

ARNOLDS PARK, IA  
REGULAR SESSION  
JANUARY 9, 2019

5:30 P.M.

COUNCIL PRESENT: Adams, Christensen, Richter, Watters. Mayor Hussong presided.  
ABSENT: Jensen.

OTHERS PRESENT: Lisa Kraus, Rachel Fandel, Rebecca Peters, Joni Mitchell, Angela Kofoot, Bridget Johnson, Lynn Fillenwarth, Greg Drees, Steve & Mona Sweeney, Mona O'Neill, Amy Pas, Jeff Rose, Bob Kirschbaum, Steve Hallgren, Darren Bumgarner, Mike Ehret, Taylor Genrich, Rick Heinrichs, Al Krueger.

Motion to amend the agenda to include a Public Hearing and Possible Resolution Awarding Bid for the 2019 Storm Sewer and Public Access Improvements, as well as, for the 2019 PCC Street Improvements Projects. Richter/Adams. Ayes: Four. Nays: None. Absent: Jensen.

Motion approving Consent Agenda consisting of Minutes, Claims, Clerks & Treasurer's reports Christensen/Watters. Ayes: Four. Nays: None. Absent: Jensen.

Motion approving liquor license renewals for La Barca and Rustic Lure Wine and Spirits pending final paperwork. Adams/Christensen. Ayes: Four. Nays: None. Absent: Jensen.

Taylor Genrich, owner of the Ritz and the Ritz 2 Go, explained to the Council a potential "back up" plan for the softball tournament being held during Winter Games if the ice is not safe. The tournament would be held in the parking lot to the east of the Ritz 2 Go location. There is already a liquor license in place for that location, however, Genrich is asking for permission to have alcohol allowed in the parking lot area. Police Chief Al Krueger, spoke with Iowa Alcoholic Beverages Division and they advised beer and wine are allowed to be consumed, but not mixed drinks. Hussong stated that customers will not be allowed to take their drinks from the Ritz and walk over to the Ritz 2 Go and vice versa. Motion to allow the consumption of beer and wine from the Ritz 2 Go in the former Mineral City parking lot during the softball tournament on January 26, 2019 with the stipulation that there is a dedicated, fenced-in area and the tournament is finished before dark. Richter/Christensen. Ayes: Four. Nays: None. Absent: Jensen.

IOWA GREAT LAKES BEAUTIFICATION PROJECT: No representative was in attendance. Richter gave a brief update on the project.

VOLUNTARY ACTION CENTER: Angela Kofoot spoke on behalf of the Voluntary Action Center. Kofoot updated the Council on the local Meals on Wheels program.

LAKES ART CENTER: Bob Kirschbaum spoke on behalf of the Lakes Art Center. All funding provided by the City would go towards the children's education department.

LAKES AREA DOG PARK: Amy Pas spoke on behalf of the Lakes Area Dog Park. They are looking to add a covered shelter, benches, additional dog waste dispensers, and lay down mulch with an additional layer of crushed concrete in the parking lot.

OKOBOJI TOURISM: Rebecca Peters spoke on behalf of Okoboji Tourism. Peters updated the Council on their Fiscal Year 2017 – 2018 Annual Report.

ONE-WAY STREET: Ordinance No. 18-03 was passed May 9, 2018 to change Lakeshore Drive in front of the Central Emporium from Allen Avenue to West Broadway Street to one-way. Lynn Fillenwarth, Lisa Kraus, and Rachel Fandel were in attendance to discuss Fillenwarth Resort's concerns with the one-way street. Kraus and Fandel reiterated previous concerns voiced by Fillenwarth about the safety of the golf cart drivers, congestion and confusion. Fandel requested that the one-way traffic flow east instead of west, as well as, only implementing the one-way from May 1 to October 1. Richter presented a rendering option of the one-way done by Imagine Iowa Great Lakes Beautification. Their rendering suggested the flow of traffic move west. Hussong asked Chief Krueger if there were any concerns from a law enforcement viewpoint. Krueger suggested "all or nothing" in that it could cause confusion only enforcing the one-way half of the year. Consensus of the Council to table further ordinance discussion until the April, 2019 meeting.

CITY OF ARNOLDS PARK ZONING ORDINANCE: **ORDINANCE NO. 19-01** AN ORDINANCE AMENDING ZONING ORDINANCE 09-02 OF THE CITY OF ARNOLDS PARK, IOWA BY AMENDING SECTION 165.15.2. LOT OF RECORD; AMENDING 165.03 USE CLASSIFICATIONS; AND ADDING A NEW ARTICLE 165.29 (AP) AMUSEMENT PARK ZONING DISTRICT as recommended by the City's Planning & Zoning Commission. The second reading of this ordinance was introduced by Christensen. Seconded by Adams. The roll was called and the vote was: Ayes: Christensen, Adams, Richter, Watters. Nays: None. Absent: Jensen. Motion to waive the 3<sup>rd</sup> reading: Christensen/Adams. Ayes: Four. Nays: None. Absent: Jensen.

**ORDINANCE NO. 19-02** AN ORDINANCE AMENDING ZONING ORDINANCE 09-02 OF THE CITY OF ARNOLDS PARK, IOWA AND THE CITY'S OFFICAL ZONING MAP BY AMENDING THE BOUNDARIES OF AN EXISTING (C-2) GENERAL COMMERCIAL DISTRICT TO (AP) AMUSEMENT PARK DISTRICT as recommended by the City's Planning & Zoning Commission. The second reading of this ordinance was introduced by Richter. Seconded by Watters. The roll was called and the vote was: Ayes: Richter, Watters, Christensen, Adams. Nays: None. Absent: Jensen. Motion to waive the 3<sup>rd</sup> reading: Richter/Watters. Ayes: Four. Nays: None. Absent: Jensen.

