

**KILKENNY CITY COUNCIL
REGULAR MEETING
October 12, 2023**

There was a regular meeting of the Kilkenny City Council held in Council Chambers on October 12, 2023.

Council in attendance: Mayor Cameron Hankins, Tammy Holicky, Bob Busta, Terry Ferch

Staff in attendance: Nicole Icaza – City Clerk

Persons in attendance: Lacey DeYoung, Lori Stoering, Shell Johnson (People Service) Janice Sellner, Jason Villwock, Marissa Johnson, Jessie Mathison, Jason Holicky, Jeff Baldwin, Dave Mathison, Wallace

1. **Call to Order: Mayor Cameron Hankins** called the meeting to order at 06:30pm.
2. **Pledge of Allegiance:**
3. **Approval of Minutes:** Public Hearing Meeting minutes held September 14th, 2023. Motion by Tammy Holicky, second by Terry Ferch to approve minutes as written. Unanimous vote. Motion carried.
4. **Approval of Minutes:** Regular Meeting minutes held September 14th, 2023. Motion by Terry Ferch, second by Bob Busta to approve minutes as written. Unanimous vote. Motion carried.
5. **Approval of Minutes:** Special Meeting held September 21st, 2023. Motion by Terry Ferch, second by Bob Busta to approve minutes as written. Unanimous vote. Motion carried.
6. **Approval of Minutes:** Emergency Meeting held September 27th, 2023. Motion by Terry Ferch, second by Bob Busta to approve minutes as written. Unanimous vote. Motion carried.
7. **Approval of agenda.** Motion by Tammy Holicky, seconded by Terry Ferch to approve the October 12th 2023 agenda as written. Unanimous vote. Motion carried.
8. **Staff Announcements:** Nicole obtained a quote for the (5) posts to be replaced from U-Line for a total of \$249.00.
9. **Presentations:**
 - A) **Sheriff Department:** *Not Present*
 - B) **PeopleService:** Shell Johnson – we need to get the LP Tank checked for the wellhouse. Wellhouse meter has been checked and written down. Shell wanted an update on the chemical pump, and we approved that purchase for the pump and ordered it. The Fluoride quarterly tests were done. The Bac-T will be collected on the 15th. The ponds phosphorous lowered from 1.46 – 2.48 now it is back down to 1.83. Shell needs this to be at one and then she will start discharging. Jeff Baldwin asked what the deadline is for the well and pumphouse. Cameron responded that we are waiting to hear back from the grant. Tammy said we are still trying to get the most money that we could. Jeff questioned if we were being given honest information at the last meeting. Tammy said we are still waiting for an acceptance from the big grant. Jeff asked what the holdup was, do we need an attorney. Tammy responded that it takes time. Jeff asked again if there is a deadline, and Tammy said we did turn in the paperwork, and we are waiting for them to let us know in a month or so. Jeff asked if we have looked at where we want to put the new well or anything. Tammy and Cameron responded that we have, and to save money we need to keep it up where it is currently. Tammy said that they went up and looked at the pins. Jason said that they don't even know if we need a new well, and that ISG doesn't know what they are talking about. Shell voiced that she spoke with them after the meeting. Jeff said that our system is not set up correctly,

