

City of Spirit Lake

Regular City Council Meeting 5:30 p.m.

Tuesday, October 25, 2022

City Council Chambers

Present: Mayor Keenan. Councilmembers Harbst, Bice, Brockmeyer, Chappas, Kofoot.

Meeting called to order by Mayor Keenan.

The pledge of allegiance to the flag was recited by those present.

MINUTES

Motion by Chappas seconded by Brockmeyer to approve the minutes of the October 11th regular meeting. Motion carried unanimously.

BILLS

Motion by Chappas seconded by Brockmeyer to approve the bill list for the month of October, 2022.

Motion carried unanimously.

4 EVERGREEN LANDSCAPE	TREES	\$9,327.70
A&B BUSINESS SOLUTIONS	COPIER	\$228.52
ALLIANT ENERGY/IPL	UTILITIES	\$911.35
AMERICAN FAMILY LIFE ASSURANCE	AFLAC ACCIDENT	\$941.67
ARROWWOOD OKOBOJI	EMPLOYEE RECOGNITION DEPOSIT	\$400.00
DAVE BJORK	REIMB CDL	\$71.00
BLACKTOP SERVICE CO	HOT MIX	\$421.12
CENTURY LINK	TELEMETRY	\$148.00
CERTIFIED TESTING SERVICE INC	TESTING - LIFT STATION	\$2,550.00
CITIBUSINESS CARD	CREDIT CARD CHARGES	\$1,730.67
CITY LAUNDERING CO	MATS	\$35.75
DISPLAY SALES	BULBS	\$1,389.00
DOCUMENT DEPOT INC	SHREDDING	\$49.00
EFTPS	FED/FICA TAX	\$20,740.56
FTC	W&R DEF COMP	\$100.00
FEAR COMPUTER SOLUTIONS LLC	FIX EMAIL	\$130.00
HAWKINS, INC	VACUUM REGULATOR	\$336.44
IA LAKES ELECTRIC CO-OP	UTILITIES	\$738.23
IA LEAGUE OF CITIES	BUDGET WORKSHOP	\$50.00
IA ONE CALL	LOCATES AUGUST	\$163.80
IPERS	IPERS - REGULAR	\$28,409.08
JENNINGS AUTO PARTS	FILTERS	\$1,005.38
KCL ENGINEERING	STREET LIGHT ENGINEERING	\$1,000.00
JOSH KILPATRICK	REISSUE UNCASHED CHECK	\$200.00
MACQUEEN EQUIPMENT LLC	VACTOR REPAIR	\$2,383.07
MEDICAL REIMBURSEMENT	MEDICAL REIMBURSEMENT	\$2,738.81
PLIC - SBD GRAND ISLAND	LIFE INS - NOVEMBER	\$1,067.38
QUADIANT LEASING USA INC	REFILL POSTAGE METER	\$1,500.00
SAM WEDEKING EXCAVATING INC	6TH STREET	\$5,525.46
SECURE BENEFITS SYSTEMS	CHILD CARE	\$689.98
SPIRIT LAKE KIWANIS DUES	DUES	\$360.00
STATE HYGIENIC LAB	TESTING	\$230.00
STATE OF IOWA - PR TAXES	STATE TAX	\$7,815.46
TREASURER STATE OF IOWA	ACCOUNTS PAYABLE OVER 2YRS	\$261.99
UMB CORP TRUST	BOND FEES	\$600.00

VOLTMER INC	PAY APP#4 & CO#2	\$30,264.76
VOYA INSTITUTIONAL TRUST CO	VOYA DEF COMP	\$1,270.00
WASTE MANAGEMENT OF WI-MN	LANDFILL FEES 9/16-9/30	\$26,063.71
WELLMARK	BCBS HEALTH	\$42,358.32
WESSELS OIL CO INC	DUST CONTROL	\$337.50
UTILITY REFUNDS	UTILITY REFUNDS	\$482.80
PAYROLL	PAYROLL	\$67,533.93
TOTAL		\$262,560.44

LIQUOR LICENSE

Motion by Chappas seconded by Brockmeyer to approve a Class B Beer Permit with outdoor service and Sunday sales for Boji Craft Beer. Motion carried unanimously.

