

## **MINUTES OF THE OKOBOJI CITY COUNCIL MEETING HELD ON APRIL 11, 2023**

Mayor VanderWoude called the meeting to order at 6:00pm on April 11, 2023. At the time of roll call Councilmembers Delperdang, Hentges and Sanders were present and Councilmember Mendenhall attended via Zoom. Councilmember Andres joined the meeting at 6:34pm. Others present were City Administrator Michael Meyers, Deputy City Clerk Jill Verdoorn, John Lass, Steve Schwaller, Addisen Keenan, Ivan Zheng, Caleb Frostestad, Nancy Everist, and Kae Hoppe.

### **CONSENT AGENDA**

Motion made by Councilmember Mendenhall and a second by Councilmember Hentges to approve the consent agenda which included the March 14, 2023, meeting minutes, the accounts payable report, the cash report, renewal of a Class C Liquor License with Sunday Sales and Catering for O'Farrell Sisters, and renewal of a Class C Liquor License with Outdoor Service and Sunday Sales for Pearson Lakes Art Center. The following councilmembers voted "YEA": Mendenhall, Sanders, Hentges, and Delperdang. Motion approved 4-0.

### **CITIZEN APPERANECS**

John Lass requested that in the next Waste Management contract negotiation, the City ask for Waste Management to approve the option to suspend service for part-time residents. The current contract between Waste Management and the City of Okoboji requires all residents to maintain service year round. The current 5-year contract ends June 30, 2024.

### **NEW BUSINESS**

Mayor VanderWoude opened a public hearing to review and consider the City of Okoboji Budget for FY24.

City Administrator Meyers gave a presentation on the Fiscal Year 2024 budget which begins July 1, 2024. Meyers detailed the budget which allows the City of Okoboji tax levy to remain the same as it has the previous year. Meyers advised on FY24 projects including engineering for repairs to Stake Out Road and engineering for the addition of a trail along Sanborn Avenue. The public hearing was closed.

Councilmember Delperdang inquired about the error made by the State regarding the residential rollback. Meyers advised the issue had been resolved and consequently negated some of the City's revenues and pushed the budget adoption deadline back one month.

Mayor VanderWoude presented Resolution #23-07, "A Resolution Adopting and Certifying the City of Okoboji Fiscal Year 2024 Budget."

Motion made by Councilmember Hentges and a second by Councilmember Mendenhall to approve Resolution #23-07. Councilmembers Mendenhall, Sanders, Hentges, and Delperdang voted "YEA." Motion approved 4-0.

Mayor VanderWoude presented Resolution#23-08, "A Resolution to Authorize Salary Adjustments for City Employees for Fiscal Year 2024."

Motion made by Councilmember Sanders and a second by Councilmember Hentges to approve Resolution #23-08. Councilmembers Mendenhall, Sanders, Hentges, and Delperdang voted "YEA." Motion approved 4-0.

Mayor VanderWoude presented Resolution #23-09, "A Resolution Setting a Public Hearing to Review and Consideration of the First Amendment to the City of Okoboji's FY22/23 Budget."

Motion made by Councilmember Mendenhall and a second by Councilmember Sanders to approve Resolution #23-09. Councilmembers Mendenhall, Sanders, Hentges, and Delperdang voted "YEA." Motion approved 4-0.

City Administrator Michael Meyers stated the Finance Committee discussed a water rate adjustments to be effective July 1, 2023. The water rate changes will fund the City's increased water utility expenses. The new rate will cover an estimated deficit of \$50,000 to water fund in FY24. The current quarterly minimum charge is \$119.00 for 0-10,000 gallons and \$7.95 per 1,000 gallons for usage over 10,000 gallons. The committee's recommendation is to amend the overage charge from \$7.95 to \$9.20 per 1,000 gallons with no change to the \$119.00 quarterly minimum charge. With the increase, the City of Okoboji water rates remains comparable to area communities.

Councilmember Sanders asked if the rate comparison included total costs or water use only. Meyers advised the comparisons provided were based only on actual water usage, not including fees or other services.

