

## **MINUTES OF THE OKOBOJI CITY COUNCIL MEETING HELD ON JULY 12, 2022**

Mayor VanderWoude called the meeting to order at 6:00pm on July 12, 2022. Councilmembers Mendenhall, Sanders, Andres, Hentges and Delperdang were present. Others present were City Administrator Michael Meyers, Deputy City Clerk Jill Verdoorn, Police Chief Jason Petersen, John Hight, Steve Schwaller, Corey Harguth, Sherry Sollenbarger, Marilyn Riegert, Molly Scott, Lee Sorenson, Colleen Graham, Gretchen Graham, Denise Norland, Bob Moyle, Babs Liesveld, David Liesveld, Russ Eckard, Shar Eckard, Kae Hoppe, Ben Christoffels, Marilyn Strickland, Keith Keuck, Deb Keuck, Curt Sandahl, Dennis Colton, Joyce Colton, Phil Petersen, Austin Vachal, Brigitte Jones, Falconer Jones, Debra Harding, Camille Smith, Marla Smith, Julie Waters, Mike Hagen, Richard Harding, Willia Mueske, Owen Primavera, Kelley Norland.

### **CONSENT AGENDA**

Motion made by Councilmember Andres and a second by Councilmember Hentges to approve the consent agenda which included the June 14, 2022 meeting minutes, the accounts payable report, the bank cash report; The following Councilmembers voted "YEA": Mendenhall, Sanders, Andres, Hentges, and Delperdang. Motion approved 5-0.

### **CITIZEN APPEARANCES**

None.

### **PROCLAMATIONS**

Mayor VanderWoude read the Proclamation Celebrating the Centennial of the City of Okoboji which declared July 28, 2022, as "Okoboji Centennial Day."

### **NEW BUSINESS**

Austin Vachal presented to the Council on behalf of the Sherwood Forest Foundation pertaining to the proposed park at the old Inn at Okoboji golf course. Vachal stated the plans keep the natural landscape in tact as much as possible. The park plans consist of bike paths and a bike park, walking trails, play areas with natural play structures, a covered pavilion with restrooms, wetland, drive lanes, parking areas, and two park accesses. Several residents voiced concern and had questions, specifically regarding the addition of a second park access off Park View Avenue. Among the questions raised were inquiries about the estimated number of park visitors per day, total parking spaces available, emergency vehicle access, and park security. Concerns included increased traffic, overflow parking, conservation of existing wildlife and vegetation, and safety. Deb Keuck read aloud a letter from Keith and Deb Keuck to the council addressing concerns regarding the park access from Park View Avenue. City Administrator Meyers stated the properties are zoned R--1 and R-2 in which a park is a permissible, permitted use. He added he believed that the City has control over the park tying into a city street, and any structure on the property would require building permit. Following discussion regarding removing the north loop access off Park View Avenue and options to add parking elsewhere, Vachal stated he would bring the feedback to the developers and designers. Representatives of the Dickinson County Conservation Board also added that they would be discussing at their meetings which take place the 2<sup>nd</sup> Wednesday of each month. No action was taken.

Mayor VanderWoude opened a public hearing pertaining to the plans, specifications, form of contract, and estimated total costs of the project for the proposed 2022 Holliday Way Drainage Project. Administrator Meyers recapped the project saying the City currently has the opportunity to get the infrastructure underground. The existing flume's east wall is Kelley and Denise Norland's west wall of their house, which was in the process of being torn down. The project was budgeted at \$100,000, \$85,000 for construction and \$15,000 for engineering. One bid was received totaling \$127,229 for construction, roughly \$42,000 over budget. John Hight from Beck Engineering explained some contractors did not bid due to product availability affecting the project construction timeline. Phil Petersen commented that in his opinion, the current open flume is functioning as it should, has not required maintenance or expense from the City, and did not believe the new infrastructure was needed. Petersen also expressed concerns pertaining to the long term maintenance. City Administrator Meyers commented on the condition of the flume and the surrounding area and questioned the functionality without the existing structure. Meyers stated the three options are to accept the bid and move forward, rebid the project, or attempt to salvage

or rebuild the current open flume. Molly Scott voiced her concern of the effectiveness of the drainage if it were moved underground. Councilmember Sanders expressed concern pertaining to the easement width, the proximity of the Norland structure to the easement, and the City's ability to do maintenance in this area in the future. Councilmember Delperdang stated the plan was already approved, and the decision to be made is whether or not to move forward spending more than was budgeted.

