

Mayor Rick Kirkpatrick called the regular meeting of the City Council of the City of Lime Springs to order in the Community Center on March 5, 2024 at 6:30 pm.

**Member(s) present:** Jeff Burnikel, Jennifer DeVries Kalstabakken, Mike Leverson, Richard Cottrell  
**City Employees:** Jane Tibbals (City Clerk)

**Visitor(s):** Jill Tibbals, Terry Kirkpatrick, Jeff Siegenthaler, Ed Hampe, Eddie Miller, Scott Osmundson, Laney Frazer, Bob Frazer, John Heisler, Jerry White, Sandra Heisler

**PLEDGE OF ALLEGIANCE recited.**

**Agenda, Previous Month's Minutes, Approval of Bills, and Financial reports:** Burnikel motioned to approve the agenda, previous month's minutes, bills and financial reports. Leverson 2<sup>nd</sup>. All 4 present voted Yes. The Agenda, Feb. 6, 13 & 21 Minutes, Bills and Financial Reports were approved.

**Fire Dept Report:** Fire Chief, Scott Osmundson, reported 1 call just this last Friday. It started as a house fire, then a tree fire and wild fire. He thanked Cresco, Harmony & Chester for their assistance. Fire Dept is going to raffle off an ATV during Sweet Corn Days, for a fundraiser. The generator is hooked up, it should start automatically when the power goes off. Leverson continued that the Fire Dept is starting to look at replacing a fire truck, specifically a tanker/pumper combination of. It was confirmed that Council will have to approve any large purchases.

**Library:** Eddie Miller, LS Library Board Chair, reported Library Association is meeting in Riceville on April 2. Snowman Contest continues thru March 30. Kids' Games at the Library Feb 9 with 2 attending. Valentine's Story Hour had 3 children. Bingo is scheduled March 16. Lego program scheduled for March 11. Special Movie scheduled March 22 and Bingo for March 29. Patrons served for Jan. was 186 Town and 142 Country. Janet had sent over corrections for Patrons in Nov was 161 Town & 150 Country and Dec Patrons served was 147 Town & Country 127.

**Park & Recreation Dept:** Laney Frazer, Board Chair, reported Paul Anderson's quote to sandblast the Pool, repair cracks and apply 2 coats of epoxy. The quote is \$ 57,133. He broke out the paint as \$ 14,781.50 with approx 185 gallons needed. She brought a quote from Thatcher from last year of \$ 18,610 for just repairing cracks. Anderson guarantees, is licensed and insured for this type of work. Laney is looking for fundraising ideas. Discussion followed with need to know by early next month if going ahead this year or not in order to put it on their schedule. Laney continued that the Pool could open if not done, however will be slippery as well as going thru more water, which also means more chemicals. The uneven surface means more algae growth which in turn means more hours spent cleaning. Laney stated that Scholbrocks are scheduled to cement the dugouts at Ball Field as soon as weather permits. Burnikel asked that Enforcing Term Limits on Boards as well as City Employee Janet DeVries on Pool & Park Board. Burnikel said that he had approached Janet DeVries at the last Park & Rec meeting to tell her that she needs to come off the board due to being a City Employee. She asked him to bring it to City Council to make this decision. Kalstabakken brought up an email from Mickey Shields a director at Iowa League of Cities from Sept 2020, when it was brought up before regarding Janet DeVries as City Employees serving on this board and he stated that if current City Code does not say different than legally it can be, even tho most entities do not prefer their City employees on boards, but if the Council appoints her on that board, then she may be a voting member from a legal standpoint. Kalstabakken continued this was decided back then with Council being OK with Janet on this board. Jane Tibbals stated that she was told she had to quit on Park & Rec Board when she was hired as City Clerk. Jane continued that City Attorney had recommended to previous Council that a Conflict of Interest Policy should be added to City Employee Handbook. Laney brought up that currently there are 6 members on this board, which means one of them doesn't vote. Jane Tibbals brought up again, that the other City Boards have 5 members and they all vote. Again, current City Ordinance for Park & Rec is 5 members, not 5 members plus a chairperson, this was added after she went off this board and the Ordinance didn't change. Currently the Ordinance states Term Limits for Park & Rec Board is 3 years. Burnikel continued that Janet DeVries, DJ Miller and Holly Andersen have all been on longer than 3 years. Burnikel stated there are others that have asked to be on this board and have been told no. Kalstabakken asked if they have come to a meeting to express their interest? Kalstabakken also read Park & Pool minutes from Feb 2023, that they as a board made a recommendation that a person should volunteer for at least 2 years before becoming a voting member.