HAZARDOUS MITIGATION PLAN: Mike Ehret with Dickinson County Emergency Management and Darren Bumgarner with Northwest Iowa Planning & Development updated the Council on the Dickinson County, Iowa Multi-Jurisdictional Hazard Mitigation Plan. Ehret said NWIPD has to update this plan every five years. Bumgarner mentioned an approved and adopted local hazard mitigation plan is required as a condition of State and Federal funding in the case of a natural disaster. **RESOLUTION NO. 01-19** APPROVING THE ADOPTION OF THE 2018 DICKINSON COUNTY, IOWA MULTI-JURISDITIDIONAL HAZARD MITIGATION PLAN. Introduced by Watters. Seconded by Adams. The roll was called and the vote was: Ayes: Watters, Adams, Christensen, Richter. Nays: None. Absent: Jensen.

BLACK HILLS ENERGY: Motion setting a Public Hearing to establish a Franchise Fee Agreement with Black Hills Energy for Wednesday, February 13, 2019 at 5:30 p.m. Richter/Christensen. Ayes: Four. Nays: None. Absent: Jensen.

PEDDLERS PERMITS: The Council further discussed possibly allowing food trucks at the Little League ball diamond for games. The City currently does not allow peddlers/transient merchants to be on City property. It was suggested that the Little League should bid out the concession stand to an individual or group that could come in for the season and run the stand. It was also mentioned that vendors need to serve from the concession stand and not from their trucks. The Council also discussed Section 122.18 – License Exemptions. It was determined that local residents and merchants selling produce will be exempted from paying the permit fee; however, they will still need to complete the application, turn in all necessary paperwork, and pay the application fee. **ORDINANCE NO. 19-03** AMENDING THE CODE OF ORDINANCES OF THE CITY OF ARNOLDS PARK, IOWA, 2004 BY REPEALING SECTION 122.18 SUBSECTION 3, PERTAINING TO PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS AS THEY APPLY TO LOCAL RESIDENTS AND FARMERS.

1993 INTERNATIONAL PLOW TRUCK: Rick Heinrichs, Street Supervisor, said another City has expressed interest in purchasing the City's plow truck. Motion to advertise and take sealed bids on the 1993 International plow truck with a minimum bid of \$12,000. Richter/Watters. Ayes: Four. Nays: None. Absent: Jensen.

2019 STORM SEWER & PUBLIC ACCESS IMPROVEMENTS: Mayor Hussong opened the Public Hearing at 6:34 p.m. No comments written were received. Some residents in the area mentioned they had water run off going into their garage. City Engineer, Jeff Rose offered a possible solution would be for the residents to enter into an agreement with the City to connect to the City storm sewer. Mayor Hussong closed the Public Hearing at 6:38 p.m. **RESOLUTION NO. 02-19** AWARDING THE BID FOR THE 2019 STORM SEWER & PUBLIC ACCESS IMPROVEMENTS PROJECT IN THE AMOUNT OF \$115,731.45 TO HULSTEIN EXCAVATING PER THE RECOMMENDATION OF JACOBSON – WESTERGARD & ASSOCIATES, INC. Introduced by Adams. Seconded by Watters. The roll was called and the vote was: Ayes: Adams, Watters, Christensen, Richter. Nays: None. Absent: Jensen.

2019 PCC STREET IMPROVEMENTS: Mayor Hussong opened the Public Hearing at 6:42 p.m. No comments written or verbal were received. Mayor Hussong closed the Public Hearing at 6:43 p.m. **RESOLUTION NO. 03-19** AWARDING THE BID FOR THE 2019 PCC STREET IMPROVEMENTS PROJECT IN THE AMOUNT OF \$93,569.60 TO HULSTEIN EXCAVATING PER THE RECOMMENDATION OF JACOBSON – WESTERGARD & ASSOCIATES, INC. Introduced by Richter. Seconded by Adams. The roll was called and the vote was: Ayes: Richter, Adams, Watters. Nays: Christensen. Absent: Jensen.

FUNDING REQUESTS FOR FY2019 – 2020: The Council reviewed the funding requests for FY2019 – 2020. Motion approving the 28E Agreements and funding requests totaling \$68,185.00 for FY2019 – 2020 as follows: SHIELD - \$11,143, Water Quality Commission - \$14,800, NWIPDC - \$563, Dickinson Co. Emergency Management - \$5,058, RIDES - \$3,375, Dickinson County Trails Board - \$4,673, Dickinson County Landfill Commission - \$10,612,

Blue Water Festival - \$2,000, Bedell Family YMCA - \$1,000, CAASA - \$2,000, Discovery House - \$500, Dickinson County EMS - \$1,000, Historic Arnolds Park, Inc. - \$1,000, Iowa Great Lakes Corridor - \$3,861, Chamber of Commerce – Fireworks - \$1,050, Lakes Area Dog Park - \$1,000, Lakes Art Center - \$2,000, Meals on Wheels - \$2,000, UDMO - \$500, and Upper Des Moines Opportunity (UDMO) – Headstart Book Club Program - \$50 . Adams/Richter. Ayes: Four. Nays: None. Absent: Jensen.

MISCELLANEOUS NON-ACTION ITEMS: Linda Nase notified the Council that health insurance premiums are decreasing by 3.6%.

Motion to adjourn: Richter/Adams Ayes: Four. Nays: None. Absent: Jensen.  
Mayor Hussong declared the meeting adjourned at 7:02 p.m.

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Jim Hussong, Mayor

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Linda Nase, City Clerk