

Monday, January 20, 2020  
Meeting  
7:00 p.m.

Regular

Lake View Municipal Building

The Lake View City Council met in regular session on Monday, January 20, 2020 at the Lake View Municipal Building. The meeting was called to order by Mayor John Westergaard at 7:00 p.m. Roll call was taken: Present: Councilors Tami Moeller, Terry Reis, Ken Steinkamp, and Dave Woltman. Councilor Vickie Toms participated via videoconference.

Also present: Bill Leners, Royce Kemmann, Dave Jennett, Chris Brotherton, Chris Bogue, Jennifer Roeder, Diane Siebrecht, Aaron Brotherton, Chad Schlepp, Linda Olson, Dale Boeckman, Mike Frank, Nathan Boeckman, Jimmy & Jenny Stock, Katherine Richardson, Sara Thompson, Dick & Jane Croll, and Randy & Janelle Schulte.

Library Board Members: Eric Haakenson, Judy Kramer, Jennifer Stargell, Jean Huegerich, and Maryann Tjaden.

Hometown Pride: Brent Mueggenberg, Larry Hauser, Anji Bennett, Tiffany Mogensen, and Mary Ludwig.

### **PUBLIC FORUM**

Dale Boeckman presented a petition with 66 signatures opposing a City-owned Event Center.

Mike Frank presented a petition with 63 signatures opposing the creating of residential design standards. He spoke against implementing the design standards.

### **Consent Agenda**

Motion by Woltman, second by Moeller, to approve the consent agenda. Roll call vote: All ayes. Motion carried.

- a. Approve the tentative agenda.
- b. Approve minutes from January 6<sup>th</sup> and 13<sup>th</sup>.
- c. Approve financial report for December.
- d. Approve bills and authorize payment.

### **END OF CONSENT AGENDA**

### **FY 2020-21 Budget Requests.**

**Library Board of Trustees:** Board President Eric Haakenson reviewed the Library operations and presented the Library's budget request of \$70,510, an increase of 2.9%.

**Lake View Community Club:** Linda Olson, Community Club President, presented the Club's budget request of \$15,000 to fund community advertising and to fund a portion of the community marketing and PR coordinator positions.

**Hometown Pride:** Brent Mueggenberg, Hometown Pride Chairperson, presented a budget request of \$1,500 for continued operations of the Hometown Pride committee and their special projects.

**Spring Lake Golf & CC:** Aaron Brotherton asked the Council to consider some level of financial support, noting that Spring Lake is not a private business, but a 501c3 non-profit organization.

Housing Trust Fund: This is a Trust Fund housed by Region XII C.O.G. which is used to assist low income residents with their housing needs. They are asking cities in the region to contribute \$1,000 as matching funds for a grant from the State of Iowa.

CAASA: The Council reviewed a written request received from the Centers Against Abuse and Sexual Assault (CAASA) seeking \$1,000 in funding.

All requests for funding were received by the Council but no action was taken.

#### Community Center.

The Council discussed researching a possible Community Center. It was noted that Lake View will be selected to participate in a program through the University of Iowa where a team of senior engineering students undertake the analysis and design of a proposed Community Center as their capstone project. Motion by Toms, second by Moeller, that the City Clerk/Administrator work with the Lake View Hometown Pride / Great Places committee and the University of Iowa program to thoroughly research the design, construction, operations and finances of a Community Center to such an extent as to present information to the public. Roll call vote: Ayes: Moeller, Steinkamp, Toms, Woltman. Nays: Reis. Motion carried.

#### Sanitary Sewer Rates

Motion by Reis, second by Steinkamp, to approve the third reading of **ORDINANCE # 504:** "An Ordinance Amending the Code of the Ordinances of the City of Lake View, Iowa, 2017, by Amending Provisions Pertaining to Sanitary Sewer Rates." Roll call vote: All ayes. Motion carried.

#### Wholesale Power Contract Extension with MEAN

The City purchases supplemental wholesale power from the Municipal Electric Agency of Nebraska (MEAN). MEAN has provided a proposal to add an additional three years to Lake View's power supply contract. The current agreement expires on May 31, 2021. MEAN proposes to extend the same rate through December 31, 2021, and then increase the rate by two percent annually.

Motion by Woltman, second by Reis, to approve the first reading of **ORDINANCE # 505:** "An Ordinance Authorizing and Directing Execution of the Agreement for Firm Power Interchange Service, by the City of Lake View, Iowa, with the Municipal Energy Agency of Nebraska; to Prescribe the Time When This Ordinance Shall be in Full Force and Effect." Roll call vote: All ayes. Motion carried.

Motion by Woltman, second by Reis, to waive the statutory requirement that ordinances be considered at three separate readings. Roll call vote: All ayes. Motion carried.

Motion by Moeller, second by Steinkamp, to finally approve **ORDINANCE #505.** Roll call vote: All ayes. Motion carried.

#### Jimmy & Jenny Stock Building Permit

Motion by Toms, second by Woltman, to approve a building permit application from Jimmy & Jenny Stock, 612 Third Street, for new home / shop. Roll call vote: All ayes. Motion carried.

### Jimmy & Jenny Stock: Consider Access Easement

Jimmy Stock requested that the City grant to them an access easement across City-owned property to the north side of their parcel.