Councilmember Delperdang inquired about substantial water usage increase due to residents using water provided by Central Water for lawn irrigation due to the inability to pull lake water through their irrigation system as a result of zebra mussels in the lake. Delperdang added there could be future discussion of a tiered billing system.

Councilmember Sanders asked if there has been further discussion on Okoboji and Arnolds Park alternating lawn irrigation days. Sanders commented on the cost of the water plant operation stating that it is built to sustain the high demand of summer but does not operate on that level the rest of the year. Meyers answered that there has been no further discussion on alternating irrigation days.

Mayor VanderWoude opened a public hearing to consider Ordinance No. 273, “An Ordinance Amending Chapter 92.02 and Chapter 92.03 within the City’s “WATER RATES” chapter of the City of Okoboji Municipal Code.”

There were no comments. The public hearing was closed.

Mayor VanderWoude presented on its first reading Ordinance No. 273, “An Ordinance Amending Chapter 92.02 and Chapter 92.03 within the City’s “WATER RATES” chapter of the City of Okoboji Municipal Code.”

Meyers added the motion is specifically to modify the overage rate per 1,000 gallons from \$7.95 to \$9.20 while the quarterly minimum charge of \$119.00 remains unchanged.

Motion made by Councilmember Hentges and a second by Councilmember Mendenhall to approve the first reading of Ordinance No. 273. Councilmember Andres joined the meeting at this time. Councilmembers Mendenhall, Sanders, Andres, Hentges, and Delperdang voted “YEA.” Motion approved 5-0.

Motion made by Councilmember Mendenhall and a second by Councilmember Hentges to waive the second and third reading of Ordinance No. 273. Councilmembers Mendenhall, Andres, Hentges, and Delperdang voted “YEA.” Councilmember Sanders voted “NAY.” Motion approved 4-1.

Mayor VanderWoude presented the adoption of Ordinance No. 273.

Motion made by Councilmember Mendenhall and a second by Councilmember Andres to adopt Ordinance No. 273. Councilmembers Mendenhall, Andres, Hentges, and Delperdang voted “YEA.” Councilmember Sanders voted “NAY.” Motion approved 4-1.

Mayor VanderWoude opened a public hearing to consider Ordinance No. 274, “An Ordinance Amending the 2013 Okoboji Zoning Ordinance by Amending Section 11.4.5.”

City Administrator Meyers explained the proposed amendment is due to a typographical error in a previous amendment to the ordinance where words were omitted inadvertently changing the meaning. Meyers added approving the proposed amendment could be time sensitive due to the upcoming applications for building permits. The Planning and Zoning Commission recommended the amendment for approval with a vote of 4-0 at their March 22 meeting. The public hearing was closed.

Councilmember Sanders expressed concern about the amendment in the fact that it did not regulate the heights of decks extending into the front yard setback. City Administrator Meyers explained the differences in how the light-of-sight setback was now established and how that affects a resident’s ability to have a deck comparable to their neighbor as well as the fact that this topic was previously considered.

Mayor VanderWoude presented on its first reading Ordinance No. 274.

Motion made by Councilmember Andres and a second by Councilmember Hentges to approve the first reading of Ordinance No. 273. Councilmembers Mendenhall, Andres, Hentges, and Delperdang voted “YEA.” Councilmember Sanders voted “NAY.” Motion approved 4-1.

Councilmember Delperdang responded to Meyers’ statement on the time sensitive nature of the proposed amendment and asked if current or future projects could be affected by not waiving the second and third readings. Meyers answered that an application submitted could potentially be delayed by two months.

Motion made by Councilmember Mendenhall and a second by Councilmember Hentges to waive the second and third reading of Ordinance No. 273. Councilmembers Mendenhall, Andres, Hentges, and Delperdang voted “YEA.” Councilmember Sanders voted “NAY” Motion approved 4-1.

Motion made by Councilmember Mendenhall and a second by Councilmember Andres to adopt Ordinance No. 274. Councilmembers Mendenhall, Andres, Hentges, and Delperdang voted “YEA.” Councilmember Sanders voted “NAY” Motion approved 4-1.

Mayor VanderWoude opened discussion to consider authorization for premier finish pavers for the Highway 71 project.

