

Monday, December 18, 2017  
Meeting  
7:00 p.m.

Regular

Lake View Municipal Building

The Lake View City Council met in regular session on Monday, December 18, 2017 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. Also present: Council-elect Vickie Toms, Bill Leners, Royce Kemmann, Ruth Green, Nathan Boeckman, Michelle Balo, Keith & Kris Babcock, Jerry & Janine Waldrop, Bob Summerhays, Kyle Leners, Leann Davis and Joyce Mohr.

#### PUBLIC FORUM

As Bob Summerhays began to speak to the Council, City Attorney Dave Jennet asked Mr. Summerhays about some e-mails he had sent to Mayor Westergaard including fighting words, profanity, and vulgarity and stating that he needs to stop communicating with the Mayor in such a manner. Mr. Jennett presented the e-mails be entered into the record.

Mr. Summerhays questioned what was being done about his previously expressed concerns regarding speeding traffic and stop sign violations. Police Chief Kemmann stated that they do not publicly discuss policing strategies.

#### Consent Agenda

Motion by Moeller, second by Woltman, to approve the consent agenda. Roll call vote: Ayes: Moeller, Reis, Steinkamp, Woltman. Motion carried.

- a. Approve the tentative agenda.
- b. Approve minutes from December 4<sup>th</sup> and 12<sup>th</sup>.
- c. Approve financial report for November
- d. Approve bills and authorize payment.

END OF CONSENT AGENDA

#### Urban Revitalization Plan

Mayor Westergaard opened the public hearing Proposed Amendment to Lake View's Urban Revitalization Plan at 7:06 p.m. No oral or written comments were received. Mayor Westergaard closed the public hearing at 7:07 p.m.

Motion by Moeller, second by Steinkamp, approve Resolution # 17-30: "Resolution Adopting 2017 Amendment to the Plan for the Lake View Urban Revitalization Area." Roll call vote: Ayes: Moeller, Reis, Steinkamp, Woltman. Motion carried.

#### Library Property Purchase

Motion by Woltman, second by Reis, approve Resolution # 17-31: "Resolution Approving the Acquisition of Certain Real Estate Owned by Gary Babe in the City of Lake View for Expansion of the Lake View Public Library." Roll call vote: Ayes: Moeller, Reis, Steinkamp, Woltman. Motion carried.

### Zoning Variance

Keith & Kris Babcock are constructing their new house at 436 N. State Road. The foundation has already been constructed, but the structure including the overhangs does not meet the required four foot side yard setback. The Babcock's requested a variance allowing their overhang to encroach 13' into the required side yard. After due notice and hearing, the Board of Adjustment granted the variance. The Council can approve the variance request or remand it back to the Board of Adjustment.

The Council expressed their concerns that allowing this variance would set a precedent allowing the existence of structures which were constructed in violation of the Zoning Code and the Council also questioned whether the Babcock's met the legal definition of hardship.

Motion by Woltman, second by Moeller, to remand this issue back to the Board of Adjustment. Roll call vote: Ayes: Moeller, Reis, Steinkamp, Woltman. Motion carried.

### Amendments to the Zoning Code

Motion by Steinkamp, second by Reis, to approve the first reading of ORDINANCE No. 488: "An Ordinance Amending the Code of the Ordinances of the City of Lake View, Iowa, 2017, by Amending Provisions Pertaining to Uses and Setbacks in the Commercial District." Roll call vote: Ayes: Moeller, Reis, Steinkamp, Woltman. Motion carried.

Motion by Woltman, second by Moeller, to approve the first reading of ORDINANCE No. 489: "An Ordinance Amending the Code of the Ordinances of the City of Lake View, Iowa, 2017, by Amending Provisions Pertaining to Open Spaces." Roll call vote: Ayes: Moeller, Reis, Steinkamp, Woltman. Motion carried.

### Purchase of Trailer.

Bill Leners, Utilities Superintendent, presented two quotes to purchase a 20' long tilt-bed trailer. Motion by Reis, second by Moeller, to purchase the trailer from North Lake Truck Repair in Storm Lake for \$ 5,600. Roll call vote: Ayes: Moeller, Reis, Steinkamp, Woltman. Motion carried.

### Police Services Contract with the City of Wall Lake.

The Council discussed a possible extension to the police contract with the City of Wall Lake. The Wall Lake City Council has proposed a five-year contract extension. The Lake View City Council was also agreeable to a five year contract. Motion by Woltman, second by Steinkamp, to propose to the City of Wall Lake a five-year extension of the police services contract with the fees adjusted annually based on the actual cost to operate the police department. Roll call vote: Ayes: Moeller, Reis, Steinkamp, Woltman. Motion carried.

### Departmental Inventory & Needs Assessment

Royce Kemmann, Ruth Green, and Bill Leners presented their Departmental Inventories and Needs Assessments identifying priorities to be addressed in coming years. No action was taken.



City Clerk/Administrator Report.

*Lagoon Update:* The City Clerk/Administrator stated that the City still has not heard from the DNR about the Environmental Impact Document. The City's engineer is finalizing easements for the sewer mains.

*Splash Pad:* The City Clerk/Administrator stated that construction on the splash pad is complete for the fall. The pad is prepared so that concrete can be poured in the spring.

Motion by Moeller , second by Reis to adjourn. On vote: all ayes. Motion carried. Meeting adjourned at 8:38 p.m.

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John Westergaard, Mayor

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Scott Peterson, City Clerk/Administrator