

PROCEEDINGS OF LOWDEN CITY COUNCIL – REGULAR MEETING

MONDAY, APRIL 4 2022 - 5:30PM CITY HALL MEETING ROOM

The regular meeting of the Lowden City Council was called to order by Mayor Jill Cinkovich.

Pledge of Allegiance was recited.

Council members present on roll call: Kristof, Jones, G. Hamdorf, Lange. Absent: Tjaden.

City Attorney by telephone - Bill Sueppel.

Visitors: Mark Dohman, Nick Lange, Austin Lange, Kevin Knoche, Randy Dies, Roxanne Alger, Stephanie Kamberling, Sue Hall, Ann Harms, John & Barbara Muhs.

M/S Hamdorf, Jones to approve the Consent Agenda, Treasurers report, Minutes, Bills, Financial Reports and Utility Billing. Ayes: All.

Councilman Lange reported 1 fire call and 1 rescue call. Mayor Cinkovich asked how many people are still in the EMS class currently. Lange reported 7 currently, but they did have 1 quit. Mayor Cinkovich asked if they sign anything to recoup the cost? Councilman Lange said David Hintz handles this.

Chief Deputy Kevin Knoche apprised council of the monthly Sheriff Report for December. 6 Traffic, 6 warnings, 2 Assaults, 1 Business Check, 7 Citizen Inquiry/Assists, 1 Civil Dispute, 1 Fraud, 1 Paper Served, 1 Theft, 2 Warrants served, 2 Welfare Checks and 81 additional patrols. Councilman Hamdorf asked Chief Deputy Knoche about 303 1<sup>st</sup> St. A car had been parked for a while and he had a complaint and wanted it moved. PWD Steinke will reach out to the owner and ask them to move the vehicle.

Library Director, Ann Harms discussed events and numbers for the library.

Randy Dies - 702 5<sup>th</sup> Street reported an issue with a sewer back-up at his property. He had called out Total Septic and after investigating the issue, it was thought that the problem might have occurred from the city side. Dies presented three invoices for a total of \$1068.19 that he asked the city to pay. Council discussed and Councilman Kristoff motioned, seconded by Lange to pay the bill for 702 5<sup>th</sup> Street. Councilman Hamdorf said to file with insurance. Ayes: All.

Nick and Austin Lange spoke to council about a request they had received for a completed building permit and then the possible need for rezoning of 306 McKinley to change the building into apartments from a single-family home. Mayor Cinkovich discussed the requirement for the city to have a completed permit along with any supporting documentation and drawings. Mayor Cinkovich asked how many apartments? Councilman Kristoff said he went in the property and they have two apartments downstairs and nothing upstairs. The City Clerk and PWD Steinke also discussed the stairs/deck area being built on top of the city water shutoff. Additional discussion also occurred regarding the lot size. The clerk said it possibly may not need to be rezoned based on a completed building permit, but a permit has not been received by the city. The Board of Adjustments will need to review and approve any plans as the lot size is smaller than our current requirements for this type of request. If Nick and Austin possibly want to add a third apartment at a later date then, it might be better to rezone the entire unit during this process. The clerk will contact the relevant boards to make its recommendations to city council once the building form and relevant documentation are submitted to the city.

605 Jefferson Avenue - Roxann Alger asked council to forgive some or all of her utility bill as she had a leak that caused her rental property to be flooded during remodeling. The account had incurred penalty

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charges for non-payment. Alger gave council some documents for review, but they were not city records. M/S Lange, Kristoff to reimburse penalty fees in the amount of \$283.25 plus \$25.00 delinquent list fee, which has not been paid by Alger and a mystery amount of \$125.00. The clerk said the \$125.00 is actually not on her city records or anything to do with penalty billing, but Councilman Lange and Kristoff motioned to pay it. Ayes: Lange, Kristoff and Hamdorf. Nay: Jones.

City Attorney, Bill Sueppel updated council on the Corner Café Nuisance. He said the male had been served but the female had moved multiple times. It could take 45-60 days plus before it goes to trial. Councilman Hamdorf wants the city to be able to go on the property now to clean it up. The City Attorney cautioned against this; we need a court order to act. The other possible action is if the environmental official for the county declared an immediate emergency hazard. The attorney then moved on to discuss the city examination by the state auditor. He had reviewed the report and he wanted to make sure that council understands the expectations of the bidding process along with rules and regulations. He told council to bid all jobs out. If it's an emergency situation, then document. When the city award's the job and a council member is related or works for the business, then they should abstain from voting to avoid impropriety. He then discussed open meeting laws and reminded council members that individual fines can be incurred for council members who discuss council business and make decisions outside of the council room. All council business should be in the council room and not at a bar or other area. He reminded council that the mayor runs the council meetings and is responsible for calling roll call votes.