Jane pointed out that this was not brought up at Council, nor was Ordinance changed to reflect. After more discussion it was decided to move the Park & Rec meetings to the Community Center from the Library. Also to advertise on Facebook for membership openings as well as post the times for meetings on the City calendar. Laney stated Holly Anderson plans to take the CPO certification. It was reported that Tyler Smith said that he would help open the Pool when the time comes.

**Public Works Report:** Ed Hampe reported he had approved building permits for Mark Bowen and Perry Thomas. Ed & Jane will follow up with Hawkins for chemicals for both Wellhouses and Pool.

**Merrill Street Bridge & Miller Street Projects:** Drew Weber, City Engineer from Bolton & Menk, reported Maggie Burger is working on financial plans for Miller Street Project as well as projects. Drew updated Council on the Howard County's plan for A21. The tentative date is still May 1, 2025. When working on Miller Street Project as it connects to Merrill Street Bridge Project, they discovered the existing storm sewer discharges thru the left field of the Ball Field and is considered shallow. They feel the best plan is to reroute the storm sewer at end of East Main to discharge it to the creek. There is less pipe involved, plus they would be able to deepen it to allow more flow capacity. However, this means the Merrill Street Project would extend the project from its original plans, which the funding and DNR will not approve as an add on. The new plans would have to be re-presented as a new application to both DNR & SRF Funding. The timeline for approval is 4 to 8 months. Bids would be taken this year, with construction starting early Spring of 2025. 3 blocks of Miller Street as a separate project, was estimated at \$ 1,423,000. Drew split the 3 blocks at the church, into 2 separate areas. With the north end having the majority of the water/sewer services. \$ 893,000 is the estimate for the north end and \$ 530,000 for the south end with minimal services. The estimates include concrete, gutter & sidewalks. Drew continued that costs would be less if Miller Street's sidewalks were eliminated, but Council felt too much foot traffic from parks & Pool to eliminate. Drew said that yes with costs, may want to consider doing the south end of Miller Street sooner, rather than later, as a separate project. Kalstabakken motioned to wait until next year for north end of Miller Street and to add it to Merrill Street Bridge Project with Cottrell 2<sup>nd</sup>. All 4 present voted Yes. The project for Merrill Street Bridge was approved with re-submitting with storm drain change as well as to add north end of Miller Street to the project. Drew will re-submit changes to DNR and to SRF Funding. Cottrell motioned for Drew to get bids for the south end of Miller Street with Burnikel 2<sup>nd</sup>. All 4 present voted Yes. Drew said that before he gets bids, he will call a few contractors to see how it would be bid out in regard to mobilization fees.

**Water & Wastewater Council reps:** Bolton & Menk requested Council to name no more than 2 Council reps to meet separately with them, to discuss options and ideas, rather than call a full Council meeting each time, with the idea that a couple of people are more flexible with timelines as well as these frequent meetings, do not require full public notice. With no more than 2 Council, with or without the Mayor, these meetings are not recognized as Council meetings. Decisions would still be handled at regular Council meetings. Burnikel suggested Cottrell and Levenson as their schedules may be more flexible. Kalstabakken asked if someone can't make the meeting, then to contact another Council to substitute, as she is also very interested in being involved and has more time now.

**Public Hearing Date for Tax Rate:** Jane explained this meeting has to be separate from any other meeting, as well as can't be held prior to March 26. It has been suggested to schedule the same night as another meeting, but to schedule the meetings at least 15 to 30 minutes apart. Kalstabakken motioned for Tax Rate Public Hearing to be held April 2, 2024 at 6 pm with Burnikel 2<sup>nd</sup>. All 4 present voted Yes. Tax Rate Public Hearing to be held April 2, 2024 at 6 pm in the Fire Station as Special Election will be in the Community Center this date.

**Public Hearing Date for Budget Adoption:** Jane explained this has to be separate from the Tax Rate meeting and it would be nice if the newly election Council could be involved, so after April 9<sup>th</sup> or 10<sup>th</sup>. She also explained that any other items may be discussed at this meeting. Levenson said that maybe we will know more about the street project then. Kalstabakken motioned for Public Hearing to be held April 16 at 5:30 pm with Burnikel 2<sup>nd</sup>. All 4 present voted Yes. Budget Adoption Hearing to be held April 16 at 5:30 pm in the Community Center.

