

WATERVILLE CITY COUNCIL
SPECIAL COUNCIL MEETING
April 21, 2015, 6:30 P.M.

There was a special council meeting of the Waterville City Council held in Council Chambers at 6:30 p.m. on April 21, 2015 to discuss rental inspections, curly leaf treatment and debris removal bid award.

Present: Vail, Schmidtke, Wollin, McIntyre and Mayor Mihalik

Absent: None

Also Present: Administrator/Clerk Teresa Hill, City Attorney Jason Moran and Fire Chief Chris Meskan

Also Absent: Jason Femrite City Engineer

1. Call to Order. Mayor Mihalik called the meeting to order at 6:30 p.m., noting that all Council members were present. Also present were Teresa Hill, Administrator/Clerk, Jason Moran, City Attorney and Fire Chief Chris Meskan.

2. Rental Inspection. Mayor Mihalik said that the Council had a public hearing on rental inspections back in November 2014. Ms. Hill generated a list of the questions that were asked at the public hearing. Council went over the list of 15 questions and answered them. Answers included that the rental inspections are needed to insure the safety of tenants and first responders, compliance by owners and the property value of the City. The inspection fees would go to the inspector and the City would get a small percentage. At this time the City does not know what the fees will be until an inspector is hired. An owner would incur fees for repairs and the inspection but we will not know the re-inspection fees until we have some quotes on that. Resorts and motels are inspected separately by the State. The state also inspects schools, nursing homes, and daycares. First Responders have reported that there are many fire code violations and safety concerns. Mr. Schmidtke mentioned some of the problems are stairways, no exit signs, electrical matters, emergency lighting, emergency exits and smoke detectors. Mayor Mihalik said not all rental properties incur these problems. The City has a nuisance ordinance which covers items that are visible from the road. This ordinance would include what is in the interior of the property that is not visible from the public eye. Discussion held regarding the law regarding smoke detectors. Mr. Schmidtke said the rental inspection ordinance is so that the City is not held liable or the Fire Chief in case of fires or accidents. Mayor Mihalik said the rental business can be better in the City and provide a safer environment. Mayor Mihalik said it is his understanding that the City has to abide by the State Fire Code whether there is an ordinance to inspect or not. We have the responsibility to inspect rental properties. Enforcement will be paid by the inspection fees. All rental properties whether it is a house or apartment would be inspected. A City Ordinance is not an item that is voted for at a special election. Discussion held regarding a first inspection and a grace period to bring items up to code, possibly up to 90 days. Discussion held regarding the frequency of inspections. Mr. Moran said that Waterville is about the only town that he knows of that does not have a rental inspection ordinance in place. Mr. Moran said he has reviewed the ordinance and it contains quite a bit in it but it is not nearly as strict and onerous as LeCenter's or Elysian's. It touches on the major things that property owners are going to want to have looked at. Ms. Vail said when all types of inspections are done it comes out to be a positive thing. Discussion held regarding what recourse tenants have on rental properties. If tenants request an inspection of their rental property they would have to pay for the inspector to re-inspect the rental property, also there is a Renter's Bill of Rights. Mayor Mihalik suggested that a vote on the rental ordinance be held at the May meeting. Mr.

Schmidtke suggested that another work session be held so that the landlords can ask questions. Mr. Beadell said there are some things that need clarification such as how much is the inspection going to cost, who will be doing the inspection, what kind of credentials do they have. Discussion held regarding what questions the landlords would have. Mr. Haslip commented on smoke detectors. Chief Meskan said it is a matter of education. Anything on the Inspection Standards Appendix 116A that is listed as a Minnesota State Fire Code item, the City cannot change that. Mayor Mihalik said if Council is in agreement of doing another public hearing on the rental inspection ordinance he would like to have Ms. Hill check on what the cost of the building inspector would be. He would also like to have Chief Meskan present at the public hearing to address the fire code items. Mr. Schmidtke requested that someone from the State Fire Marshall's office be present. Motion by Schmidtke, seconded by Mihalik to table the rental inspection ordinance. Unanimous vote. Motion carried.

3. Curly Leaf Treatment. Mayor Mihalik said Council budgeted \$2,600 for curly leaf treatment. Council received three bids. The lowest bid is for \$3,564. We have a \$1,800 grant award. Ms. Vail discussed what the Parks Board applied for the grant. Only 18 acres will be permitted to be treated for the curly leaf treatment. Motion by Vail, seconded by McIntyre to accept Midwest Aqua Care's quote for \$3,564 for the 18 acres on Sakatah Bay and permission to execute the grant contract. Unanimous vote. Motion carried.

4. Debris Removal Bid Award. Council received two bids that came in that were uniquely different. One of the bids did complete the bid specifications and gave a flat dollar amount. The other one gave a unit price which is not how it was asked to be bid. Mayor Mihalik asked Mr. Moran's opinion of two completely different types of bids. One which followed procedure and one which did not. Mr. Moran said if they did not follow the bid procedure that bid should be set aside. Mayor Mihalik said then we have one bid from Don Hanks Construction and Timm's Trucking who will work together for \$146,000. Mr. Hanks said a separate addendum is \$1,900 for the rock. Ms. Vail asked if we want to consider doing a portion of the property with rock and the other with grass as she was concerned about the dust concern in the downtown area. Mayor Mihalik said that what is important now is that we get it cleaned up and address the bids and talk about repurposing that at a later time. Discussion regarding repurposing the property. Motion by Mihalik, seconded by Wollin to accept the bid from Don Hanks Construction and Timm's Trucking for \$146,000. Unanimous vote. Motion carried.

5. Adjourn. Motion by Mihalik, seconded by McIntyre to adjourn. Unanimous vote. Motion carried. Meeting adjourned 7:05 p.m.

Stephen Mihalik, Mayor

Teresa Hill, Administrator/Clerk