

ARNOLDS PARK, IA
REGULAR SESSION
APRIL 10, 2019

5:30 P.M.

COUNCIL PRESENT: Adams, Christensen, Jensen, Richter, Watters. Mayor Hussong presided.
ABSENT: None.

OTHERS PRESENT: Bailey Berquist, Maggie Wiebersch, Rick Heinrichs, Jeff Thee, John Hight, Jeff Vierkant, Jill Harms, Samantha Emrich, Rich Emrich, Ben Steffens, Greg Will, Alex Gillespie, Bryce Colwell, Ben Newman, Sophia Endly, Owen C., Cameron Quance, Spenser Newman, Mike Denning, Butch Parks, Nick Cornwall, Drew Hickerson, Daniel Browning, Jacob Chicojine, Garrett Richardson, Jeff Rose, Bob Koenen, Deb Koenen, Steve Johnson, Joe Wells, Tracy Evans, Emery Groen, Rayna Petievich, Sara Thompson, John Franken, Gavyn Wiedow, Claudia Schimek, Greg Drees, Michael Jensen, Ron Walker, Al Krueger, Kara Rice.

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

Motion approving liquor license renewals for Godfather's Pizza Express, Maxwell's, Murphy's, and Beer Can Alley; as well as, The Gardens, Hi-Point Sky Lounge, The Hutt Bar & Grill, Iowa Rock n' Roll Music Association, Chaplin's, Pirate Jack's, Smokin' Jake's, and Table 316 pending final paperwork. Richter/Christensen. Ayes: Five. Nays: None. Absent: None.

Chief Al Krueger had questions regarding safety concerns for a new business, The Throwing Post. Owners Rich and Samantha Emrich explained several safety measures that would be in place including a safety zone for throwing the tomahawks, chain link barriers on three sides, and one person at a time being allowed to throw. The owners also stated no hard liquor will be allowed and the establishment will close at 10 p.m.

Motion approving new liquor licenses for The Beach Club and The Throwing Post. Watters/Richter. Ayes: Four. Nays: None. Abstained: Jensen. Absent: None.

Motion approving Transient Merchant renewals for Nektar, Okoboji Original Gyro Stand, and the Fireworkz Store. Richter/Jensen. Ayes: Five. Nays: None. Absent: None.

CENTRAL EMPORIUM: Butch Parks, owner of the Central Emporium, voiced concerns about the newly imposed one-way on Lakeshore Drive. Parks is concerned about semi's and delivery vehicles being able to navigate and unload product. Parks also stated that he was unaware that the change to a one-way was going to be made. Hussong said the reason they looked into changing the street to a one-way is because of traffic congestion in the summer months. Hussong also mentioned the one-way has been discussed for over a year and through the course of several meetings.

Richter read the following information into the minutes: "On Wednesday, April 2, 2019 Mr. Parks called me to express concern over direction of the one way in front of the Central Emporium. We met later that day on site and talked some more. On Friday, I met with Butch and Debbie in Butch's office about the one way. After these meetings I thought it would be best