Motion by Woltman, second by Moeller, that the City prepare an easement document granting an access easement across a 20' wide strip located south of the centerline of 4<sup>th</sup> Street extended to the west. Roll call vote: All ayes. Motion carried.

Jimmy Stock stated that they would like to build their structure as far to the east as possible. Jimmy asked the Council about obtaining an easement from the City on the west five feet of the water plant property. This easement area would be landscaped and serve as their required 4 foot side yard setback. An easement document will be prepared for future action by the Council.

### Residential Design Standards

The Planning & Zoning Commission has requested guidance from the City Council on whether to require residential design criteria and, if these criteria are required, how might they be implemented.

Motion by Moeller, second by Toms, to instruct the P&Z to proceed with the preparation of residential design criteria. Roll call vote: Ayes: Moeller, Steinkamp, Toms. Nays: Reis, Woltman. Motion carried.

### Moratorium on "Shouses"

The P&Z Commission had passed a motion asking the Council to implement a moratorium on buildings with large open storage spaces and a portion of the building comprised of residential premises (i.e. "Shouses"). The P&Z is asking that a moratorium on the construction of "shouses" be put in place immediately and remain until there is a resolution of the question of design standards. The City Attorney stated that there is legal precedence to implement a moratorium but that a definition of a "shouse" would need to be developed. The Council was not interested in implementing a moratorium. No action was taken.

### Certificate of Zoning Compliance

Motion by Moeller, second by Toms, to approve the first reading of **ORDINANCE # 506**: "An Ordinance Amending the Code of the Ordinances of the City of Lake View, Iowa, 2017, by Instituting Certificate of Zoning Compliance." Roll call vote: All ayes. Motion carried.

Motion by Toms, second by Woltman, to approve **Resolution # 20-08**: "Resolution Establishing Fee for Certificate of Zoning Compliance and Stipend Paid to Building Inspector." Roll call vote: All ayes. Motion carried. This resolution states that there would be no cost to the applicant to seek a Certificate of Zoning Compliance and that the Building Inspector would be paid an additional \$20.00 for each Certificate acted upon.

### Chris & Carmen Brotherton: Business Property Improvement Grant Application

Chris & Carmen Brotherton are the owners of the building at 406 Main Street which is the site of Brotherton Chiropractic. They have undertaken a building improvement project and have submitted an application for funding under Lake View's newly instituted Business Property Improvement Grant. Motion by Moeller, second by Steinkamp, to approve the Brotherton's grant application and approve payment of \$2,500. Roll call vote: All ayes. Motion carried.

### CDBG Housing Rehab Grant

Motion by Woltman, second by Reis, to approve **Resolution # 20-09:** "Resolution Adopting Code of Conduct." Roll call vote: All ayes. Motion carried.

Motion by Moeller, second by Steinkamp, to approve the City of Lake View's Affirmative Fair Housing Policy. Roll call vote: All ayes. Motion carried.

Motion by Moeller, second by Steinkamp, to authorize Housing Rehab Grant Draw #1 and Payment to Region XII in the amount of \$2,714. Roll call vote: All ayes. Motion carried.

### Proposals Regarding the Development of 408 Main Street.

The Council heard from two persons interested in re-developing the property at 408 Main Street.

Jennifer Roeder has proposed a rehabilitation project to renovate the commercial space and to create seven apartments. She stated that she would need to successfully apply for CDBG funding. This would delay the project start at least through the summer.

Dr. Chris Bogue is the owner of the building at 413 Main Street. Dr. Bogue spoke with the Council about trading his building at 413 Main Street for a buildable lot at 408 Main Street. He would then construct a new dental clinic building. The City would be responsible for demolition. Dr. Bogue also requested three to five feet of the Market Square property and the first right of refusal to purchase the Market Square property.

The City Clerk/Administrator noted that asbestos has been removed from 408 Main Street, except that the roof material was not tested. This would need to be tested and abated if needed prior to demolition. The City Clerk/Administrator will obtain an asbestos inspection of the roof and explore what else is needed to obtain an environmental clearance on the 408 Main Street property.

The Council asked Dr. Bogue to provide the City with a comprehensive written proposal containing a project timeline.

The Council took no action on this issue.

### 2020 Street Project

The Council reviewed a proposed street construction project for 2020. Motion by Woltman, second by Moeller, to approve the project as proposed and to set February 27<sup>th</sup> as the bid letting date for the 2020 street project. Roll call vote: All ayes. Motion carried.

### Lagoon Pay Estimate

The City Clerk/Administrator provided a lagoon construction update and stated that the suppliers, sub-contractors, and landowners/tenants have been paid by Merchants Bonding or will be shortly.

Motion by Woltman, second by Reis, to approve Pay Estimate #18 to Grundman-Hicks for the Lagoon Project in the amount of \$32,082.35. Roll call vote: All ayes. Motion carried.

FY 2020-21 Budget Preparation

The Council discussed the City insurance policies and the debt service for the upcoming budget year. The Council also reviewed property valuations and possible property tax rates.

The Council will meet next Monday, January 27<sup>th</sup>, for a special Budget meeting. At this time the Council will establish the maximum property tax dollars and set a public hearing date on the maximum property tax.

Motion by Woltman, second by Reis, to adjourn. On vote: all ayes. Motion carried. Meeting adjourned at 9:00 p.m.

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John Westergaard, Mayor

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Scott Peterson, City Clerk/Administrator