

ARNOLDS PARK, IA  
REGULAR SESSION  
SEPTEMBER 14, 2022

5:28 P.M.

COUNCIL PRESENT: Adams, Jensen, Watters. Mayor Pro-tem Richter presided.

COUNCIL ABSENT: Christensen, Mayor Hussong.

OTHERS PRESENT: Jeff Rose, Alan Krueger, Steve Schwaller, Rick Heinrichs, Cheri and Mike McKitrick, Jamie and Brian Smith, Lance Boon, Warren Jager.

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

Motion approving a Liquor License renewal for Homeology. Adams/Jensen. Ayes: Four. Nays: None. Absent: Christensen.

ZONING CHANGE C2 TO AP – 9 ZEPHYR DRIVE; ZONING CHANGE R2 TO AP 335 AND 343 OKOBOJI GROVE ROAD AND 363 LINCOLN AVENUE: Mayor Pro-tem Richter opened the Public Hearing at 5:30 p.m. No new correspondence has been received since the August 10, 2022 Council Meeting. Jamie Smith asked the Council if Historic Arnolds Park Inc. has plans to further expand? Smith is concerned of the long-range density of the AP district abutting a residential district. Smith would like the Comprehensive Land Use Plan reviewed and updated. Mayor Pro-tem Richter closed the Public Hearing at 5:34 p.m. **ORDINANCE NO. 2022-09** AMENDING ZONING ORDINANCE 09-02 OF THE CITY OF ARNOLDS PARK, IOWA AND THE CITY'S OFFICIAL ZONING MAP BY AMENDING THE BOUNDARIES OF EXISTING (R-2) MEDIUM DENSITY RESIDENTIAL AND (C-2) GENERAL COMMERCIAL (MIXED USE) DISTRICTS TO (AP) AMUSEMENT PARK DISTRICT. Introduced by: Watters. Seconded by: Adams. The roll was called and the vote was: Ayes: Jensen, Richter, Watters, Adams. Nays: None. Absent: Christensen. Motion to waive second and third readings. Watters/Adams.

FRANCHISE AGREEMENT – ITC: Mayor Pro-tem Richter opened the Public Hearing at 5:35 p.m. No comments written or verbal were received. Mayor Pro-tem Richter closed the Public Hearing at 5:36 p.m. **ORDINANCE NO. 2022-10** GRANTING TO ITC MIDWEST LLC, A WHOLLY OWNED SUBSIDIARY OF ITC HOLDINGS CORP., ITS SUCCESSORS AND ASSIGNS (THE "COMPANY"), THE RIGHT AND FRANCHISE TO ACQUIRE, CONSTRUCT, RECONSTRUCT, ERECT, MAINTAIN, OPERATE AND REMOVE IN THE CITY OF ARNOLDS PARK, DICKINSON COUNTY, IOWA, A TRANSMISSION SYSTEM FOR ELECTRIC POWER AND THE RIGHT TO ERECT AND MAINTAIN THE NECESSARY POLES, LINES, WIRES, CONDUITS AND OTHER APPLIANCES, EQUIPMENT AND SUBSTATIONS FOR THE TRANSMISSION OF ELECTRIC CURRENT AND TELECOMMUNICATIONS ALONG, UNDER AND UPON THE STREETS, AVENUES, ALLEYS AND PUBLIC PLACES IN THE CITY OF ARNOLDS PARK, DICKINSON COUNTY, IOWA; GRANTING THE RIGHT TO ERECT AND MAINTAIN UPON THE STREETS, AVENUES, ALLEYS AND PUBLIC PLACES, TRANSMISSION LINES THROUGH THE CITY OF ARNOLDS PARK, DICKINSON COUNTY, IOWA, FOR THE PERIOD OF TWENTY-FIVE (25) YEARS; AND GRANTING THE RIGHT OF

EMINENT DOMAIN. Introduced by: Adams. Seconded by: Jensen. The roll was called and the vote was: Ayes: Jensen, Richter, Watters, Adams. Nays: None. Absent: Christensen. Motion to waive second and third readings. Adams/Jensen.

ATV AND GOLF CART ORDINANCES: Council reviewed the proposed Golf Cart Permit Application, Municipal Infraction, and Permit. Jensen suggested the minimum age to operate remain at 16. Council suggested there be a fleet cost for area businesses that use the golf carts on their own property. Motion to set a Public Hearing for October 12, 2022 at 5:30 p.m. Richter/Jensen. Ayes: Four. Nays: None. Absent: Christensen.

220 IOWA STREET: The residents at 220 Iowa Street have requested permission to put an electric fence on their existing garden fence to deter deer. Motion to allow installation of an electric fence with proper warning signs around the garden at 220 Iowa Street. Watters/Adams. Ayes: Four. Nays: None. Absent: Christensen.

LAKE STREET CLOSURE – FARMERS MARKET: Motion to approve the closure of Lake Street on December 3, 2022 for the Holiday Farmers Market. Adams/Watters. Ayes: Four. Nays: None. Absent: Christensen.