to review the time line of this project. It was January 16, 2018 the Imagine group had a public meeting at the Pearson Lakes Art Center to talk about ideas for the area. After this meeting conversations began to take place about going ahead with the one way in front of the Emporium: safety, ease traffic congestion, more friendly foot traffic were all reasons the council liked the idea. Before our Council meeting on May 9, 2018, I met with Butch in his office to make him aware of the project. At this time Butch said he “Liked the idea.” At the recommendation of the Street Committee at our May 9 meeting, we approved the one way. (Page 300 of City Minutes Log) Lynn Fillenwarth came to our June 13, 2018 meeting to express concern, and asked the council to reconsider. At this meeting I mentioned that the owner of the Emporium “liked the project.” We decided at this meeting to postpone the one way till fall, and have more discussion then. (P.311 CML) After the June 13 meeting I was at Parks Marina, and Butch pulled me aside and said “With the one way at the Emporium, I am not in favor of it, I am not against it, you work it out with Lynn.” When leaving Parks Marina I called Jim Hussong and told him, “I think someone has talked to Butch Parks, he is no longer in favor of the one way, he is neutral, and wants us to work with Lynn.” Lynn was at our September 12, 2018 meeting to reopen discussion on the one way. (P.335 CML) Lynn, Lisa, and Rachel attended our January 9, 2019 meeting. More discussion took place, and at this time Lisa brought up the compromise of having the one way flow from West to East, or from the Amusement Park toward the Fillenwarth main office. I said I would reach out to McClure Engineering, and see what their traffic experts thought. Per Lynn’s request, as I received info from McClure, I shared it with her. (P.365 CML) McClure came back to me before the March meeting that for safety, relieving congestion, and more friendly foot traffic, the best plan was to go from West to East, as the Fillenwarth team suggested. I shared this news with Lynn via phone, and e-mailed her what the one way would look like going to the east. At our March 13, 2019 meeting, we approved the one way, going from West to East.”

Parks stated he would like another reading on the Ordinance change. Hussong said the Council passed the Ordinance May, 2018 and it has been published. Adams suggested, and it was the consensus of the Council to go forward with trying out the one-way this summer to see how it works and discuss it in the fall. No Council action was taken.

IOWA GREAT LAKES BEAUTIFICATION PROJECT: John Hight with Beck Engineering updated the Council on the Beautification Project. The footings for the arches for the Promenade Project will be going in next week. Hight stated the hope is to still have the project completed by Memorial Day. Hight also mentioned construction of the sea wall will be funded by the Iowa DNR. The beautification for Claire C. Wilson Park on the Highway 71 bridge will be mostly focused on plantings and the parking lot will remain a gravel lot.

HISTORIC ARNOLDS PARK, INC: Jeff Vierkant, CEO of Historic Arnolds Park, Inc., was in attendance to share with the Council a map of potential additional parking areas. The proposed area would add 99 parking spaces. Since the proposed parking would encroach into the existing green space, Vierkant said they are working with the Iowa National Heritage Foundation to see if this would be possible. Watters was concerned about losing a portion of the protected green space.

ZONING ORDINANCE AMENDMENTS: Mayor Hussong opened the Public Hearing at 6:09 p.m. No comments written or verbal were received. Mayor Hussong closed the Public Hearing at 6:10 p.m. **ORDINANCE NO. 19-05** AN ORDINANCE AMENDING ZONING ORDINANCE 09-12 OF THE CITY OF ARNOLDS PARK, IOWA BY AMENDING SECTION 165.15.5 STEPS, DECKS AND PATIOS; SECTION 165.15.6 FENCES, WALLS, AND RETAINING WALLS; SECTION 165.16.2 ACCESSORY BUILDINGS; SECTION 165.23.1 VIOLATION AND PENALTY; AND BY ADDING A NEW SECTION 165.15.12 UNOBSTRUCTED SIDE YARD CLEAR ZONE as recommended by the City's Planning & Zoning Commission. Introduced by Watters. Seconded by Christensen. The roll was called and the vote was: Ayes: Watters, Christensen, Adams, Jensen, Richter. Nays: None. Absent: None. Motion to waive 2nd and 3rd readings: Watters/Christensen. Ayes: Five. Nays: None. Absent: None.

MUNICIPAL INFRACTIONS: **ORDINANCE NO. 19-06** AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ARNOLDS PARK, IOWA, 2004, BY AMENDING PROVISIONS PERTAINING TO MUNICIPAL INFRACTIONS. Introduced by Watters. Seconded by Christensen. The roll was called and the vote was: Ayes: Watters, Christensen, Adams, Jensen, Richter. Nays: None. Absent: None. Motion to waive 2nd and 3rd readings. Watters/Christensen. Ayes: Five. Nays: None. Absent: None.

