

Mayor Brian Johnson called the regular meeting of the City Council of the City of Lime Springs to order in the Community Center on September 5, 2023 at 6:30 pm.

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

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

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

**Visitor(s):** Jill Tibbals, Scott Osmundson, Ed Hampe, Drew Weber (Bolton & Menk), Janet DeVries, Mark & Diane Tieskotter, Garth & Cynthia Foley, Bob & Laney Frazer, Rex Tibbals, Alton Tibbals

**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. Leverson 2<sup>nd</sup>. Burnikel, Kalstabakken, Bielefeld, and Leverson all voted Yes. Cottrell voted No, he said that he could not approve buying the truck listed on the financials. The Agenda, August 1 minutes, Bills and Financial reports were approved.

**Open Forum:** Burnikel noted that the storage container ordered for the LS Community Club is scheduled to arrive Friday, Sept 8. This will be placed next to the City's storage container near the Water Tower. Brandon & Taylor Burke wrote a note to Council asking for partial credit of the sewer portion of their recent bill. They were charged for 52,445 gallons, due to watering new trees. Bielefeld suggested this be put on next month's agenda for final decision, as was not previously on the current agenda. Council will be provided with Burke's water usage history at the next Council meeting.

**Public Hearing – Water Revenue Loan & Disbursement Agreement:** Burnikel motioned to close the regular meeting and open the Public Hearing with Leverson 2<sup>nd</sup>. All 5 voted Yes. Public Hearing opened at 6:41. Kalstabakken asked for clarification of which project this was. This is the start of the paperwork for the next City Project, which includes Merrill Street Bridge, East Street and East Main Street. Kalstabakken motioned to close the Public Hearing and reopen the regular meeting with Burnikel 2<sup>nd</sup>. All 5 voted Yes. Regular meeting reopened at 6:47. Burnikel motioned to approve Resolution 09052023-1. Leverson 2<sup>nd</sup>. All 5 voted Yes. Motion approved for additional action with respect to a Water and Disbursement Agreement of a \$ 510,00 Anticipation Project Note.

**Public Hearing – Sewer Revenue Loan & Disbursement Agreement:** Kalstabakken motioned to close the regular meeting and open the Public Hearing with Leverson 2<sup>nd</sup>. All 5 voted Yes. Public Hearing opened at 6:48. Kalstabakken asked when this project is scheduled to start, and City Engineer Drew Weber stated it has been submitted to State and potentially early 2024. Cottrell asked how many feet and Drew Weber answered roughly 5 blocks. Kalstabakken motioned to close the Public Hearing and reopen regular meeting with Burnikel 2<sup>nd</sup>. All 5 voted Yes. Regular meeting reopened at 6:51. Burnikel motioned to approve Resolution 09052023-2. Leverson 2<sup>nd</sup>. All 5 voted Yes. Motion approved for additional action with respect to a Sewer Revenue Loan and Disbursement Agreement of a \$ 1,220,000 Anticipation Project Note.

**Fire:** Fire Chief Scott Osmundson reported 1 call this month, which was a false alarm at Upper Iowa Beef. He reported that new firefighter Trent Loewen has received all of his gear. Scott presented Resolution 09052023-3 to write off 2 old fire calls, as uncollectible. Kalstabakken motioned to approve with Burnikel 2<sup>nd</sup>. All 5 voted Yes. Motion approved to write off total of \$ 1,000. Scott stated that Sweet Corn Days went well for the Fire Dept.

**Library:** Janet DeVries, LS Library Director reported Library activities. Howard County Library Assoc is scheduled to meet in Lime Springs on Oct 3. She reported a new program, Coffee Connection, meeting on Thursdays 3 to 4 pm, averaging about 8 people. She reported new check out items at the Library include Pickle Ball set, Tennis Rackets and Volley Balls. Janet reported the Daycare Outreach program started today, where she visits the daycares and Spring Ahead Learning Center twice a month. The Humane Society is scheduled for Saturday, Sept 9, 10 until noon, they will trim your dog's nails for \$ 12 and microchip for \$ 25. Bingo night meets Sept 16 with Book Discussion scheduled for

Sept 12. Patrons served in July was Country 98 and Town 144. Council Jeff Burnikel, Library's liaison reported there is a letter in the Council packets from an architect to review the Library's expansion. Janet reported they are scheduled for Sept 7.