**REZONING CERTAIN PROPERTIES LOCATED WITHIN THE CORPORATE LIMITS OF SPIRIT LAKE, IOWA
PUBLIC HEARING**

The Mayor announced this is the time and place to consider the rezoning of certain properties located within the corporate limits of Spirit Lake and opened the public hearing. No written comments were received. Chris Sill asked the reason for the rezoning request. Owens stated that over time some of the residents at Homestead Cooperative have asked to have the property rezoned. Owens stated that at some point the zoning changed to C-2 and apparently by mistake which made the Homestead Cooperative property non-conforming a rezoning would return property to the original classification. Sill asked if any plans of parceling the property off have been decided. Owens stated that no plans have been turned into the city but if the property is rezoned the city doesn't have the right to limit what they can build as long as they follow the zoning ordinance. Sill stated that his property is currently receiving drainage from the parking lot. Owens stated any future changes would require a drainage plan and meet the city's requirements. Owens stated in his experience drainage improves with development due to the city's requirements. Sill stated that he currently doesn't have a drainage issue as the drainage tile is working but the water is within 10 feet of his property and 5 feet from his neighbors' property. Tim Voth expressed concerns with drainage. Voth stated that his property turns into a pond due to the drainage from the parking lot and stays in his yard for 4-5 hours. Voth stated he has had no issues with water in his basement but his neighbor to the south has had an issue. Charles Gilbert expressed concern over the drainage as all of the water drains onto his property first. At this time, the Mayor closed the public hearing. Brockmeyer stated the setbacks are more restrictive in R-3 versus C-2 and will have less buildable space. Bice stated any new structure would have the drainage reviewed and if anyone would cause drainage issues the city would hold them responsible. Chappas stated R-3 is the appropriate rezoning for the Homestead Cooperative property. (Lot 45 of Auditor's Plat No. 108 lying South of 27th Street EXCEPT that part of said Lot 45 of Auditor's Plat No. 108 in Section 5, Township 99 North, Range 36 West)

ORDINANCE NO. 10-2022

**AN ORDINANCE OF THE CITY OF SPIRIT LAKE, IOWA, REZONING CERTAIN PROPERTIES LOCATED
WITHIN THE CORPORATE LIMITS OF SPIRIT LAKE, DICKINSON COUNTY, IOWA
FIRST CONSIDERATION**

Motion by Bice seconded by Kofoot to approve the first consideration of Ordinance No. 10-2022. Aye: Harbst, Bice, Brockmeyer, Chappas, Kofoot. Motion carried unanimously.

RESOLUTION NO. 2022-36

RESOLUTION APPROVING FY2022 CITY STREET FINANCIAL REPORT

Harbst introduced and caused to be read Resolution No. 2022-36 and moved for its adoption, which was seconded by Brockmeyer. Aye: Harbst, Bice, Brockmeyer, Chappas, Kofoot. Resolution duly adopted.

RESOLUTION NO. 2022-37

RESOLUTION APPROVING PAY APPLICATION #4 AND CHANGE ORDER #2 OF THE CITY OF SPIRIT LAKE STREET LIGHTING REPLACEMENT PROJECT

Bice introduced and caused to be read Resolution No. 2022-37 and moved for its adoption, which was seconded by Kofoot. Aye: Harbst, Bice, Brockmeyer, Chappas, Kofoot. Resolution duly adopted.

ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR MAPLE MEADOWS SUBDIVISION

Motion by Brockmeyer seconded by Harbst to accept the public improvements for Maple Meadows Subdivision. Motion carried unanimously.

RESOLUTION NO. 2022-38

RESOLUTION CERTIFYING DELINQUENT CHARGES TO THE DICKINSON COUNTY TREASURER

Bice introduced and caused to be read Resolution No. 2022-38 and moved for its adoption, which was seconded by Chappas. Aye: Harbst, Bice, Brockmeyer, Chappas, Kofoot. Resolution duly adopted.

DISCUSSION AND POSSIBLE ACTION RE 36TH STREET & HILL AVENUE INTERSECTION AND CORRESPONDING SPEED LIMITS

Motion by Kofoot seconded by Chappas to authorize city staff to implement the proposed diagrams issued by Beck Engineering. Motion carried unanimously.

COMMENTS BY MAYOR, COUNCIL AND STAFF

City Administrator Owens provided an updated on the downtown tree planting.

ADJOURNMENT

Motion by Bice seconded by Brockmeyer to adjourn the meeting. Motion carried unanimously.

Bruce Keenan, Mayor

ATTEST:

Gregg L. Owens, City Administrator