

## **MINUTES OF THE OKOBOJI CITY COUNCIL MEETING HELD ON MAY 11, 2021**

Mayor VanderWoude called the meeting to order at 6:00pm on May 11, 2021 Councilmembers Robinson, Andres, Delperdang, and Mendenhall were present. Councilmember Hentges was excused. Others present were Dan Sanders, Babs Liesveld, Nancy Everist, Barb Mendenhall, Nancy Wittenburg, Steve Schwaller, Kae Hoppe, Josh Pope, Jason Eygabroad, Police Chief Jason Peterson, City Administrator Michael Meyers.

### **CONSENT AGENDA**

Motion made by Councilmember Mendenhall and a second by Councilmember Andres to approve the consent agenda which included the minutes from the April 13, 2021 and April 27, 2021 City Council meeting, the Claims and Accounts Payable Report, the Bank Cash Report, and the renewal of a Class E Liquor License (LE) with Carryout Wine- Includes Native Wine, Carryout Beer, and Sunday Sales for Casey's General #2681. The following Councilmembers voted "YEA": Robinson, Andres, Delperdang, and Mendenhall. Motion approved 4-0.

### **OLD BUSINESS**

Mayor VanderWoude presented Resolution 21-27, "A Resolution to Approve a Three-Year Contract between Teamsters #554 and the City of Okoboji, Iowa".

City Administrator Meyers advised that some of the contractual language was clarified per the request of the City.

Motion made by Councilmember Andres and a second by Councilmember Mendenhall to approve Resolution 21-27. The following Councilmembers voted "YEA": Robinson, Andres, Delperdang, and Mendenhall. Motion approved 4-0.

### **NEW BUSINESS**

Mayor VanderWoude presented the third 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".

City Administrator Meyers displayed and discussed documentation provided to the City from Planning and Zoning Commissioner Barbara Mendenhall in an effort to assist in answering questions from the previous Council meeting. Meyers detailed other communities and their conservation zoning districts. Meyers discussed the relevance to the comprehensive plan. Meyers displayed open space type properties and their taxable valuations.

Planning and Zoning Commissioner B. Mendenhall advised that her identified open spaces have very little tax value to the City of Okoboji.

Mayor VanderWoude advised that all of the proposed A-2 uses are include in A-1 presently and did not feel it necessary to split. VanderWoude advised that she felt this would make it more difficult for residents.

B. Mendenhall advised she has spoken to several property owners who desired to put these types of properties in conservation and they did not want to allow farming and other agricultural uses.

Councilmember W. Mendenhall commented on the City has shown a great deal of care and concern for the lakeshores on the property and that the City could make a statement that conservation is important. W. Mendenhall advised that the actions of moving it into conservation or out of conservation zoning were not permanent and that there was flexibility.

City Administrator Meyers overviewed the permitted and conditional uses of the A-2 Conservation Zoning District after questions pertaining to how the properties could be utilized. Meyers explained that the property is still private property. Meyers explained the process of rezoning.

Councilmember Andres felt as though the City needed to consider the cost of approving this conservation-zoning district. Andres advised there is a financial cost and a time commitment. Andres acknowledged that the City has several environmentally focused policies that the City feels was worth the cost. Andres expressed concern about the long-term effect of property valuations should properties go into a conservation zoning district. Andres explain research she had done pertaining to valuations assessed by the County. Andres defined in detail processes. Andres felt the potential cost was real to the City's budget and residents. Andres felt there were no benefits that did not already exist in the existing A-1 zoning district.

Councilmember Robinson discussed the one-acre minimum and asked if a ten-acre or some other larger minimum could be considered and if that were agreeable by the Planning and Zoning Commission.

Dan Sanders advised that eventually the City of Okoboji will need to grow their population and expressed concern about taking larger lots, putting them into conservation, and diminishing the opportunity to develop.

Kae Hoppe advised that lots along Nichols Ave were recently developed into \$400,000.00 homes that now produce significantly more taxable values.