and in his mind, it needs to be fixed and updated so it runs the chemicals off of both wells. Shell said that most towns have emergency wells, and the chemicals are run off of it. Most of the smaller towns do, you don't have to, but you should just in case you have to run it, and she did talk to ISG and asked them if they realized that THAT well is from 2006. They did not know that they thought that well #3 is older. Tammy said the biggest thing is that our current wellhouse has a cement roof. Jeff doesn't believe that the roof will never come down, he put new mortar on it years ago, but the roofing is one solid slab of cement – rebar and everything else and the walls would cave before the ceiling would cave. Jeff wonders how we are supposed to know who we are supposed to listen to, they can tell us anything they want. Tammy said the proposal they gave us is top notch on everything, they said they did that just to know how much to ask for on the grants/loans and then we can go back and decline the items that are not needed. Jeff wanted to know where this company came from, if it is from the League of Cities, or? Tammy said People Service is their own entity. Shell said the water tower guy, the previous guy, was part of People Service. Jeff said someone is filling us in with a lot of misinformation – talking about drilling wells on the opposite end and “come on.” Tammy said nothing is set in stone or finalized but the plan is so that we have a safe well system, where the walls won't cave in, and where we spend the least amount of money possible. Shell said what we do with the remaining amount of money is up to us. Jeff said at one point we talked about building a pole barn around the existing well house. Tammy said that when we did discuss this, we would have to take the concrete off the top. It is cracking, and it's seen better days. Shell said, besides the no venting in that building, it about killed the girls when we went in there the other day. Shell said there are two hatches, but you do need them – Jeff interrupted and said he doesn't believe it is not going to fall at any time. Shell said that we do need to update to the state standards, the chemicals cannot be in that room. We are just destroying well pipes with that chlorine. We need to get up to the standards. Everything in the wellhouse is eaten up. And that it is not safe for anyone to be in there, breathing. Jeff asked about the chemicals changing – back in the day it was never really a problem. Shell said a lot has changed with that, it is caustic and will wreck every tool, everything in there – Jeff interrupted and asked what are they going to do with a new building? Build two separate buildings? Shell said by law they must be in separate areas, separate rooms. Jeff asked why couldn't they build a separate room now? Shell said they could take that building off and put a new building over it with two rooms. Jeff is just looking at the cost effect. Jeff said it is not that big of a building to take that building down and build a new one. Jeff asked how much room do you need for chemicals? Shell said we have 60 gallons for the fluoride, a 60 gallon for the Poly, and 60 gallons for the chloride. Right now, we currently have 5 containers in the wellhouse. They each need to be in their own separate room. Jeff asked if we need a special separate wall, and Shell responded they need to be vented properly, no glass, alarms. Shell said they make it difficult; she will say that the state does make it difficult. They want all these things to be perfect, and how can someone go from an old well house to an updated well house? Shell said she knows it is difficult what the state does, and no one likes it, and it is difficult. Shell recommended Amy Lynch to come down to a meeting and go through this with you guys, she would do that for you. She will answer all your questions. Jeff is concerned with the cost if we do in fact need a new well house. Shell really recommends trying to set up a time for her to visit with members of the community to answer questions regarding the well house. Jeff had a lot of questions regarding the well house project, and Shell answered them to the best of her abilities, but then recommended having Amy Lynch here herself to answer Jeff's questions directly. Jeff brought up the trees around the ponds, and that it was part of the agreement with the lady that used to live there so that she did not have to look at the ponds, Shell responded now we have trees growing in the ponds. Tammy said that the whole point of these grants is that we do not have to pay any money for these projects, and that the current requests include all the bells and whistles, but that is not what we need. We just need to get the fluoride issues addressed, Shell said she is taking switches out of old pumps and putting in the pumps to keep it alive. She said we have gone through so many pumps because of the chemicals damaging them. Jason said to put the well in the same spot is stupid because it is the sand point. Cameron asked if Shell had anything else for us? Shell said she will contact Amy Lynch and get her list of what she expects or what the state expects from us.

C) Toy Box Litter Complaint: Marissa Johnson submitted an email with some photos concerning litter found outside the Toybox and in the parking lot. “My children and other kids walk the sidewalk and other residents use the sidewalk, there are no garbage cans near the entrance or in the parking lot, by adding a few garbage cans maybe it would help. Maybe the Toybox could start a routine to check around the parking lot to help kids and animals from getting into something they shouldn’t” Lacey said she does go around the parking lot and yard, but she is guilty of not checking the North side. The few bottles, sure she is not aware how long they been there. She said she checks two to three times a week, she can’t get everything.” Neighbors have voiced concerns about garbage and litter in their yards. Lacey voiced that she too, has garbage and litter around the Toybox that does not come from their business (example: diaper boxes, lidocaine boxes etc.) that ends up on their patio, she picks up when she does go around the building to clean. Terry said she has garbage in her front yard too, she picks it up and throws it away. She knew it wasn’t her garbage, but she picked it up. Dave Mathison said “You just pick up the garbage and its no big deal? I am on the North side of this, I’ve stopped picking up garbage months ago – I don’t even care anymore, it’s not my garbage – I am not picking up any more bar garbage. I did do this, and I am done doing this. It looks like sh** in front of my house, so you could walk to the North side “ Lacey admitted that she hasn’t, but she will but wants to say that it is not just the Toybox garbage around town. Dave said customers will sit out in front of the bar, drink their cocktails, and chuck their garbage. Tammy asked if we could put a garbage can out on that side of the bar to help try eliminating the garbage. Lacey said it is like cigarette butt containers, you can have them there, and still people do not use them. Lacey told Dave she could have come to her directly, instead of bringing it to the meeting. The conclusion would be to install garbage cans installed on the North Side of the bar to help keep from garbage in surrounding neighbor’s yards.