Mayor VanderWoude closed the public hearing.

Mayor VanderWoude presented Resolution 22-14, "A Resolution Approving Plans and Specifications, Form of Contract, and Estimated Total Cost of the Project for the 2022 Holliday Way Drainage Project."

Motion made by Councilmember Andres and a second by Councilmember Hentges to approve Resolution 22-14, "A Resolution Approving Plans and Specifications, Form of Contract, and Estimated Total Cost of the Project for the 2022 Holliday Way Drainage Project." The following Councilmembers voted "YEA": Mendenhall, Andres, Hentges, and Delperdang. Councilmember Sanders voted "NO." Motion approved 4-1.

Mayor VanderWoude presented Resolution 22-15, "A Resolution Awarding Bid for the 2022 City of Okoboji Holliday Way Drainage Project." The following Councilmembers voted "YEA": Mendenhall, Sanders, Andres, Hentges, and Delperdang. Motion approved 5-0.

Mayor VanderWoude opened a public hearing to review and consider text amendments to the City of Okoboji's Zoning Ordinance pertaining to Section 11.11, Section 11.4.4, Section 11.4.5, Section 2.1.32, Section 2.1.97 and Section 7.5 and to consider the addition of Section 11.21 all pertaining to the establishment of the front yard setback for R-3 (Lakeshore Residential) zoned properties (also known as the line of sight setback).

City Administrator Meyers explained the City is changing the method used to establish the lakeshore residential properties front yard setback to the method used by neighboring cities and county jurisdictions. Meyers explained he believed that the new method is a benefit to City Staff, residents, and contractors detailing the challenges of the current method. The current method uses an average based on properties 200 feet in both directions of the subject lot; the proposed new method uses the existing structures on both sides and allows for 10 foot encroachment of unenclosed decks and patios. Meyers added the Planning and Zoning Committee and City Staff recommended this for approval. Owen Primavera stated the council should consider the history of the decisions made based on the current method. Kae Hoppe questioned if the long term effect would lead to houses being built closer to the lake. Meyers explained that he believed the current method was promoting long term creep towards the lakeshore and that this would significantly slow this.

Mayor VanderWoude closed the public hearing. Councilmember Andres asked City Administrator Meyers how shoreline curves, points, and bays are defined. Meyers stated that determination would be based on the interpretation of the Zoning Administrator and that there is criteria laid out in the ordinance to help address.

Mayor VanderWoude presented first reading of Ordinance No. 270, "An Ordinance Amending the 2013 Okoboji Zoning Ordinance by Amending Section 11.11, Section 11.4.4, Section 11.4.5, Section 2.1.32, Section 2.1.97 and Section 7.5 and to Consider the Addition of Section 11.21 All Pertaining to the Establishment of the Front Yard Setback for R3 (Lakeshore Residential) Zoned Properties (Also Known As the Line of Sight Setback).

Motion made by Councilmember Mendenhall and a second by Councilmember Hentges to approve Ordinance No. 270 on its first reading. The following Councilmembers voted "YEA": Mendenhall, Sanders, Andres, Hentges, and Delperdang. Motion approved 5-0.

Motion made by Councilmember Hentges and a second by Councilmember Andres to waive the second and third reading of Ordinance No. 270. The following Councilmembers voted "YEA": Mendenhall, Sanders, Andres, Hentges, and Delperdang. Motion approved 5-0.