Motion made by Councilmember W. Mendenhall to adopt Ordinance No. 263. Motion failed due to a lack of a second. Ordinance No. 263 fails. No further action taken.

Mayor VanderWoude introduced Jason Eygabroad to discuss the upcoming Lake Shore Drive, Speier Park parking lot, and Country Club Drive resurfacing projects.

Eygabroad discussed with the Council alignment with the proposed Iowa Great Lakes Sanitary District project in Hayward's Bay. Eygabroad advised that in an effort to help accommodate that project and release construction pressure on Lake Shore Drive over the summer that the City consider doing half of the Lake Shore Drive project in the fall and half in the Spring. Eygabroad advised that the City could do the storm and curb and gutter work from August 9 through the end of October. Eygabroad that the paving would take place from Hwy 71 to Nature Center Road. The City would forego Nature Center Road north to Pikes Point until the Spring of 2022 with a completion date of May 20, 2022.

Councilmember Mendenhall advised that he felt this made a lot of sense and was a good idea to avoid any summertime construction.

Councilmember Robinson advised that the IGLSD has been very easy to work with and felt the revised timeline was appropriate.

Councilmember Andres left the meeting at 6:42 PM.

Motion made by Councilmember Robinson and a second by Councilmember Mendenhall to approve the new timeline for the Lake Shore Drive, Speier Park, and County Home Road project. The following Councilmembers voted YEA: Robinson, Delperdang, Mendenhall. Motion approved 3-0.

Mayor VanderWoude opened a public hearing to consider Ordinance No. 264, "An Ordinance Amending the 2013 Okoboji Zoning Ordinance by Adding Language in Section 14.4 pertaining to Non-Conforming Structures and Uses Within Residentially Zoned Districts".

City Administrator Meyers explained there was one letter in support from Jeff Hoemann representing the Seeman Chateau Condominiums.

Meyers explained that the amended language would allow for a non-conforming use in a residentially zoned district that were destroyed by an act of God to appeal to the Board of Adjustment to be able to rebuild as a non-conforming use.

Meyers explained that he was approached by residents at the Seeman Chateau Condominiums who were concerned about their options in the event their building were destroyed by an act of God. Meyers advised the Planning and Zoning Commission considered the amendment, revised the language, and recommended it unanimously for approval to the City Council.

The public hearing was closed.

Mayor VanderWoude presented the first reading of Ordinance No. 264. Ordinance No. 264 was tabled after Councilmember Delperdang requested the City Administrator consult with the City Attorney on the matter.

Mayor VanderWoude invited Nancy Wittenburg, 6203 Lake Shore Drive, to discuss with the Council a 9% late fee on her water bill. Wittenburg advised that she received a late notice on her water bill and contacted City Hall. Staff members at City Hall advised Wittenburg that they could not administratively remove the late fee on her account and that she would have to request directly from the Council. Wittenburg produced several documents as evidence that she paid the bill on time and that the bill was lost in the mail. Wittenburg commented that this request was less about the money and more so asking the Council to give staff the administrative authority to waive late fees under defined circumstances.

Mayor VanderWoude advised that she has been in discussion with the City Administrator about crafting a policy for the Council to consider to address this issue.

Motion made by Councilmember Mendenhall and a second by Councilmember Robinson to waive the 9% late fee assess to Nancy Wittenburg's account. The following Councilmember voted YEA: Robinson, Delperdang, Mendenhall. Motion approved 3-0.

Mayor VanderWoude presented Resolution 21-28, "A Resolution Setting a Public Hearing to Review and Possible Acceptance of Bids for a 2013 Chevrolet Tahoe and for the Review and Possible Acceptance of Bids for dock pieces".

City Administrator Meyers advised that the City was looking to sell the old Chevrolet Tahoe used as a police vehicle. Meyers advised the City was looking to see dock pieces from the old East Lake Park dock that was just recently replaced.

Motion made by Councilmember Delperdang and a second by Councilmember Robinson to approve Resolution 21-28. The following Councilmember voted YEA: Robinson, Delperdang, Mendenhall. Motion approved 3-0.

