

**CITY OF OKOBOJI  
REGULAR COUNCIL MEETING  
TUESDAY, JULY 15, 2014, 6:00 P.M.**

**PRESIDING:** Mayor Mary VanderWoude

**COUNCILMEMBERS PRESENT:** Mendenhall, Robinson, Andres, Hentges, Delperdang

**OTHERS PRESENT:** Phil Redinbaugh, Brett Redinbaugh, John Adams, Sr., Tom Tourville, Cris Hedgpeth, Gretchen Graham, Colleen Graham Suarez, Jason Petersen, Rich Nicklay, Julie Delperdang, David Stein, Jr., Marjorie Mueller, Bob Moyle, Wayne Christensen, Brad Beck, Kevin Bestick, Susan Neuharth, Phil Petersen, Bruce Smith, Fran Shloss, Nancy Whittenburg, and other unidentified individuals.

After the Pledge of Allegiance, the Mayor called the meeting to order at 6:00 P.M. Hentges /Andres moved to adopt the agenda. All ayes. Motion carried. Robinson /Hentges moved to approve the consent agenda, which included minutes of the previous meetings 06/10/14 & 06/26/14, claims for July 2014, Clerk's Report ending June 2014, and a renewal for a Class C (BC) Beer Permit for the Okoboji Boat Works Sea Store with Sunday sales. All ayes. Motion carried.

**NEW BUSINESS**

**Council to review complaints received from Des Moines Beach area residents:** Mayor

VanderWoude thanked the Des Moines Beach area residents for putting the information together for the Council. The Mayor stated the City Attorney, City Administrator, herself and the City Council have all had a chance to review the information. Mayor VanderWoude asked if one person would be the spokesperson for the group at this meeting. Des Moines Beach resident Cris Hedgpeth reported she would be the spokesperson. Hedgpeth at this time read a portion of the last Supreme Court injunction outlining the access of Okoboji Boats property. Hedgpeth is urging the city to step up and stop people from crossing the property for the use of boats, bathrooms and other amenities. Hedgpeth claims there is still noise, illegal parking, and lewd behavior. What happens in this area should not happen in a neighborhood; it happens in a bar area. It is their belief the Supreme Court ruling is not being enforced. People should not be allowed to cross the property, an arcade on the property should not be allowed, and the residents of Des Moines Beach would like to see some action immediately. Another suggestion offered is to better control parking on the sharp corner at the Graham residence. Hedgpeth stated the police department is very good at responding and writing parking tickets, but the illegally parked cars remain. Hedgpeth suggested a tow-away zone be created in this area. Hedgpeth claims things have not improved and have gotten only worse.

Colleen Graham Suarez stated at her family's property she has spent at least 3 hours cleaning the property, numerous amounts of glass and condoms, has witnessed persons urinating in their yard, drunk people have come into their home and forced her to put into place an alarm system. Suarez claims her family consumed alcohol on the boat at Okoboji Boats as well as being served other items besides chicken. Suarez stated the citizens should not have to keep coming year after year to the Council with complaints about violations.

The Mayor asked Police Chief Jason Petersen if he has received any complaints for noise behavior at Okoboji Boats. Petersen stated none recently. Councilmember Robinson thought it was time the Council meet with the City Attorney concerning the issues brought before them and get his legal advice. Robinson felt it appears there continues to be some problems. Councilmember Mendenhall stated the immediate problem will be this coming weekend around the aforementioned corner. Mendenhall went on to say just ticketing is not the answer, but rather a tow-away zone should be made. Petersen stated a tow-away zone would have to be created by ordinance. Councilmember Andres agreed with Robinson stating re-evaluation needs to take place on the new zoning ordinance and the Supreme Court ruling. Andres stated the issues brought forth tonight should be examined, which would be a good first step. Mendenhall stated it was his opinion the IDNR fades into the background on this issue, and wondered where the IDNR fits into this issue.

After further discussion, the Mayor stated a line item for a possible closed session may be on the August 12<sup>th</sup> meeting agenda if allowed, or a possible special meeting may be announced on her call.

**Council to consider sidewalk, drainage, sewer lift station, and park playground projects with City Engineer Brad Beck:** Brad Beck of Beck Engineering Inc. presented the Council with two

options for new playground equipment at Speier Park. Beck stated the Park Board met on July 2<sup>nd</sup> to review options and consider changes for playground equipment. Beck stated the Park Board struggled with ridding the park of the current equipment as it carries some sentimental value, but Beck advised the insurance industry is starting to drive for changes, especially concerning fall safety. Beck stated the Park Board chose Option #1 as their choice. The total project for new equipment and site preparation could approach

\$200,000, and since it is an amount over the bid threshold, the Council may have to hear presentations from other companies to determine the best price and product.

Councilmember Robinson suggested Beck contact the University of Northern Iowa which has an institute for playground equipment safety. Councilmember Hentges stated it was his opinion it is time to move forward with new equipment. Councilmember Robinson concurred with Hentges. Councilmember Mendenhall thought some equipment should be left as he has noticed children still like to use the older playground equipment. Councilmember Andres stated her 7 year old son says the current equipment is awesome.