Motion made by Councilmember Andres and a second by Councilmember Hentges to adopt Ordinance No. 270. The following Councilmembers voted "YEA": Mendenhall, Sanders, Andres, Hentges, and Delperdang. Motion approved 5-0.

Mayor VanderWoude presented Resolution 22-16, “A Resolution Setting a Public Hearing for Amendment of the 2013 Okobojo Zoning Ordinance by Amending Section 8.2 and Section 8.3 pertaining to the Use “Visitor Habitation – Campgrounds.”

City Administrator Meyers stated based on publication deadlines, the council could hold a special meeting August 1 at the earliest, or the council could wait until the scheduled meeting August 9. Meyers added the Planning and Zoning Commission unanimously recommended for approval moving visitor habitation campgrounds from a permissible, permitted use to a conditional use in a commercial district. The public hearing was set for Monday, August 1 at 6:00 pm.

Motion made by Councilmember Delperdang and a second by Councilmember Mendenhall to approve Resolution 22-16. The following Councilmembers voted “YEA”: Mendenhall, Sanders, Andres, Hentges, and Delperdang. Motion approved 5-0.

City Administrator Meyers summarized the Highway 71 reconstruction project stating that the Iowa DOT will rebid the project and resubmitted plans to the City of Okobojo and the City of Arnolds Park. Construction would begin Spring 2023 with work continuing in Fall 2023, Spring 2024, Fall 2024 and clean up Spring 2025 with Labor Day to Memorial Day stop and start dates. Closure and construction of the causeway would begin 2 weeks after Labor Day, 2023, and would be completed in 4 weeks, along with closure of Highway 71 from Gordon Drive to Sanborn Avenue with local accesses available and detoured traffic throughout the community. All other portions of Highway 71 construction within Okobojo will maintain two-way traffic using flaggers or temporary signals. No action was taken.

Mayor VanderWoude presented a Board of Adjustment decision pertaining to Worden Living Trust, 1232 Summer Circle Drive.

City Administrator Meyers advised the council the Board of Adjustment unanimously approved the Worden’s application for an addition to the north side of the property.

Motion made by Councilmember Hentges and a second by Councilmember Andres to approve the Board of Adjustment decision pertaining to Worden Living Trust, 1232 Summer Circle Drive. The following Councilmembers voted “YEA”: Mendenhall, Sanders, Andres, Hentges, and Delperdang. Motion approved 5-0.

Councilmember Mendenhall left the meeting at 7:42PM.

Mayor VanderWoude presented the authorization of Michael Meyers, City Administrator, Mary VanderWoude, Mayor, and Jim Hentges, Councilmember, as authorized signers and authorize the establishment of a business account with Franklin Templeton Investments in order to receive donated mutual funds.

City Administrator Meyers advised the council that at Jan Grant’s passing, the City was left an unknown amount of invested funds held by Franklin Templeton Investments to be used for pickleball related projects. The City is working with the city attorney to create an account, liquefy the funds, and close the account.

Motion made by Councilmember Andres and a second by Councilmember Delperdang to approve the authorization of Michael Meyers, City Administrator, Mary VanderWoude, Mayor, and Jim Hentges, Councilmember, as authorized signers and authorize the establishment of a business account with Franklin Templeton Investments in order to receive donated mutual funds. The following Councilmembers voted “YEA”: Sanders, Andres, Hentges, and Delperdang. Motion approved 4-0.

## **REPORTS**

Police Chief Petersen reported that the Fourth of July weekend was fairly uneventful with minimal calls for service and no major injuries or accidents.

City Administrator Meyers reported that the application for condos at 1320 Highway 71 was temporarily withdrawn from the most recent Planning and Zoning meeting. Fiscal Year 2023 began July 1 and Meyers will prepare FY22 financial reports. Remaining on the Lake Shore Drive project are private property areas that were not seeded by the contractors and have

turned to weeds. The City continues to work with the contractor to complete the work in these areas. The City sent several zoning infraction letters to residents who had campers and RVs parked on their lot over the Fourth of July weekend. Meyers reminded the Council that RVs are not permitted in the front yard of residentially zoned properties. The Park Board recently met and began conversations regarding new equipment at Speier Park. A dip in the road at Haywards Bay is scheduled to be fixed the week of July 25. Meter replacement is underway with 140 out of 200 already replaced. Additional door hangers will go out to residents who have not scheduled their appointment. There are potentially two Planning and Zoning positions that will need to be appointed soon. There is also a Park Board position currently open.