Mayor VanderWoude presented Resolution 21-29, “A Resolution Setting a Public Hearing to Consider Amendments to the City of Okoboji Water Rates”.

City Administrator Meyers commented that the City needed to cover the day-to-day costs of the water system, plan for capital projects for the treatment facility and water towers, and plan for long-term capital costs pertaining to the distribution system. Meyers requested the Finance Committee meet to further discuss the details.

Motion made by Councilmember Delperdang and a second by Councilmember Robinson to approve Resolution 21-29. The following Councilmember voted YEA: Robinson, Delperdang, Mendenhall. Motion approved 3-0.

Mayor VanderWoude presented Resolution 21-30, “A Resolution Extending FFCRA COVID-19 Sick Leave Provisions”.

City Administrator Meyers commented that this was a voluntary expansion of federal legislation to provide leave to anyone who is required to stay home from work due to COVID-19 related reasons. Meyers commented that this would extend to August 31 and retroactively go back to the previous end date of the previous extension.

Motion made by Councilmember Delperdang and a second by Councilmember Mendenhall to approve Resolution 21-30. The following Councilmember voted YEA: Robinson, Delperdang, Mendenhall. Motion approved 3-0.

Mayor VanderWoude presented a letter of resignation from Ann Mugge from the City of Okoboji Board of Adjustment.

City Administrator Meyers acknowledged and thanked Mugge for her commitment to the City of Okoboji having served since October 1, 2014.

Motion made by Councilmember Mendenhall and a second by Councilmember Robinson to approve Mugge’s resignation. The following Councilmember voted YEA: Robinson, Delperdang, Mendenhall. Motion approved 3-0.

Mayor VanderWoude presented June 7, 2021 as the annual Spring Clean Up Day.

Motion made by Councilmember Mendenhall and a second by Councilmember Robinson to approve the June 7, 2021 date. The following Councilmember voted YEA: Robinson, Delperdang, Mendenhall. Motion approved 3-0.

## REPORTS

City Administrator Meyers updated the Council on receipt of bond proceeds from the Series 2021-B. Meyers updated on a Dixon Beach lakeshore landscaping project. Meyers advised of an upcoming budget amendment for FY21. Meyers discussed the pickleball facility. Meyers advised he was going to a nuisance abatement conference. Meyers commented on a significant amount of construction ongoing. Meyers advised on the COVID19 American Rescue Plan. Meyers talked about getting quotes for FY22 purchases. Meyers advised the City was flushing hydrants. Meyers thanked and acknowledged City Staff members Tim Jensen and Thad Thomas for their work on the City's raingardens. Meyers updated on East Lake Park. Meyers updated on the City's recodification process.

No Mayor Report.

Councilmember Mendenhall asked City Staff to give options on extending out the Dixon Beach lakeshore landscaping project to assist with ongoing erosion beyond the limits of the current project.

## ADJOURNMENT

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Mayor Mary VanderWoude

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City Administrator Michael Meyers

TOTAL REVENUES FOR APRIL 14, 2021 THROUGH MAY 11, 2021 WERE \$736,307.68. TOTAL EXPENDITURES WERE \$250,645.96. GENERAL FUND \$182,406.81, ROAD USE TAX \$29,046.22, CAPITAL PROJECT FUND, \$13,500.00, WATER FUND: \$25,692.93.