Councilmember Sanders stated that he and Mayor VanderWoude met with the City's landscape architect, the installed of the pavers, the manufacturer of the pavers, the City of Arnolds Park, and the Iowa DOT regarding the pavers to be placed along Highway 71 as part of the highway reconstruction project. Sanders recommends the City approves River color pavers with the higher price premier finish for significantly higher durability and richer color.

Meyers added the cost for the premier finish is an additional \$1.71 per square foot with the total Change Order of \$22,572.77 on the project.

Motion made by Councilmember Andres and a second by Councilmember Hentges to approve the premier finish for the Highway 71 paver project. Councilmembers Mendenhall, Sanders, Andres, Hentges, and Delperdang voted "YEA." Motion approved 5-0.

Mayor VanderWoude presented a new Class B Retail Alcohol License with Outdoor Service for Mau Marine, Inc. at 1400 Gordon Drive.

Mayor VanderWoude clarified the license is classified as new instead of renewal due to legislative changes at the State level regarding liquor licenses. Meyers added State Law reclassified several alcohol licenses and reformed the activity and sales permitted for the licenses. Meyers also added that this allows for the sale of to-go only alcohol on the deck of the property but does not allow for the consumption.

Motion made by Councilmember Hentges and a second by Councilmember Delperdang to approve new Class B Liquor License with Outdoor Service for Mau Marine. Councilmembers Sanders, Hentges, and Delperdang voted "YEA." Andres and Mendenhall abstained from voting. Motion approved 3-0.

Mayor VanderWoude presented an agreement between the Northwest Iowa Planning and Development Commission and the City of Okoboji pertaining to the SHIELD program.

Meyers stated the Public Works staff, Okoboji Police and Central Water staff meet with Mike Rainer from the NWIPDC monthly regarding safety and compliance topics. Meyers expressed his gratitude for Rainer's knowledge and commitment to safety.

Motion made by Councilmember Sanders and a second by Councilmember Hentges to approve the agreement. Councilmembers Mendenhall, Sanders, Andres, Hentges, and Delperdang voted "YEA." Motion approved 5-0.

Mayor VanderWoude presented a quote for \$5,963.33 from 4Evergreen Landscape and Design Service for Speier Park shelter improvements.

Meyers stated the project is a 9-foot counter to be added on the north side of the shelter by the pickleball courts. This project is funded by private pickleball donations and will be a memorial dedicated to Jan Grant.

Motion made by Councilmember Andres and a second by Councilmember Hentges to approve the quote. Councilmembers Mendenhall, Sanders, Andres, Hentges, and Delperdang voted "YEA." Motion approved 5-0.

## **REPORTS**

City Administrator Meyers reported the three vendor proposals for the Speier Park improvement project are due Friday, April 14, 2023. Following vendor presentations, the Park Board will make a recommendation to the Council on the preferred proposal. The Public Works staff put the tennis and pickleball nets up at Speier Park and opened the bathrooms. Meyers met with Dickinson County Trails Board regarding Stake Out Road. City staff will clear brush along the road near the trail crossing and will place a digital radar speed sign visible to the southbound traffic prior to the trail crossing. The storm sewer project at Brooks North Lane is underway. Meyers added he will get a quote from Employers Mutual Casualty Insurance Group to compare rates to the City's current insurance policies.

Chief Jason Peterson stated he and Officer Josh Zigrang will attend a SOTA (Special Operations Training Association) Conference. Peterson added the officers will be attending a training on the department's new pistols. The recently purchased Chevy Tahoe is in the process of getting outfitted with equipment from the previous squad car and some new equipment. Peterson added the Highway 71 project is going well.

Councilmember Mendenhall asked for clarification on if the current liquor licenses and City Administrator Meyers gave explanation.

Mayor VanderWoude thanked the three Spirit Lake High School students for attending the meeting.

ADJOURNMENT AT 7:05pm

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Mayor Mary VanderWoude

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City Administrator, Michael Meyers

TOTAL REVENUES FROM 3/15/23 – 4/11/23 WERE \$155,325.81. TOTAL EXPENDITURES WERE \$177,003.48. GENERAL FUND \$154,515.22; ROAD USE TAX FUND \$143.30; CAPITAL PROJECT FUND \$2,520.00; WATER FUND \$19,824.96.

