

Mayor Brian Johnson called the regular meeting of the City Council of the City of Lime Springs to order in the Community Center on April 4, 2023 at 6:30 pm.

**Member(s) present:** Jeff Burnikel, Jennifer Kalstabakken, Mary Bielefeld, Michael Levenson, Richard Cottrell

**Member(s) absent:** none.

**City Employees:** Tyler Smith (Public Works), Jane Tibbals (City Clerk)

**Visitor(s):** Marcie Klomp (TPD), Eddie Miller, Laney Frazer, Bob Frazier, Lucas Merritt, Julian Merritt, Jerry White, Scott Osmundson, Ed Hampe

**PLEDGE OF ALLEGIANCE recited.**

**Agenda, Previous Month's Minutes, Approval of Bills, and Financial report:** Burnikel motioned to approve the agenda, previous month's minutes, bills and financial reports. Levenson 2<sup>nd</sup>. All 5 present voted yes. The Agenda, March 7 minutes, bills and financial reports were approved.

**Open Forum:** none.

**Fire:** Scott Osmundson, Fire Chief, reported no fire calls for the last couple of months. He requested the generator's final payment to be paid to reflect payment for the grant. \$ 26,050.64 is balance to pay and Council approved it. The generator is delayed until July. Cement will come when weather permits.

**Library:** Eddie Miller, Board Chair, reported upcoming events of Warm Reads, which ended March 31 with 15 in the program. AA meeting had 6 attend, Easter Cake Contest is due April 14 and Easter Coloring Contest due April 17. Upcoming children's events include games, Easter party for Story Hour, and special movie fun. Adult's events include Bingo and Game night. Book discussion had 8 participants with next one scheduled April 11. Annual Art Show cosponsored with Oneota Club coming up in May. Patrons served for February was 141 Town and 138 Country.

**Park & Rec Report:** Laney Frazer, Board Member, reported their board had contacted Alliant regarding moving the flag and light poles from the Ball Park parking lot to grass. Alliant said that they could do with no additional charge. The plan is to incorporate a flag with the Steve Kraft Memorial and landscape in the area. Grants received are \$ 2,000 from St Paul's to be used for tennis court lights and \$ 800 from St Paul's to update the electricity in the guard shack. They also received \$ 50 from St Paul's for balls for Volleyball, which they plan for folks to check out. The Park & Rec received \$ 15,000 from Howard County Foundation for pool pipes. Mehmert's and Pickar's both declined to give quotes for pool repairs. Laney asked H&M to update his quote to reflect updated price. They spent \$ 2,000 for pool paint from Howard County Foundation's grant. They also received an additional grant of 9 gallons from Vogel Paint of Mason City. Tyler reported there is enough chemicals to open the pool and will order enough for the rest of the season, before it opens. Cottrell suggested that Tyler should be in charge when the pipes are worked on as Tyler is in charge of the pool and the Town. Cottrell continued that Tyler has more knowledge than the board regarding pipes and contractors. Tyler responded that he wasn't knowledgeable either. Bob Frazer interjected that is why H&M was called as they are the engineers and have the knowledge. Levenson answered that Tyler will know when they come to work on the pool and Tyler continued that he was interested in the updated drawings with the schematics and plans to be available when H&M work on the pool's pipes. Laney finished with if anyone knows of anyone else to get a bid from to let her know. Cottrell said he didn't recall getting the H&M estimates and Laney said that she would get him a copy, the rest of Council remembered getting copies.

**Public Works Report:** Tyler Smith, Public Works Director, reported Dave Sobolik updated the West Well electrical panel. Brent Mehmert put rock on South Miller Street, with larger rock in the center for a crown. Tyler will call Mehmert's to put rock on Jones Street. He approved a building permit for Lezlie Ceran's fence and mudroom update. She ordered 100 feet of custom-made steel fence to be 7 foot tall to fence part of the yard. Tyler assisted Nick Burke with looking for the curb stop at Candace Peterson's. Tyler also had Casey Sebastian come and look for curb stop and still can't find it. Nick Burke has been contracted to take the old house down where the fire was on Willard Street. Since the curb stop can't be located, a new one will have to be put in. Tyler went on to say that he had heard that she is planning to bring a camper in to live in. He feels that City should not approve to hook up