CLAIMS REPORT

VENDOR	REFERENCE	AMOUNT	CHECK DATE
911 INSTALLS	FORD EXPLORER	3,776.86	5/11/2021
AFLAC	PREMIUMS	529.39	4/29/2021
BARGEN INCORPORATED	ASPHALT SEALANT LAKE SHORE DR	28,296.00	5/11/2021
BECK ENGINEERING INC	IMPROVEMENTS	41,405.00	5/11/2021
BOMGAARS SUPPLY, INC.	APRIL STATEMENT	109.19	5/11/2021
CAMPUS CLEANERS & LAUNDRY	RUGS	42.35	5/11/2021
CANON FINANCIAL SERVICES	APRIL COPIER LEASE	72.04	5/11/2021
CARDMEMBER SERVICE	APRIL STATEMENT	933.26	4/29/2021
CENTRAL STATES FUND	APRIL PREMIUMS	14,050.80	4/29/2021
CENTRAL WATER SYSTEM	APRIL WATER	9,876.65	5/11/2021
CITY OF ARNOLDS PARK	SWEEPER REPAIR	196.58	5/11/2021
CITY OF ARNOLDS PARK	SHARED OFFICER 12/28-3/21	8,193.53	5/11/2021
COOPERATIVE ENERGY COMPANY	DIESEL FUEL	854.26	5/11/2021
DICKINSON COUNTY CONSERVATION	GREEN WASTE	130	5/11/2021
DULIN CONTRACTING INC.	PUBLIC WORKS BLDG MAINT	639.83	5/11/2021
EFTPS	FED/FICA TAX	4,956.12	4/26/2021
EFTPS	FED/FICA TAX	5,059.33	5/10/2021
FICK'S ACE HARDWARE	BATTERY	8.79	4/29/2021
GENERAL TRAFFIC CONTROLS	TRAFFIC SIGNAL SERVICE	842	5/11/2021
GRAHAM TIRE SPENCER	VEHICLE MAINTENANCE TERMINAL BILLING JAN- MARCH	785.04	5/11/2021
IOWA DEPT OF PUBLIC SAFETY		300	4/29/2021
IA DIVISION OF LABOR SERVICES	BOILER INSPECTION	80	4/29/2021
IPERS	IPERS-PROTECTN	6,804.13	4/26/2021
JENNINGS AUTO PARTS	VEHICLE MAINTENANCE	69.89	5/11/2021
SPIRIT LAKE NOON KIWANIS	JAN-MARCH DUES	90	4/29/2021
SPIRIT LAKE NOON KIWANIS	APRIL-JUNE JUNE	90	5/11/2021
KUOO	UNDERGROUND PROMO	210	5/11/2021
MEDIACOM COMMUNICATIONS	4/25/21-5/24/21 SERIES 2021-B LAKE SHORE	380.33	4/29/2021
MOODY'S INVESTORS SERVICE	DR	13,500.00	4/29/2021
NEW YORK LIFE	ADDTL LIFE INS	118.39	4/29/2021
NEW YORK LIFE INSURANCE	APRIL PREMIUMS	597.43	4/29/2021
O'REILLY AUTO PARTS	STORM SIREN/VEHICLE MAINT	200.96	5/11/2021
PEARSON LAKES ART CENTER	CITY COUNCIL MEETING APRIL	150	5/11/2021
SHAMROCK RECYCLING INC	RECYCLING CONTAINER	169.7	5/11/2021

STEIN LAW OFFICE	APRIL LEGAL FEES	733.5	5/11/2021
TREASURER, STATE OF IOWA	APRIL WATER EXCISE TAX	5,696.00	5/3/2021
TREASURER, STATE OF IOWA	STATE TAXES	1,812.00	4/26/2021
TRUCK EQUIPMENT INC	SWEEPER	1,998.35	5/11/2021
UNITED COMMUNITY BANK	FIRE TRUCK CD	57,400.00	5/6/2021
UNITED COMMUNITY BANK	WATER TRUCK CD	3,000.00	5/6/2021
UNITED COMMUNITY BANK	PARK MOWER CD	3,000.00	5/6/2021
VAHLSING'S CLEAN SWEEP	MARCH JANITOR SERVICE	200	5/11/2021
VERIZON WIRELESS	CELL PHONES & POLICE PCS	640.14	4/28/2021
WEX BANK	FUEL CHARGES	1,068.18	4/29/2021
Accounts Payable Total		219,066.02	
Payroll Checks		31,579.94	
***** REPORT TOTAL *****		250,645.96	