

Monday, May 2, 2016
Meeting
7:00 p.m.

Regular

Lake View Municipal Building

The Lake View City Council met in regular session on Monday, May 2, 2016 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 Jerry Huss, Tami Moeller, Terry Reis, Ken Steinkamp, and Dave Woltman. Also present: Lon Buse, Royce Kemmann, Michelle Balo, Nathan Boeckman, Kodi Brotherson, Marcia Haakenson, Lance Rossow, Scott Kinzer, Jim Millenacker, LaJean Olsen, Lisa Mohr, Candi Ludwig, Kathy Bliss, and Bill & Joyce Farley.

Consent Agenda

Motion by Woltman, second by Steinkamp, to approve the consent agenda.

Roll call vote: All ayes. Motion carried.

- a. Amend the tentative agenda to include two building permits.
- b. Approve minutes from April 18th
- c. Approve building permit from:
 - i. Dennis Blessington, 184 W. 9th Street, 40øX 60ø storage building.
 - ii. Julia Burmeister, 109 Broughton Blvd, 28øX 24ø garage.
 - iii. Gregory Vallier, 158 S. State Road, covered and enlarged deck.
 - iv. David & Julie Winey, 650 N. State Road #62; deck and shed.
- d. Approve bills and authorize payment.

END OF CONSENT AGENDA

Sunset Drive Improvement Project

Mayor Westergaard opened the public hearing on proposed plans, specifications, form of contract and estimate of cost for the Sunset Drive Street Improvements Project at 7:01 p.m. No written or oral comments were received. Mayor Westergaard closed the public hearing at 7:02 p.m.

Lance Rossow from MER Engineering discussed the four bids received for the Sunset Drive Improvement Project. Mr. Rossow recommended awarding the bid to the low bidder, Spring Lake Construction, with a bid of \$188,140.

Motion by Steinkamp, second by Reis, to approve Resolution #16-31: "Finally approving and confirming plans, specifications, form of contract and estimate of cost for the Sunset Drive Street Improvements Project." Roll call vote: All ayes. Motion carried.

Motion by Woltman, second by Huss, to approve Resolution #16-32: "Awarding contract for the Sunset Drive Street Improvements Project." Roll call vote: All ayes. Motion carried.

Proposed Natural Gas Franchise for Black Hills Energy

Motion by Moeller, second by Reis, to approve the second reading of ORDINANCE NO. 475: "An Ordinance granting Black Hills/Iowa Gas Utility Company, LLC d/b/a Black Hills Energy, a Delaware corporation, its lessees, successors and assigns, a natural gas franchise and the authority to construct, operate, maintain, and extend a natural gas distribution plant and system, and granting the right to use the streets, alleys, and other public places within the present or future corporate limits of the City of Lake View, Iowa" Roll call vote: All ayes. Motion carried.

The Council discussed the State Code requirement that following the final approval of the ordinance, the franchise agreement is to be presented to the electorate through a referendum. Under this State Code, the City Council can choose to waive the requirement to hold a referendum. A resolution will be considered at the next Council meeting to waive the requirement to hold a referendum.

Parking Regulations on Lake Street

The Council discussed a recent request to establish a No Parking area on one side of Lake Street. The Council considered whether this was needed, on which side of the street No Parking would be allowed, and whether the No Parking requirement could apply only for certain hours. The Council decided to establish a No Parking zone on the east side of Lake Street from 3rd Street to Highway 175 during the hours of 6:00 a.m. to 6:00 p.m. Motion by Woltman, second by Moeller, to approve the first reading of ORDINANCE NO. 476: "An Ordinance Amending the Code of Ordinances of the City of Lake View, Iowa, 2011, by Amending Regulations Pertaining to Parking Restrictions." Roll call vote: All ayes. Motion carried.

Amend the Definition of Junk

The Council considered an ordinance to add *old or scrap tires* to the definition of junk. Motion by Steinkamp, second by Moeller, to approve the first reading of ORDINANCE NO. 477: "An Ordinance Amending the Code of Ordinances of the City of Lake View, Iowa, 2011, by Amending Regulations Pertaining to Junk." Roll call vote: All ayes. Motion carried.

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

Motion by Moeller, second by Woltman, to finally approve ORDINANCE NO. 477. Roll call vote: All ayes. Motion carried.

Amend Nuisance Violations

The Council considered an ordinance to strengthen the Nuisance Code to address stagnant water, vermin and insects. Motion by Moeller, second by Steinkamp, to approve the first reading of ORDINANCE NO. 478: "An Ordinance Amending the Code of Ordinances of the City of Lake View, Iowa, 2011, by Amending Regulations Pertaining to Nuisances." Roll call vote: All ayes. Motion carried.

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

Motion by Moeller, second by Steinkamp, to finally approve ORDINANCE NO. 477. Roll call vote: All ayes. Motion carried.

Sip & Sample: Saturday, June 4th

Motion by Moeller, second by Huss, to approve liquor license for the Lake View Community Club for Sip & Sample. Roll call vote: All ayes. Motion carried.

Motion by Moeller, second by Steinkamp, to approve the closure of Main Street from Third to Fifth and approve the use of City picnic tables & garbage cans and the use of the front yard of City Hall for Sip and Sample. Roll call vote: All ayes. Motion carried.

Set Public Hearing Date

Motion by Moeller, second by Woltman, to approve Resolution #16-33: "Resolution Setting Public Hearing Date Regarding the Disposal of Interest in Real Property." Roll call vote: All ayes. Motion carried.

Property and Easements for Lagoon

The Council reviewed the process for acquiring property and easements for the lagoon project. Motion by Woltman, second by Moeller, to approve Resolution #16-34: "Resolution Setting Hearing on the Intent to Acquire Agricultural and Other Property for Wastewater Treatment Facility Improvement and Authorize Acquisition of the Necessary Owners for the Wastewater Treatment Facility by Gift, Negotiation, or Eminent Domain." Roll call vote: All ayes. Motion carried.

Personnel Policy Update

The Council has been working on an update of the Personnel Policy Manual for several months. The City Clerk/Administrator asked if there were any more questions or issues to address. None were mentioned. The policy manual will be presented for approval at the next City Council meeting.

City Clerk/Administrator Report.

Jensen Property: The property on the east end of the lake owned by the Jensen family is being auctioned on May 20th. This property is outside the city limits. The property is connected to City water service but it is not connected to sanitary sewer. The City has an ordinance prohibiting new sewer hook-ups outside the city limits so the property would have to be annexed in order to provide sanitary sewer service to this property.

Closed Session

Motion by Steinkamp, second by Moeller, to enter Closed Session per Iowa Code §21.5.1.i. Roll call vote: All ayes. Motion carried. The Council entered closed session at 8:03 p.m.

Motion by Reis, second by Moeller, to re-enter open. Roll call vote: All ayes. Motion carried. The Council re-entered open session at 9:01 p.m.

Motion by Woltman, second by Steinkamp, to adjourn. On vote: all ayes. Motion carried. Meeting adjourned at 9:01 p.m.

John Westergaard, Mayor

Scott Peterson, City Clerk/Administrator