Daly stated there is no hurry on some of these projects, and the City Council can take its time looking for the best products and financing; however, Daly stated the sewer lift station on Country Club Drive should be a priority as it is in dire need of repair and an upgrade. Daly went on to say there are funds available now for that project with no need to borrow money. The Council directed Beck to proceed with the sewer lift project and bring a report to the August 12<sup>th</sup> meeting. The other remaining projects will continue to be considered.

**Council to consider a Design Review Committee recommendation for Lori Reding dba**

**Ranch Okoboji:** Mendenhall/Robinson moved to approve the recommendation of the Design Review Committee for design for the Ranch Okoboji for a 14' X 24' addition to an existing building. All ayes. Motion carried.

**Council to consider a Design Review Committee recommendation for Mau Marine:**

City Administrator Dennis Daly stated Mau Marine had presented him with a plan for design and construction to replace the 130' X 250' showroom/storage building that was destroyed due to severe snow load in 2010. Daly went on to say during conversations and investigation of the Zoning Ordinance with City Attorney David Stein and Attorney Joe Andres, it was found there is a provision in the Zoning Ordinance that allows a previously approved variance to be reconstructed if destroyed so long as it is of the same size as the originally granted variance. Councilmember Delperdang asked Daly if a request such as this has come before the Council. Daly stated no, with Delperdang replying he wanted to make sure the City was not discriminating in any way. Delperdang/Robinson moved to approve the recommendation of the Design Review Committee for design for Mau Marine for the construction of a 130' X 250' showroom/storage building replacing the snow load damaged building of 2010. All ayes. Motion carried. Councilmember Andres abstained from voting citing a conflict of interest.

**Council to consider a 28E Agreement for Street Sweeper Cost Share with the City of**

**Arnolds Park, IA:** Andres/Hentges moved to approve the 28E Agreement for Street Sweeper Cost Share with the City of Arnolds Park, Iowa. All ayes. Motion carried.

**Council to consider a lease for a new copy machine:** Hentges/Andres moved to approve the lease for a new copy machine. All ayes. Motion carried.

**Council to consider bids for a new police vehicle:**

Robinson/Hentges moved to approve the bid for a new 2014 Chevy Police Tahoe 4WD in the amount of \$27,966.25 from Okoboji GM Toyota of Spirit Lake, Iowa. All ayes. Motion carried.

**Council to consider an outdoor service amendment for The Lighthouse 07/20 - 07/21/14:**

Robinson/Delperdang moved to approve the outdoor service amendment for the Lighthouse 07/20 - 07/21/14. All ayes. Motion carried.

**Council to consider the re-appointment of Gordy Mairose to the Park Board with term**

**to expire 07/01/17:** Robinson/Delperdang moved to approve the re-appointment of Gordy Mairose to the Park Board with term to expire 07/01/17. All ayes. Motion carried.

**Council to consider a change of dock platform for Craig Struve of 1914 Funnel Street,**

**Dixon Beach Dock #32:** Andres/Mendenhall moved to approve the increased dock permit platform for Craig Struve. All ayes. Motion carried.

**REPORT OF OFFICERS**

Police Chief Jason Petersen addressed the parking situation for the upcoming RAGBRAI event stating there are designated areas for parking, and that parking problems will be addressed during RAGBRAI.

Councilmember Mendenhall stated there will be a parking problem on the sharp corner at Okoboji Boats and that possibly some of these areas need to be re-evaluated. Petersen reported the U of O Triathlon will be taking place this coming Saturday, and the Highway 71 intersection at Mau Marine will be well marked for this event. Petersen reported he has found there is no security for the campgrounds in Okoboji for RAGBRAI. Petersen reported there is a RAGBRAI team from Illinois made up of police officers. Every year during RAGBRAI they choose a town to have a tree planted in honor of fallen police officers. This year they have chosen Okoboji, with a tree to be planted in Speier Park this coming Monday morning. Discussion followed concerning replacing the demolished police car from last month's severe storm. Petersen was directed to obtain bids for a new pickup for the August council meeting.

Councilmember Delperdang would like to add an item to the possible closed session agenda regarding what legal relationship the city has with the IDNR. Daly stated he would confer with the city attorney concerning wording for a possible closed session and schedules.

Councilmember Andres updated the Council concerning the new city website design.

Councilmember Mendenhall asked how the Quiring and Sally Parks property issues were proceeding. Daly reported that each issue has been taken care of.

Expenditures for the month of June 2014 are as follows: Public Safety - \$28,682.60; Public Works - \$14,298.80; Culture & Recreation - \$1,127.26; Community & Economic Development - \$12,974.90; General Government - \$35,741.41; Water - \$362,333.73; Road Use Tax - \$5,717.99; Capital Projects - \$192,276.36; Trust & Agency - \$200.00. Receipts for the same period were \$764,019.36, creating a balance in all funds in the amount of \$1,320,097.93. \$118,388.04 of the reported balance is invested in Certificates of Deposit with the United Community Bank.

Robinson/Hentges moved to adjourn. All ayes. Motion carried. Meeting adjourned at 7:35 P.M.

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Mary VanderWoude, Mayor

ATTEST:

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Dennis J. Daly, CMC  
City Clerk/Administrator