D) Le Sueur County Visitor Guide: Possibly add Fire Prevention night -

10. New Business:

A) Snow Removal Bids: Two bids were received for Snow Removal – the first was from Niesen & Sons, and the other was from J&K. After review of the two bids received there was a motion by Tammy Holicky, seconded by Terry Ferch to approve J&K snow removal services from the bid received from as written contract effective one year. Unanimous vote. Motion carried.

B) New Building Permit Request: 2023-6 – Jessie Mathison for a fence. Jessie would like to install fencing around the East side of her property to help with her dogs barking at people walking by. She got approval from her landlord in doing so. Mayor Cameron Hankins will have to check that the setbacks meet the grounds for this permit, and if so, the building permit will be given.

Motion by Tammy Holicky, second by Terry to approve the building permit 2023-6 for Jessie Mathison to build a fence if the setbacks are approved. Unanimous vote. Motion Carried.

11. Unfinished Business: None currently

12. Approval of Disbursements. We did get the Halfway to St. Paddy’s totals – Tammy informed that we took in a total of \$18,776.00 and the money we paid out was \$22,561.33. Which means the city ended up paying \$3,785.33 which is the lowest we ever paid out so far. So, kudos to that, but we should figure out something to make that a big fat zero, or at least even. Any new ideas for that would be great. Jason asked if the City council was added to that – Terry reminded him that the city council does not get paid for the Halfway to St. Paddy’s day celebration events, they are only paid for meetings.

Motion by Tammy Holicky , seconded by Terry Ferch to approve the City’s disbursements and October expenditures. Unanimous vote. Motion carried.

13. Imprest Cash Fund: The Imprest cash fund does not need to be paid back this month.

14. Citizen Time: Marissa asked if there was discussion on bringing back the 10% gambling fees. Tammy responded that yes, we are looking at reinstating the 10% gambling fee that comes off the Sherriff's posse. It fell off when the bar wasn't doing well and did not have any gambling going on. Mayor Cameron said that is why we want it to come back to Jeff, as this is good revenue that the city is missing out on. Jason said it is quite a process to get it back, but Tammy is working on getting this reinstated. Jessie was curious about what we pay the police department monthly, and why. Tammy informed her that it is required – we pay them to patrol. Janice said the deal was without having that contract, our town is on the low end of the list for calls. Jessie said that she never sees them pulling anyone over or issuing any tickets. Jeff said we lose money if they pull any one over in this town – Lacey asked why Jeff was yelling and he told her not to worry about it and he will talk any way he wants to talk about it. Jeff said that they couldn't do anything about cars during snow removal before without them. We pay them around \$600 a month to patrol Kilkenny, and it goes towards the drug task force as well. Joe Wallace asked about the cleanup after the party – and he asked why it is still there? “Go to Montgomery and walk out the door with a beer in your hand and see where it goes, go to Le Center and walk out with a beer in your hand and see where it gets you.” Subject went back to having police services through town. Ambulance service cannot deny care. Tammy said we have already discussed garbage cleanup, and this is something we are working on. Joe also asked about the picnic table parking – why the picnic tables are in the parking lot? Why are there motorcycle grid lines in the side of the bar. Lacey informed them that the picnic tables are coming down. Sharon said that “she doesn't care what people are saying, that the Toybox has down wonders for this town – a beer can here and a beer bottle there, who cares? Pick it up.” Dave asked if it would continue to be gridded out for motorcycles or when cars can park there? Lacey and Cameron said that any car can park there currently. Jeff asked Nicole what the city Clerk hours would be. Nicole informed him that on Monday Tuesday she will be on-site. Wednesday or Thursday morning she will be out in Kilkenny as well. Jeff said he doesn't trust the drop box; he doesn't trust the drop box or trust Terry Ferch. Dave had one more comment on the exhaust fans in the Toybox that it gets shut off. Joe Wallace thinks for the serenity of the town, that there is no need for the bar to be open until 2:00am.

15. Council Discussion: Terry Ferch was wondering if we could get a sign put up on Highway 13 that lists Kilkenny on it that shows how many miles, with a restaurant / bar for the Toybox listed. This is a state question as it is a state highway.

16. Adjourn. Motion by Tammy Holicky, seconded by Terry Ferch to adjourn the meeting at 07:34 pm. Unanimous vote. Motion carried.

Mayor, Cameron Hankins

Nicole Icaza, City Clerk