potentially do the Lake Shore Drive project in the spring and expressed concern about the City’s project going long which could take that project into the summer of 2022.

ADJOURNMENT

Mayor Mary VanderWoude

City Administrator Michael Meyers

TOTAL REVENUES FOR MARCH 10, 2021 THROUGH APRIL 13, 2021 WERE \$144,539.36. TOTAL EXPENDITURES WERE \$171,923.14. GENERAL FUND \$148,929.53, ROAD USE TAX \$716.30, WATER FUND \$22,277.31.

VENDOR	REFERENCE	AMOUNT
AFLAC	PREMIUMS	529.39
ALLIANT ENERGY	MARCH ELECTRIC	4,206.44
AMY'S SIGN DESIGN	POLICE VEHICLE DECALS	430
BECK ENGINEERING INC	LAKE SHORE DR	52,027.50
BLACK HILLS ENERGY	NATURAL GAS SERVICE	891.55
BLACK HILLS ENERGY	NATURAL GAS SERVICE	521.75
BOMGAARS SUPPLY, INC.	MARCH STATEMENT	137.21
CAMPUS CLEANERS & LAUNDER	RUGS	44.85
CANON FINANCIAL SERVICES	MARCH COPIER LEASE	72.04
CARDMEMBER SERVICE	MARCH STATEMENT	1,661.92
CENTRAL STATES FUND	MARCH PREMIUMS	14,050.80
CENTRAL WATER SYSTEM	MARCH WATER	9,803.50
DICKINSON COUNTY CONSERVATION	GREEN WASTE	20
DICKINSON COUNTY NEWS	MARCH LEGAL PUBLICATIONS	239.98
DICKINSON COUNTRY TRAILS BOARD	ADMIN FEE FY2021	5,759.00
EFTPS	FED/FICA TAX	4,836.03
EFTPS	FED/FICA TAX	4,770.43
EFTPS	FED/FICA TAX	4,956.28
FEAR COMPUTER SOLUTIONS	POLICE COMPUTER REPAIR	275
FICK'S ACE HARDWARE	MATERIALS/SUPPLIES	45.14
GENERAL TRAFFIC CONTROLS	ANNUAL SERVICE AGREEMENT	375
GORDON FLESCH CO	COPIER PRINT QUARTERLY MINIMUM	233.23
HEARTLAND SECURITY SERVIC	ALARM MONITORING	26.95
HILLCREST FORGE INC	MATERIALS/LABOR	13.91
IOWA POLICE CHIEFS ASSN	IPCA MEMBERSHIP	125
IPERS	IPERS-PROTECTN	9,996.54
JENNINGS AUTO PARTS	FIRE DEPT CHARGE	196.89
JENNINGS AUTO PARTS	AUTO PARTS/REPAIR	77.9
LAKES AUTOSPORT	TRUCK MAINT	95.2
LAKES MARKETING & PRINT	BUDGET BOOKS	317.31
MEDIACOM COMMUNICATIONS	3/25-4/24	369.16
NEW YORK LIFE	ADDTL LIFE INS	118.39
NEW YORK LIFE INSURANCE	MARCH PREMIUMS	597.43
O'REILLY AUTO PARTS	FEBRUARY STATEMENT	430.67
O'REILLY AUTO PARTS	VEHICLE MAINT	88.11
OKOBOJI MOTOR COMPANY	TRUCK MAINT	35.46
PEARSON LAKES ART CENTER	CITY COUNCIL MEETING MARCH	150
PLUMB SUPPLY COMPANY	SHOP SUPPLIES	40.23

SECURE BENEFITS SYSTEMS	FSA MEDICAL	97.34
SHAMROCK RECYCLING, INC.	RECYCLE CONTAINER	339.4
SIOUX SALES COMPANY	PBT MOUTHPIECES	34.95
SPENCER OFFICE SUPPLIES	CLEANING SUPPLIES	82.35
STATE HYGIENIC LABORATORY	WATER TEST	13.5
STATE HYGIENIC LABORATORY	WATER TESTS	273.5
STEIN LAW OFFICE	MARCH LEGAL FEES	1,026.81
STOREY KENWORTHY	UTILITY BILLS	438.75
TRAF-O-TERIA	PARKING TICKETS	260.03
TREASURER, STATE OF IOWA	MARCH WATER EXCISE TAX	160
TREASURER, STATE OF IOWA	STATE TAXES	2,633.00
U.S.POSTAL SERVICE OKOBOJI		48
VAHLSING'S CLEAN SWEEP	FEBRUARY JANITOR SERVICE	100
VERIZON WIRELESS	CELL PHONES & POLICE PCS	619.89
WEX BANK	FUEL CHARGES	1,078.12
Accounts Payable Total		125,771.83
Payroll Checks		46,151.31
***** REPORT TOTAL *****		171,923.14