LAKE STREET CORRESPONDENCE: City Council received letters of concern regarding the closures of Lake Street and the effects that it has on accessibility for the elderly and handicapped.

2022 SNOW REMOVAL AGREEMENT: Motion to enter into a 5-year snow removal agreement with Dickinson County that defines the duties and responsibilities of adjoining government units with regard to snow removal and maintenance of joint jurisdiction roads. Jensen/Adams. Ayes: Four. Nays: None. Absent: Christensen.

DICKINSON COUNTY 911 RADIO SYSTEM: Motion to draft a letter from the City of Arnolds Park in support of the new Dickinson County 911 radio system. Richter/Watters. Ayes: Four. Nays: None. Absent: Christensen.

LIHWAP VENDOR AGREEMENT: Motion to approve the Water Utility Vendor Agreement for Low-Income Household Waster Assistance Program with Upper Des Moines Opportunity, Inc. Adams/Jensen. Ayes: Four. Nays: None. Absent: Christensen.

FY 2021-2022 STREET REPORT: The Council reviewed the Street Financial Report for FY 2021-2022. **RESOLUTION NO. 22-2022** APPROVING THE STREET FINANCIAL REPORT FOR FY 2021-2022. Introduced by Jensen. Seconded by Watters. The roll was called and the vote was: Ayes: Richter, Watters, Adams, Jensen. Nays: None. Absent: Christensen.

2022 STORM SEWER IMPROVEMENTS – PRAIRIE LANE: Jeff Rose of Jacobson Westergard & Associates, Inc. reviewed the ponding occurring at 5 Prairie Lane; Rose advised that new construction at 13 Prairie Lane and uneven pavement from the recent overlay project is the cause of the ponding. Motion to have Rose proceed with a bid letting for the 2022 Storm

Sewer Improvements – Prairie Lane Project. Jensen/Watters. Ayes: Four. Nays: None. Absent: Christensen.

2022 DRAINAGE IMPROVEMENTS – ALLEN AVENUE, WEST BROADWAY, AND THE ALLEY SOUTH OF SMOKIN’ JAKES: There are several intakes, curb, and sidewalk that need to be repaired, replaced, and relocated in the area of West Broadway Street, Allen Avenue, and the alley south of Smokin’ Jakes. Motion to have Rose proceed with a bid letting for the 2022 Drainage Improvements – Allen Avenue and West Broadway Street Project. Richter/Adams. Ayes: Four. Nays: None. Absent: Christensen.

PRAIRIE LANE PUBLIC ACCESS: Jeff Rose of Jacobson Westergard & Associates, Inc. reviewed the public access adjacent to 5 Prairie Lane. Rose indicated that the wood timbers have rotted and the areas to the north and south sides of the stairs are showing erosion. The property at 5 Prairie Lane is having their bank landscaped which will cause an unsafe property line if the City does not landscape the public access bank at the same time. Motion to have Rose proceed with a bid letting for the Prairie Lane Public Access; keeping in mind that the property line must be discernable. Adams/Watters. Ayes: Four. Nays: None. Absent: Christensen.

RESURFACING OF PARKING LOTS – WEST BROADWAY: The parking lots located along West Broadway Street need repair. Motion to have Jeff Rose of Jacobson Westergard & Associates, Inc. proceed with a bid letting for the parking lot west of 69 West Broadway Street and the parking lot located at 74 West Broadway Street. Watters/Adams. Ayes: Four. Nays: None. Absent: Christensen.

2022 PROPOSED IMPROVEMENTS – WILDCAT STADIUM: Motion to approve Pay Estimate No. 1 to MLS Landscape & Design, Inc. the amount of \$99,815.15 per the recommendation of Jacobson-Westergard & Associates, Inc. Adams/Jensen. Ayes: Four. Nays: None. Absent: Christensen.

LAKEVIEW BOULEVARD SIDEWALK UPDATE: The grading for phase 3 of the Lakeview Boulevard Sidewalk Project is complete, weather permitting, the project should be completed by September 21, 2022.

COUNCIL APPOINTMENTS: Motion to approve the Board of Adjustment appointment of Lance Boon for a term ending 04/25/2027. Adams/Watters. Ayes: Four. Nays: None. Absent: Christensen.

MAYORAL APPOINTMENTS: Appointments tabled until the October 12, 2022 Council Meeting.

MISCELLANEOUS NON-ACTION ITEMS: Jamie Smith addressed the Council siting concerns over the Pillsbury Point bank cleanup. Smith indicated that she had met with the DNR and was instructed that the City would be the Manager on the project. Mayor Pro-tem Richter thanked Smith for the information and will follow up with the DNR, Mayor, and State for clarification. Nase informed the Council that a member of the Central Water Board stated that there may be rationing of water next summer.

Motion to adjourn: Jensen/Watters. Ayes: Four. Nays: None. Absent: Christensen.  
Mayor Pro-tem Richter declared the meeting adjourned at 6:09 p.m.

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Matt Richter, Mayor Pro-tem

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Linda Nase, City Clerk