No Mayor Report.

No Council Reports.

## ADJOURNMENT

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Mayor Mary VanderWoude

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City Administrator Michael Meyers

TOTAL REVENUES FROM 6/15/2022 THROUGH 7/12/2022 WERE \$85,510.72. TOTAL EXPENDITURES WERE \$1,143,126.46. GENERAL FUND \$268,419.38, TRUST & AGENCY \$750.00, ROAD USE TAX \$1,549.38, HOTEL/MOSTEL TAX \$76,000.00, CAPITAL PROJECT FUND \$ 675,545.27, CAPITAL PROJ-PICKLEBALL \$15,261.24, WATER FUND \$105,601.19.

CLAIMS REPORT

VENDOR	REFERENCE	AMOUNT	CHECK DATE
AFLAC	PREMIUMS	529.39	6/29/2022
ALDON CONSTRUCTION CO.	GARAGE DOOR OPENER	577.00	7/12/2022
ALLIANT ENERGY	JUNE ELECTRIC	4,550.49	7/12/2022
AMY'S SIGN DESIGN	DOCK SIGN	35.00	6/28/2022
ARNOLDS PARK	ANNUAL DONATION	15,034.25	6/28/2022
ARNOLDS PARK/OKOBOJI	Q1 OPERATING BUDGET	23,100.00	7/12/2022
BECK ENGINEERING INC	HOLLIDAY WAY DRAINAGE	16,236.25	7/12/2022
BLACK HILLS ENERGY	NATURAL GAS SERVICE	129.59	6/28/2022
BLACK HILLS ENERGY	NATURAL GAS SERVICE	97.92	7/12/2022
BLACKTOP SERVICE COMPANY	2021 OKOBOJI HMAS CHANGE ORD 7	675,545.27	6/28/2022
BOMGAARS SUPPLY, INC.	JUNE STATEMENT	446.59	6/28/2022
BRENT SEXTON	UNIFORM ALLOWANCE	600.00	7/12/2022
CAASA-CLAY COUNTY CENTER	ANNUAL DONATION	1,000.00	6/28/2022
CANON FINANCIAL SERVICES	JUNE COPIER LEASE	72.04	6/28/2022
CENTRAL STATES FUND	JUNE PREMIUMS	15,232.00	6/28/2022
CENTRAL WATER SYSTEM	JUNE WATER	34,816.00	7/12/2022
CITY LAUNDERING CO	RUGS	43.80	7/12/2022
CITY OF ARNOLDS PARK	SHARED OFFICER 9/20/21-3/20/22	16,115.84	6/28/2022
COOPERATIVE ENERGY COMPANY	DIESEL FUEL	2,101.97	7/12/2022
CRANE SALES & SERVICE	ANNUAL BOOM TRUCK INSPECTION	1,092.95	7/12/2022
DICKINSON COUNTY	CONTRIBUTION FY23	3,386.68	7/12/2022
DICKINSON COUNTY NEWS	JUNE LEGAL PUBLICATIONS	805.08	7/12/2022
DICKINSON COUNTY RECYCLING	ASSESSMENT FY22/23	10,926.00	7/12/2022
DICKINSON COUNTY REGIONAL	GREEN WASTE & RECYLING	684.75	7/12/2022
EFTPS	FED/FICA TAX	5,315.02	6/21/2022
EFTPS	FED/FICA TAX	5,455.87	7/5/2022
FERGUSON WATERWORKS #2516	METERS	44,800.00	6/28/2022
FERGUSON WATERWORKS #2516	METERS	15,800.00	7/12/2022
GORDON FLESCH COMPANY	BASE CHARGE/COPIER PRINTS	447.87	6/28/2022
HEARTLAND SECURITY SERVICE	ALARM MONITORING	26.95	6/28/2022
HEAT TACTICAL TEAM	HEAT DUES 2022	602.55	7/12/2022
HUMANE SOCIETY OF NW IOWA	FY22 IMPOUND USE	2,400.00	6/28/2022
IMWCA	WORKERS COMP PREMIUM	9,143.00	7/12/2022
IOWA DEPT OF NATURAL RESOURCES	ANNUAL WATER SUPPLY FEE FY22	84.59	7/12/2022
IOWA DEPT OF PUBLIC SAFETY	TERMINAL BILLING APRIL-JUNE	300.00	7/12/2022
IOWA ONE CALL	65 NOTIFICATIONS	58.70	6/28/2022