VENDOR	REFERENCE	AMOUNT	CHECK #	DATE
ALLIANT ENERGY	MARCH ELECTRIC	4,277.90	1710	4/7/2023
AMY'S SIGN DESIGN	DOCK SIGN	28.00	6124	4/11/2023
BECK ENGINEERING INC	CURB TO SIDEWALK	9,275.00	6125	4/11/2023
BLACK HILLS ENERGY	NATURAL GAS SERVICE	1,780.67	1698	3/24/2023
BOMGAARS SUPPLY INC	MARCH STATEMENT	216.19	6126	4/11/2023
CANON FINANCIAL SERVICES	COPIER LEASE	72.04	6127	4/11/2023
CENTRAL STATES FUND	PREMIUMS	14,529.60	1699	3/24/2023
CENTRAL WATER SYSTEM	MARCH WATER	10,425.00	6128	4/11/2023
CITY OF ARNOLDS PARK	SHARED OFFICER Q1 2023	11,582.36	6129	4/11/2023
CRYTEEL MANUFACTURING	EATON H SERIES	372.33	6130	4/11/2023
DICKINSON COUNTY NEWS	LEGAL PUBLICATIONS	347.02	6131	4/11/2023
DICKINSON COUNTY REGIONAL	RECYCLING	48.00	6132	4/11/2023
EFTPS	FED/FICA TAX	5,791.10	1707	3/27/2023
EFTPS	FED/FICA TAX	6,172.67	1712	4/10/2023
FICK'S ACE HARDWARE	MARCH STATEMENT	94.04	6133	4/11/2023
GENERAL TRAFFIC CONTROLS	ANNUAL SERVICE AGREEMENT	375.00	6134	4/11/2023
GORDON FLESCH COMPANY	BASE CHARGE/COPIES	370.66	6135	4/11/2023
HEARTLAND SECURITY SERVICE	ALARM MONITORING	26.95	1711	4/7/2023
IOWA ASSOCIATION OF	2024 IAMU MEMBER DUES	721.00	6136	4/11/2023
IPERS	IPERS-PROTECTN	7,785.96	1705	3/27/2023
JENNINGS AUTO PARTS	VEHICLE MAINTENANCE	71.87	6137	4/11/2023
MEDIACOM COMMUNICATIONS	INTERNET & PHONE	242.71	1700	3/24/2023
MEDIACOM COMMUNICATIONS	INTERNET & PHONE	208.80	1701	3/24/2023
NEW YORK LIFE	ADDTL LIFE INS	118.39	6138	4/11/2023
NEW YORK LIFE INSURANCE	PREMIUMS	619.11	6139	4/11/2023

SECURE BENEFITS SYSTEMS	FSA MEDICAL	97.34	6140	4/11/2023
SHAMROCK RECYCLING INC	RECYCLE CONTAINER FEE	353.20	6141	4/11/2023
STEIN LAW OFFICE	MARCH LEGAL FEES	311.49	6142	4/11/2023
TREASURER STATE OF IOWA	MARCH WATER EXCISE TAX	135.40	1709	4/3/2023
TREASURER, STATE OF IOWA	STATE TAXES	1,755.63	1706	3/27/2023
TRI-STATE LITHO LTD	FOLD NEWSLETTERS/BILLS	75.00	6143	4/11/2023
TRUCK EQUIPMENT INC	SWEEPER	257.34	6144	4/11/2023
UNITED COMMUNITY BANK	STREETS CD	60,000.00	6123	4/6/2023
VERIZON WIRELESS	CELL PHONES & POLICE PC'S	160.22	1702	3/24/2023
VERIZON WIRELESS	CELL PHONES & POLICE PC'S	401.94	1703	3/24/2023
VOYA	457 RIC	150.00	1708	3/27/2023
VOYA	457 RIC	150.00	1713	4/10/2023
WEX BANK	FUEL CHARGES	1,057.81	1704	3/24/2023
ZIEGLER INC	CATERPILLAR	41.09	6145	4/11/2023
Accounts Payable Total		140,498.83		
Payroll Checks		36,504.65		
***** REPORT TOTAL *****		177,003.48		