**Park & Rec Report:** Board Chair, Laney Frazer reported Softball had a great season. Fall donations will be used to update equipment. Ballfield's Sweet Corn Day Stand made \$ 1,017.26. Ballfield's 50-50 raffle netted \$ 448. LS Tap donated \$ 600 to the ballpark from their UTV ride. LS Tap's new ballfield sign wasn't finished until after season, so they will not be charged next year. LS Betterment and Claudia Merhi each donated \$ 1,000 for the Pool's pipe project. Zeth Curran is working on a sandblasting estimate for the pool. Ron Fitzgerald & Zeth donated their work for fixing the diving board, a savings of \$ 800. Tyler will store the pool's epoxy until Spring. Park & Rec is working on Fall fundraising ideas. Pool inspection reports were received and compared to last year's. Continuing to work on grants for the Pool and ballfield. Waiting on bills from electrical work, so can finish St Paul grant paperwork. Burnikel asked if Council had reviewed the Social Media Policy handed out at last Council meeting. Laney continued that she didn't know if the City already had an employee policy for cell phones while working. Currently, the Pool employees are told to use their phones for emergency calls only while on duty. Laney asked Council if videotaping and posting on social media requires a signed waiver and Council responded with the Pool is a public place and therefore signed waivers are not necessary.

**Public Works Report:** Tyler Smith, Public Works Director reported his approval on Carolyn Munkel's building permit for patio next to her garage. He reported his frustrations working on DNR's website to obtain an appointment needed wastewater certification. Casey Sebastian, Iowa Rural Water rep, demonstrated fire hydrant flow testing to Tyler and PW reps from Elma & Riceville. The LS Fire Dept assisted, and they tested 7 or 8 different fire hydrants. Casey said he could help Tyler test more of the town's hydrants. Tyler presented Mudslingers quote for \$ 9,200 to repair 4 street cutouts, 3 located on Forest Street and 1 on West Jackson. They feel the cutout on N Miller Street has not settled enough, so that will be scheduled next year. Burnikel motioned to approve their bid with Leverson 2<sup>nd</sup>. All 5 voted Yes. Motion approved for Mudslinger's \$9,200 bid for street cutouts. Tyler said that he had talked with Drew Weber regarding GIS mapping, which would help with locating valves and curb stops. Tyler reported he had Snow Removal Signs to put up on Main Street but questioned how to enforce them. Mayor said that we have to show due diligence by putting up the signs first. Tyler reported he picked up the new City Truck and on first day, used it to pick up sticks and saved a lot of his time by just hitting a button to dump the load. He priced 10 foot V Plow from Trucking American, installed, their estimate was \$ 12,500. He will compare to Olsgard's prices. 10 footer would be 1 ½ foot wider than current plow. Mayor asked him to check and make sure all the wiring is off for the sander from the old City truck. Leverson asked Tyler to check if any water valves may be partially closed on his street, noticed when testing fire hydrants. Council Cottrell stated he felt that City didn't have authority to purchase this truck, as the previous minutes stated that Tyler, Mayor, and 2 Council were to be involved and that he didn't feel he was giving the opportunity to view the truck before purchase was made. Tyler answered that he sent a picture of the truck to Cottrell. Tyler reported he viewed the truck on Sunday and Mayor mentioned that he drove the truck a couple of days prior to that, which was the day Kuehn's got the truck in. Leverson said that he didn't view the truck in person but seen a video that Tyler had sent him of the truck and said go for it. Cottrell said that he didn't get notice until Monday about the truck. Tyler picked the truck up Wednesday. Cottrell repeated that the minutes stated 2 Council to be involved. Burnikel asked if he responded to the text and Cottrell said that he called Tyler and talked with him about the truck. Leverson said that he didn't have to view it in person to OK it. Cottrell understood that they would be going together to view the truck and both Tyler and Leverson said that their schedules were too busy to get together to look at trucks. Kalstabakken interjected that she was glad that Tyler and City got a new truck, but 2 Council were not involved to make the decision regarding this truck. Burnikel and Tyler both asked what do you want to do now, take it back? Tyler went on to say that the truck that Cottrell had asked Council to previously consider, would have involved how many people to go to Harrisburg, PA, over 900 miles away and then what would happen if didn't want it. Leverson said that he gave Tyler his approval after watching the video and talking to Tyler. Leverson said that this needed to be checked off from the list, been going on for over 2 years. Cottrell stated he wanted it in the minutes that he didn't feel that he had Council