Mark Dohman, North Cedar spoke to council regarding a new agreement for the school and city for use of the softball and baseball fields. He would like council to consider at least a 15-20-year agreement. He said the school wants to make some improvements adding new cages and fencing and adding North Cedar logo windscreens. They would like to do future updates to the concession stands, bathrooms, press box sometime in 2024/2025. He said the school would possibly pay electric utilities from May – end of July and council discussed donating other utilities. The City will also need to review insurance costs for this area. Mark will send schedule of plans to the City Clerk for the smaller improvements, but will come in person when they plan some of the bigger projects. The city will continue to finalize details of a new agreement with the school.

Mark Dohmen spoke to council about a meeting with the school, city and DHS regarding a possible mold issue in the basement of the daycare. PWD Steinke said they have torn out dry wall to look at the area. Air quality tests were all good throughout this process and the area affected has been treated and or removed. Rain and or ground water had got in though a low area on the outside of the building. A secondary issue with a leak to the geo-thermal has also been repaired. The city is planning on re-doing the drainage area to the building from the school to the daycare and sealing up the area on the outside wall of the structure along with some sidewalk repairs. M/S Kristoff, Lange to investigate and remedy the daycare basement issue and for the city clerk to put a job bid together to request interest from contractors to make the repairs. Mayor Cinkovich then asked Mark Dohmen if they were interested in buying the daycare from the city. Mark said he would discuss with the school board at his next meeting.

Mayor Cinkovich discussed the 8<sup>th</sup> street bridge. The city had received two bids for the real estate transaction with the school for land - \$3360 from A&R Land Services and \$4015 from T&M. Council

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decided on the lowest bid. M/S Jones, Lange to approve the bid from A&R Services for \$3360 providing the city is not been charged for any additional fees by MSA. Ayes: All.

The clerk informed council of the EPA guideline for lead lines. The deadline has been set by the EPA for 2024 to be compliant. The city estimates that we have 4 businesses and maybe 4-5 houses that will need to put in new lines. Councilman Hamdorf said we need to send a letter out now. He added that the homeowner/business will be responsible for these costs. The clerk will put together a letter for council review for the May meeting.

The clerk covered the SLFRF Funds with council along with required Federal reporting that will be required. PWD Steinke said Harding Avenue is already engineered, he would like to use the funds for a sewer line replacement project. The area needs to have new video/camera footage. He asked council if he could proceed and they agreed to him getting new video/camera footage of the area.

Mayor Cinkovich read **Resolution # 22-09 - Designation of SLFRF funds** to all present. The city is expecting \$115,388.26 in total and has received \$57,597.64 plus an additional \$192.97 at this time. Council decided on sewer and water projects for these funds and the clerk will report as a Tier 5 NEU unit to the Treasury. **M/S Jones, Kristoff to adopt Resolution # 22-09 - Designation of SLFRF funds.** Ayes: All.

Permits:

1. 505 Hall Avenue - Garage and sidewalk. M/S Kristoff, Lange. Ayes: All.
2. 2240 Hwy 30 - Commercial area for portable storage containers. M/S Kristoff, Lange. Ayes: All.
3. 2344 Old Lincoln Highway for a pool building - M/S Jones, Kristoff. Ayes: All.
4. 404 McKinley Avenue and 610 5<sup>th</sup> St. - Garden Sheds. M/S Kristoff, Lange to approve both buildings pending a height check on both sheds to make sure they meet ordinance rules and lot line measurements. Ayes: All.

Nuisances: The clerk reported on a dog nuisance at 110 Jefferson addressed by the city attorney.

PWD Steinke made a report of vandalism to a city fire hydrant and street sign damage. A police report was filed. Cold Patch purchase was approved. The new city ditch mower has arrived and also the white and blue paint on back-order has now arrived for streets. City staff and mayor have a meeting with WGML on April 7<sup>th</sup> @ 6pm for a new shared garbage truck for the city. PWD Steinke said Mechanicsville will be street sweeping for us again this year and in exchange Lowden will do leaf pick-up.

Mayor Cinkovich said the tree committee had done a second mailing for the tree project. The park board will be receiving 12 trees for the park from recent donation from residents. This is not associated with the tree committee drive. They are looking at replacing playground equipment that is old, worn or broken and possibly adding some led lights, solar lights, picnic tables etc.

Councilman Hamdorf asked PWD Steinke where the pins are at the sewer plant as he's been asked by Larre Petersen. Kirk said he believes they are all located, but will ask Matt Wildman, City Engineer to confirm. Hamdorf also asked about water meter tests. The city is still waiting on the parts. Councilman Lange said rescue wants to add a Lucas device from the Alberta Martin fund. The City Clerk asked if they

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can possibly order for delivery with the new budget beginning on July 1<sup>st</sup>, as this is where the city budgeted the expense. Anticipated cost is \$16,000 plus. Mayor Cinkovich said she is attending the EMS meetings with the county. Rescue may also build an additional bay and office space using donation funds at a future date. PWD Steinke recommended the building be at least 2ft. from property lines if possible.

M/S Lange, Kristoff to adjourn meeting at 8.15p.m. Ayes: All.

Next council meeting will be Monday, May 2, 2022 @ 5:30pm - City Hall.

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Mayor, Jill Cinkovich

Attest:

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Sarah Carlson, City Clerk