water and sewer to it. He asked Casey Sebastian about it and Casey suggested a meter pit could be put in, as there would not be a basement to put the meter in. Mayor did say that current ordinances do not say anything regarding living in campers. Council Burnikel asked if we could find out if this is a temporary situation, just through the Summer or a more permanent plan. Tyler reported that Casey said that meter pits would be the homeowner's responsibility and cost would be around \$ 500. Tyler presented a maintenance agreement from Electric Pump. The contract is \$ 1,000 annually and they would be willing to charge Lime Springs for half of the trip and they would coordinate the service time with Cresco's trip to cover the other half of the trip. The pumps covered are for the Lift Station and the sewer plant. Tyler updated on the street projects. He opened Croell today for their running cement. Croell plans to run the cement first in Chester and then work this way towards Lime Springs and finish up with Jackson Street. Letters should be going out today for updates to homeowners affected. Tyler updated Council on DNR's results. The Water came back really good. DNR requested some screens added, injection lines labeled, and the lines contained. Currently, the lines are stapled on the ceiling out of the way. Tyler will put the lines in PVC pipe for added protection. DNR's wastewater report was not as good. One of the biggest violations was Tyler putting the decimal point in the wrong place and then it took DNR 6 months of wrong reports before it was noticed. Then the reports had to be corrected and re-submitted. DNR said that this is a common error. Tyler reported and Council was given a copy of Katie Sterk's comments that Bolton & Menk is continuing to work on a plan to address these violations and to move ahead for compliance. Mayor called for a motion for Electric Pump Service Agreement. Tyler clarified the pumps are for the ones at lift stations and lagoon, not water pumps and not aerators. Burnikel motioned to approve the Electric Pump Service Agreement. Levenson 2<sup>nd</sup>. Cottrell, Bielefeld, Levenson and Burnikel Voted Yes. Kalstabakken Voted No. Motion approved for Electric Pump Maintenance Service Agreement. Mayor updated Council with Street Projects. Bolton & Menk called for a construction meeting with the contractors involved. Tyler, Mayor and Jane attended the meeting March 28. Tyler asked Croell to bring extra cement to repair the cut holes, left from repairing previous water main breaks in the various streets in town. Tyler continued that he would order some cold pack to fill some of the other holes now that the weather is warming up. Cottrell asked for clarification regarding Tyler's time being spent watering flowers. Tyler answered that he plans to coordinate the schedules of who is watering the flowers, but Mitch Smith and Jerry White will probably do the majority of it. Tyler mentioned that a few volunteers also said they would like to help.

**Set Public Hearing Date for Annexation and Zoning for Dollar General:** Council had received a copy of the Application for Annexation and Zoning. This requires a public hearing at the May meeting. Kalstabakken motioned to set the Public Hearing Date as May 2, 2023 for adjoining property to be annexed and zoned into the City of Lime Springs. Burnikel 2<sup>nd</sup>. All 5 Voted Yes. Public Hearing date set for May 2, 2023 at 6:30 pm.

**Tractor Lease Expiring:** Tyler responded to Kalstabakken's questions regarding tractor details. John Deere 2018 6110M. The options are buy out at \$ 58,669.35; renew the lease for 5 years at a higher interest rate which will cost an additional \$ 14,928.48; or return the tractor to John Deere and get something else. If the tractor is returned, it must be fixed to bring it up to like-new condition, not really recommended by Kevin Bill, unless City wants something different. Tyler said that the tractor is adequate, so didn't recommend a different one. The question was asked where to take the money from, there is \$ 8,000 in the Tree fund and \$136,000 in LOST fund. Cottrell motioned to buy the tractor. Burnikel 2<sup>nd</sup>. All 5 Voted Yes. Motioned approved of buying the tractor and taking the money from the LOST fund.

**Registering pets in regarding support and service animals:** Mayor brought up a letter that a resident is asking for a waiver to not register her cats, claiming they are service animals and are her support animals. Jane reported that in the State of Iowa, it does not require cats to be vaccinated for rabies, just dogs. Jane continued that ADA and Iowa law requires the pet owner to have service and assistive animals under their control. Council and Mayor responded that the animals need to be identified by registering and paying, no exceptions. Jane reported cat owner has offered to bring in paperwork from a doctor.