authority to buy that truck. Kalstabakken said that she agreed, but it is done now. Burnikel said nothing to do about it now. Winter is almost here and there is not enough time to start process all over and this truck is what we had been looking for.

**Jackson Street & Lincoln Street Status Update:** City Engineer Drew Weber, presented payment 5 out of 6 and is hoping to finalize the project with the final payment at the Oct meeting. As he has been looking at numbers, this project may come \$ 70K to \$ 80K below budget. Cottrell asked why was Jackson Street cut up after paved. Drew said a whole panel of 7 by 13 foot was replaced at the driller's expense. Tyler reported this was cut 10 days after the concrete was poured and he told them not to cut it, that is when he called Drew. Drew reported the fix of new concrete was tied into the nearby concrete. The utility company involved knew that they had to re-locate their lines and they came too late to do it before concrete was poured.

**Merrill Street Bridge Project:** Drew reported he is about 90 to 95% done with the plans, he needs to reach out to a couple of the homeowners to finish. The project's preliminary figures have been submitted to Environmental Review, tracking with a Fall to Winter bid-opening and construction to start in 2024. He went on to talk about Miller Street, he and Tyler met and looked at the street and there is not enough left to patch. His recommendation would be a full reconstruction of just the pavement itself. This street appears to just have utilities crossing it and a storm sewer on one end, so not a lot under the street. He is asking Council what is their expectation for the road's future. Cottrell asked if re-sealing it would be an option to save money. Drew answered this is called chip sealing and with the road base there, would last maybe a year. There is not enough base left to work with. Drew can bring a couple of different options and a per block cost. Cottrell asked about dust control by Brown Park or if could use crushed concrete to repair that road. Tyler answered that crushed concrete can't be used for roads because it doesn't have anything in it to pack down. Concrete is crushed to 1.5 inch size and can be used as fill. Tyler's suggestion is to put more dust control in the budget. Tyler can talk with Mehmert to see if he has any other suggestions.

**Truck Purchase:** Levenson motioned to purchase the truck with Burnikel 2<sup>nd</sup>. Bielefeld, Levenson and Burnikel voted Yes. Kalstabakken and Cottrell voted No. Motion approved for truck purchase.

**Vehicle Needs:** Tyler stated Kuehn's said that they could give him a rough estimate before putting old truck for sale and putting a min bid on it. Question of should be open or sealed bids and Council preferred sealed bids. Burnikel motioned to sell the old City Truck with plow, "as is." Burnikel asked about City Dump Truck if City was going to keep it or not. Levenson asked if anyone was going to drive it again. Tyler said because not used enough, usually costs involved using it. Levenson motioned to sell both old City Trucks, with Burnikel 2<sup>nd</sup>. Burnikel, Levenson, Bielefeld and Kalstabakken voted Yes. Cottrell voted No. Burnikel asked why Cottrell voted no and Cottrell said that it wouldn't cost the City anything to keep the old truck for back up. Levenson mentioned that City still has a tractor to help push snow. Mayor reported Motion approved to sell both old City truck and the City Dump truck.

**Sidewalks on Main Street:** Burnikel reported there is a break in front of Klunder's that has gravel in the crack that keeps washing out. Reminding, that sidewalks are property owners' responsibility. However, it is City's responsibility for safety. Levenson also reminded Council that City also has to do their part by maintaining the sidewalks in front of the Library and Kitchen Park. Mayor suggested that we ask the property owners what their plans are for fixing the cracks. Tyler said he could ask Drew to see what future plans for utility work on Main Street.