IPERS	IPERS-PROTECTN	7,070.96	6/21/2022
JOSH ZIGRANG	UNIFORM ALLOWANCE	600.00	7/12/2022
MEDIACOM COMMUNICATIONS	INTERNET & PHONE	239.06	6/28/2022
MEDIACOM COMMUNICATIONS	INTERNET & PHONE	206.24	6/28/2022
MIDSTATES BUILDERS INC	SPEIER PARK SHELTER	12,827.04	6/28/2022
NEW YORK LIFE	ADDTL LIFE INS	118.39	6/28/2022
NEW YORK LIFE INSURANCE	JUNE PREMIUMS	597.43	7/12/2022
O'REILLY AUTO PARTS	JUNE STATEMENT	12.47	7/12/2022
HAPI	DEDICATED TO OBWF	1,000.00	7/12/2022
OKOBOJI LITTLE LEAGUE	ANNUAL DONATION	600.00	6/28/2022
OKOBOJI TOURISM	OKOBOJI TOURISM CONTRIBUTION	75,000.00	6/28/2022
PACKEBUSH SPRINKLER SERV	SPEIER PARK IRRIGATION	428.40	6/28/2022
PIPER SANDLER & CO	AGENT SVCS FY21	1,250.00	7/12/2022
QTLS	HOLLIDAY WAY DRAINAGE PROJECT	1,500.00	7/12/2022
RYAN FERGUSON LANDSCAPE LTD	PICKLEBALL	2,220.00	6/28/2022
SCOTT COLT	UNIFORM ALLOWANCE	600.00	7/12/2022
SECURE BENEFITS SYSTEMS	FSA MEDICAL	97.34	7/12/2022
SENSUS USA INC	ANNUAL SUPPORT FEE	1,949.94	6/28/2022
SHAMROCK RECYCLING INC	RECYCLE CONTAINER FEE	692.36	7/12/2022
SIOUX SALES COMPANY	UNIFORM ACCESS/EQUIP	279.77	6/28/2022
SPIRIT LAKE PUBLIC LIBRARY	ANNUAL DONATION	12,300.75	6/28/2022
TITAN MACHINERY-LAKE PARK	LAWN MOWER BLADES	89.99	6/28/2022
TREASURER, STATE OF IOWA	STATE TAXES	1,901.00	6/21/2022
TRUCK EQUIPMENT INC	SWEEPER	1,026.86	6/28/2022
UMB BANK NA	2016 PROJECT FEES	250.00	6/28/2022
UMB BANK NA	2017 ST/2019 REFI FEES	500.00	6/28/2022
UNITED COMMUNITY BANK	STREETS CD	75,000.00	6/28/2022
VERIZON WIRELESS	CELL PHONES & POLICE PC'S	628.46	6/28/2022
WASTE MANAGEMENT	ANNUAL CLEAN UP DAY	382.54	6/28/2022
WASTE MANAGEMENT	ANNUAL CLEAN UP DAY	772.58	7/12/2022
WEX BANK	FUEL CHARGES	2,350.74	7/7/2022
Accounts Payable Total		1,110,085.73	
Payroll Checks		33,040.73	