LAKE STREET FARMER'S MARKET: Tracy Evans was in attendance to represent Krissy Thiessen of Cherry Lane Farms for the Farmer's Market on Lake Street. Evans stated that Thiessen had the idea to have an open air market for vendors to come and sell produce, art, woodworking, etc., as well as, live music. Evans said the market would take place every Saturday morning from Memorial Day to Labor Day from 7 a.m. to noon. Since there will be alcohol available, Evans said they will be using the Amusement Park's liquor license. The Council agreed that a Street Closure and Transient Merchant permit would need to be completed for this event; as well as, fencing around the area where alcohol is purchased and consumed.

MAYORAL & COUNCIL APPOINTMENTS: Motion to approve the following appointments; Mayoral: Matt Richter as Mayor Pro-tem expiring 12/31/19, Jill Little to fill a vacancy on the Library Board expiring 7/01/22, Joyce Burgeson to the Board of Adjustment expiring 4/25/24, Julie Cooper to the Planning & Zoning Commission expiring 01/01/24, and Tracy Evans to the Park Board expiring 02/10/22. Richter/Adams. Ayes: Five. Nays: None. Absent: None.

HOTEL/MOTEL TAX: **RESOLUTION NO. 09-19** APPROVING AND ADOPTING THE DISTRIBUTION OF HOTEL/MOTEL REVENUE. Introduced by Jensen. Seconded by Adams. The roll was called and the vote was: Ayes: Jensen, Adams, Christensen, Richter, Watters.

UNDERGROUND ELECTRIC LINE & EQUIPMENT EASEMENT: **RESOLUTION NO. 10-19** INTENT TO GRANT A PERPETUAL EASEMENT TO INTERSTATE POWER AND LIGHT COMPANY; AND TO SET A PUBLIC HEARING FOR MAY 8, 2019 AT 5:30 P.M. Introduced by Christensen. Seconded by Richter. The roll was called and the vote was: Ayes: Christensen, Richter, Adams, Jensen, Watters.

STREET COMMITTEE: Jeff Rose, City Engineer, will do a study of the W. Broadway Street retaining wall to see if any repairs are needed. A public access on 232nd Avenue is in need of some clean up and drainage work.

MINNEWASHTA BEACH ROAD: Motion for City Engineer, Jeff Rose, to prepare plans and specs for bids for Watermain Improvements on Minnewashta Beach Road. Jensen/Christensen. Ayes: Five. Nays: None. Absent: None.

2019 STORM SEWER & PUBLIC ACCESS IMPROVEMENTS – PRAIRIE LANE:
RESOLUTION NO. 11-19 APPROVING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$10,675.00 FOR THE 2019 STORM SEWER IMPROVEMENTS – PRAIRIE LANE PER THE RECOMMENDATION OF JACOBSON – WESTERGARD & ASSOCIATES, INC.
Introduced by Richter. Seconded by Watters. The roll was called and the vote was: Ayes: Richter, Watters, Adams, Christensen, Jensen. Nays: None. Absent: None.

CITY HALL EXPANSION – REZONING OF PROPERTY: Ron Walker stated that in anticipation of the expansion of City Hall, the three lots to the east of the current building would need to be rezoned from (R2) Medium Density Residential District to (C2) General Commercial (Mixed Use) District. Consensus of the Council to recommend to the City’s Planning and Zoning Commission a change to the Zoning District.

WILDCAT STADIUM: Adams updated the Council on the Little League Ball Diamond. They applied for a grant from the Minnesota Twins and were selected to receive \$15,000 in funding. Right now the Little League is getting ideas for banners for the “Purple Monster”. Adams also brought up the possibility of having food trucks to serve at the games. It was the consensus of the Council to take bids from food vendors who would like to serve at the games.

MISCELLANEOUS NON-ACTION ITEMS: Nase informed the Council that auto insurance companies are no longer paying full replacement costs for street lights damaged in auto accidents; they are paying a depreciated cost. The City will look into pricing on insurance for streetlights.

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

Jim Hussong, Mayor

Linda Nase, City Clerk