**Hawkeye Sanitation Proposal:** Lucas & Julian Merritt presented a revised contract for up to 5 years. Hawkeye made the requested changes of moving the annual rate changes to be effective to match the City's fiscal year dates of July 1. The other change was adding the "no charge" for designated

municipal garbage, which is the dumpster at Community Center and the seasonal dumpster at the City Pool. Hawkeye also changed the fee to pay the City \$ 325 for billing and collecting the fees from residents and businesses as directed. Levenson asked about Sweet Corn Days and Lucas answered that yes, Hawkeye will continue to provide that garbage service at no additional fee, which they have already been doing for quite some time. They mentioned they would provide similar to what they did in Cresco, when they switched to the totes, which is they will take any of the old garbage cans away at no additional cost. Asking for the cans to be marked as trash to be picked up and disposed. Cottrell asked if there could be a bigger discount than what was offered for the seniors and the single person, that may not have as much garbage to make it more fair. Council asked if there would be a smaller tote available and Hawkeye's answer was yes, but it would be at the same rate. Smaller totes may be offered at a later time. Hawkeye answered that they serviced 3 counties when asked how many cities. Levenson motioned to accept the Hawkeye contract. Burnikel 2<sup>nd</sup>. All 5 Voted Yes. Motion approved. Hawkeye said that they would re-send the contract with a lower discount for the seniors, which is defined as 65 or older. It was clarified that the residents will have to ask for a senior discount to City Hall as City does the billing for the garbage service with the water/sewer bills. Thank you to Hawkeye Sanitation for their generous donation of not charging for Sweet Corn Days' garbage. Hawkeye answered that the roll out of the new totes will start once the contract is signed and they have made their list matching the cans to the address. Cottrell asked if there would be a requirement for trash cans to be removed from the streets or curb. Difficulty of enforcement was discussed. Mayor answered City could look at that if it becomes a problem. Levenson answered that it would be the resident's responsibility if the can is hit and destroyed.

**Residential living in RV/Campers:** It has come to the attention of the City, that someone is considering moving a camper to live in. Council reviewed a few examples from other Iowa cities that had ordinances limiting hooking up city utilities to what may be considered temporary housing. Tyler said that he didn't think City should allow this, as there is a real possibility of both water lines and sewer system freezing in our area. Jane will write up ordinance for Council to review.

**Public Hearing Amending 2022\_2023 Budget:** Kalstabakken motioned to close the regular meeting and open the Public Hearing with Burnikel 2<sup>nd</sup>. All 5 present voted Yes. Public Hearing opened at 8:11. Cottrell asked for clarification that the Pool and Parks was asking to decrease their income and expenses due to over stating their numbers. The Community Center asked to increase their expenses to reflect the lighting they had not budgeted for as well as they did not budget for the cement they scheduled to complete before end of May. Burnikel motioned to close the Public Hearing and re-open the regular meeting with Levenson 2<sup>nd</sup>. All 5 present voted Yes. Regular meeting re-opened at 8:13 pm. Kalstabakken asked for clarification on when does a department know when a budget has to be amended, asking at what dollar amount. Jane reported that the state allows a department to earn more money than budgeted and spend less than budgeted without amending, but she was not aware of any specific dollar amount to make that determination. Kalstabakken motioned to approve Resolution 04042023-1. Burnikel 2<sup>nd</sup>. All 5 voted Yes. Motion approved for amending the Fiscal Year Budget 2022\_2023.

**Other:** Mayor reported he had a phone call as well as heard a truck coming into town using their jake brakes. There is already a City ordinance addressing this issue, but there are not any signs up. Tyler will talk with County to see where the signs need to be put up. Levenson asked if the flags could be replaced. Mayor said he had additional quotes regarding storage containers. He had quotes of \$ 3955 and \$ 4150 delivered. Size is 40 foot length with 8 foot width and 9 foot 6 inch height. Discussion followed with where to put it as well as adding electricity. Suggestions was back of Fire Station, by Well House or Water Tower, next to Kitchen Park or old Sewer Plant location. Council seemed to be in agreement that if the price is same as quote, has metal floor and is guaranteed, to buy one.

Levenson motioned to adjourn. Burnikel 2<sup>nd</sup>. All 5 voted Yes.  
Meeting adjourned at 8:29 pm.