**Additional Electrical on Main Street:** Burnikel said that cords were ran from gazebo to get enough electricity for the food trucks on Main Street. His solution was to add an electrical panel with 220 and the Community Club could help pay for this. Jane suggested a separate meter and Tyler said could control by breaker inside the building. Tyler will ask Dave Sobolik for options and costs. Cottrell states that City doesn't make any money during Sweet Corn Days and the City doesn't have money to spend for Sweet Corn Days. Burnikel and Mayor and members of the audience answered that the City needs to provide for the community and Sweet Corn Days helps the community.

**Lidtke Mill Bingo:** Janet DeVries and Mark Tieskotter came representing Lidtke Mill Bingo and are asking if their events can be added to the City calendar on a regular basis. She reported their organization has given \$ 1,950 since they started in October 2021. They stated they donate on a regular basis to Oneonta, Senior Club, Library, Parks & Pool, Lidtke Mill and Children's Theater. Janet reported she gives the Lidtke Mill Bingo info along with Library's events to Jane on a monthly basis.

Discussion followed questioning purpose and guidelines for the City calendar. Should calendar be opened up for private businesses. Question was asked about church and state separation, without a decision. Jane asked what happens if not everything fits, shrink it down or put some on back was suggested. Jane asked if Janet could also send the info in soft copy, so don't have to re-type.

**Alton Tibbals' Lawn Mowers:** Alton Tibbals asked to be put on the agenda as he felt he had been picked on regarding his lawnmower collection. Mayor said that Alton's son had contacted him and told him that he had been working with Alton to move some of the lawnmowers out of town. Jane had talked with Alton as a relative of her concern of his safety of moving around his yard with so many mowers. The City is not asking Alton to get rid of all of his lawn mowers, however the City is asking Alton to remove the mowers from the boulevard.

**Ordinance Changes:** Jane reported some possible changes regarding Billing Charges Ordinance. The changes primarily affect the disconnect times. Council had previously requested to shorten the timeline as the City is not helping by allowing folks to get further into debt, before turning off water. Currently finance charges are not charged until the 25<sup>th</sup> of the month, suggesting moving this up to the 20<sup>th</sup> of the month, as the bill states it is due on the 12<sup>th</sup>. This is to allow time for mail. Levenson suggested changing the disconnect time to closer to 30 days past due instead of the 3<sup>rd</sup> month, which is what is currently being done. Jane suggested timeline of sending disconnect notice by mail on the 1<sup>st</sup>, for open balances not paid, that were previously due for the 12<sup>th</sup>. Then on the 5<sup>th</sup> of the month, post a notice on the door stating service will be disconnected on the 10<sup>th</sup>. Tyler asked if he take a picture at the time that he posts it, so there is proof that notice was put on door. Jane then presented the previously discussed the proposed shut off and reinstatement fees to be changed from \$ 100 each to \$ 50 each. Then the security deposit amount was discussed. Current security deposit is \$ 125 for deposit with \$ 25 for connection fee. The ordinance already states there should be a security deposit of 3 months, where the average water bill is close to \$ 100. The security deposit changes will be for new hook ups only. Council suggested increasing the deposit to \$ 225 plus \$ 25, for a total of \$ 250. Levenson also asked to clarify curb stops and make sure that the City is stating in the ordinances that curb stops are property owner's responsibility.

**Nuisances and letters sent:** Jane gave Council hardcopy of letters sent for the month, with majority of them being for dogs and reported there are getting fewer on the list, have 8 left and 3 of them have promised. So not everyone is still ignoring.

Kalstabakken motioned to close the regular City Council meeting and enter into closed session to discuss possible City building and storage needs. Burnikel 2<sup>nd</sup>. All 5 voted Yes to go into closed session at 9:03 pm.

Kalstabakken made a motion to come out of closed session and return to regular meeting. Levenson 2<sup>nd</sup>. All 5 voted Yes. Regular meeting resumed at 9:16.

Kalstabakken motioned to adjourn with Levenson 2<sup>nd</sup>. All 5 voted Yes. Meeting adjourned at 9:18 pm.

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**Brian Johnson, Mayor**

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**Jane Tibbals, City Clerk**