**Camera Repair Bill:** Sheriff had asked City to pay half of repairing cameras on Main Street. Council discussed pros and cons of having the cameras and decided pros outweighed the cons, however, was not pleased with the timeliness of the maintenance, as cameras have been not working properly for

almost a year. Sheriff had also asked if internet connection could be added, so that cameras could be viewed at their office, instead of them coming to LS to view the results. Cottrell motioned to pay with Levenson 2<sup>nd</sup>. All 4 present voted Yes. Motion approved to pay half of the Raycom bill for \$ 1225, which is \$ 612.50. Council didn't feel that monthly internet connection is necessary at the current time.

**Speeders on Merrill Street:** City residents have been complaining about the speeders in LS. Jane spoke with Sheriff to see what can be done. Sheriff confirmed Merrill Street (A21) is a County road, so will need County's permission for more signage changes. Sheriff can also schedule more time to be spent in LS, if City wants to pay for it. Council didn't ask for any changes at the present time.

**Purchase Agreement to buy Bowen Property:** Cottrell questioned with Tyler quitting, who would be able to work on the building and if City needs to honor previous verbal agreement. Burnikel stated that others can be found to work on any changes, and can still use it for needed storage. Jane asked Council to check the Purchase agreement to see if any other changes need to be made and it is on last 2 pages about the building to be vacated completely by Oct 31, 2024. Burnikel motioned to accept Purchase Agreement with Levenson 2<sup>nd</sup>. Cottrell, Burnikel and Levenson voted Yes. Kalstabakken voted No. Motion approved with tentative closing date for property on March 18, 2024.

**Bart Seebach as City Attorney:** Previously Bart Seebach quit as City Attorney. Mayor Rick Kirkpatrick went to talk with him, to see what it would take to re-retain him. Rick said that Bart Seebach would continue as City Attorney as long as Council follows his recommendations, except he is not a bonding attorney. The City will continue to use another firm for bonding as it has in the past. Burnikel mentioned that when Council disagrees with Attorney's recommendation, to have him come to Council meeting to explain why more. Cottrell motioned to retain Bart Seebach as City Attorney until we find another one with Kalstabakken 2<sup>nd</sup>. All 4 voted Yes. Motion approved for Bart Seebach to continue as City Attorney.

**Hiring Public Works positions:** The ads appeared in the papers to hire both full time and part time positions on Feb 27, 2024. The City can't hire prior to 10 days from that date, which is March 8. They can start to interview. Jane reported received 1 part time application and 1 full time application. A couple more have picked up applications, but have not brought them back yet. Dave Felper, the certified signer, also picked up an application as he is not happy with his present position for City of Riceville. He has up to Grade 2 in both water & wastewater. Council asked how many part time people are needed and also asked Jerry White if he is helping this year or not? Jerry answered that he can maybe help some, but didn't really know how much at the present time. Jane reminded Council Mitch Smith will be out for 2 months after a surgery not scheduled yet. Ed Hampe said that he is available now, however he also maybe limited coming up. Cottrell said that he would like to go with Ed next week for hands on. Jane reported the testing supplies came in to test raw water from both wells. She will reach out to Casey Sebastian with Iowa Rural Water for assistance. Cottrell asked about the wellhouse pumps if they needed to be greased or not. Jane can have Casey check these out as well. Jane contacted Electric Pump to see when the annual maintenance is going to be done, that was supposed to be coordinated with Cresco in order to save on mileage. They were supposed to come in March 2023, but haven't come yet. Cottrell asked about generator being added to the wellhouse. Cottrell wondered if the generator from Spring Ahead Learning Center could be moved as it belongs to the City. Jane reported that she understood that building and contents was done thru USDA grant and the grant conditions are the building to be used for child care or emergency shelter only. Jane can check with KFS to see what criteria is used for size. Question then came up regarding generator need for lift station. Kalstabakken asked if Lead & Copper survey has to be restarted with Tyler gone and it was answered that instead of Tyler's name, folks will call the City phone and Jane will take care of. Jane reported that she had already planned to enter in the data and maybe has about 25% back already, better than many cities for response. Jane will contact Council as she receives applications.

Levenson motioned to adjourn with Burnikel 2<sup>nd</sup>. All 4 Voted Yes. Meeting adjourned 8:36 pm.