

WATERVILLE CITY COUNCIL
REGULAR COUNCIL MEETING
February 9, 2016, 7:00 P.M.

There was a regular meeting of the Waterville City Council held in Council Chambers at 7:00 p.m. on February 9, 2016.

Present: Vail, Schmidtke and Mayor Mihalik

Absent: Wollin and McIntyre

Also Present: Administrator/Clerk Teresa Hill, Jason Femrite of Bolton & Menk, and City Attorney Jason Moran

Also Absent: None

1. Call to Order. Mayor Mihalik called the meeting to order at 7:00 p.m., noting that all Council members were present, except Wollin and McIntyre. Also present were Teresa Hill, Administrator/Clerk, Jason Femrite of Bolton & Menk and Jason Moran, City Attorney. Pledge of Allegiance was recited.

2. Approval of Minutes – January 5, 2016 Regular Meeting. Motion by Vail seconded by Schmidtke to approve the minutes of the January 5, 2016 regular Meeting. Unanimous vote. Motion carried.

3. Approval of Agenda/Additional Items to Agenda. Motion by Mihalik, seconded by Schmidtke to approve the agenda. Unanimous vote. Motion carried.

4. Written Petitions, Requests, Etc. – None

5. Unfinished Business

A. Fire Chief’s Report Work Session Date. Chief Meskan did provide a report to Council for 2016 and beyond on working with the Council and within the Fire Department. A work session was scheduled for February 29, 2016 at 6:00 p.m.

6. Citizen Time (Comments, Information from those present) -

A. Jennifer Grobe, 409 Harmon. Ms. Grobe made comment in reference to item 7A the paving specs to pave Tetonka Bay Drive and Virginia Street. Ms. Grobe said there are not really any homes along that section that is going to be paved. Ms. Grobe said she thinks the taxpayers have really kind of met their burden as far as getting the level raised up and making it a safe road. To pave it at this time would be an awful big expense because that amount of money could go to two or three other projects that is in the comprehensive plan for the street work. Ms. Grobe said she thinks it is a big expense with nobody living along that section. They have made it safe, they have raised it, and have made it a sturdy road to add the pavement on it she thinks it is too much.

7. New Business.

A. Approval of Specification for South Tetonka Bay Drive Street Improvements and Approval of Bid. Mr. Femrite advised that there are a couple of options. Three inches of bituminous and then three and half inches of bituminous. There is a lot of strength out there and good aggregate. It is a solid road. What is the minimum amount of bituminous that we would recommend putting down on a road like this? It will not have an exorbitant amount of traffic on it. We are talking about school buses, garbage trucks and things like that. Based on everybody’s experience anything less than three inches isn’t anything that he would recommend due to the

fact that bituminous seeing the wear from the few heavy vehicles that are on there. He thinks that we are putting ourselves in jeopardy that that is prematurely going to fail. Mr. Femrite said his recommendation is 3 ½ inches which is consistent with the rest of Tetonka Bay Drive. 3 ½ inches is the standard for residential streets. Three inches is the bare minimum that he would want to sign a plan for, 3 ½ is his recommendation. The estimated cost for 3.5" pavement thickness is \$138,020 and the estimated cost for 3" pavement is \$123,775 is for Council discussion. Mayor Mihalik said this project was slated to be done half this year and half the next year, how much does this increase the cost of the project. Mr. Femrite said 10 to 20% potentially depending on bid prices on the year that we do it. The market value at that time. You are getting economy of scale by doing the whole thing. By splitting it into two projects you are probably paying 20% more and that is an estimate. Discussion held regarding the cost of the bituminous and also whether to split it into two projects. Mr. Schmidtke heard from contractors that recommended to go to 4 inch bituminous because it is more of a rural road and will see more stress on the outside of the road. Discussion held regarding going out for bids and look at what is in the budget. Discussion held regarding other streets in town that need overlays. Mr. Schmidtke said people will have to understand that it is not going to work in the budget this year. There will be one additional block on Reed that will have to be completed when the County does South Reed Street. Mayor Mihalik said there may be ways of financing options or ways to get revenues for a project such as this. Ms. Hill said if we look at doing a franchise fee option. Mayor Mihalik said he feels that we have an obligation to get the bids. Discussion held regarding going out to bids and looking at what the budget looks like. Motion by Mihalik, seconded by Vail to approve the specifications provided by Bolton & Menk for South Tetonka Bay street improvements for 3.5 and 4 inch bids. Unanimous vote. Motion carried.

B. Police Commission Employment Recommendation. Motion by Schmidtke, seconded by Vail that we approve the part-time police officer Alexander Schmidt on his completion of a physical and psychological examination. Unanimous vote. Motion carried.

C. Training Request – Kevin Thelen. Kevin Thelen requested training requests for Type IV Basic (Land Application) for \$300.00 and Pump Workshop for \$60. Motion by Vail, seconded by Mihalik to approve the training request for both items. Unanimous vote. Motion carried.

D. South Central Service Cooperative Solid Waste Processing Contract. Mr. Moran said the South Central Service Cooperative Solid Waste Processing Contract is a standard contract that is circulated to both Le Sueur County and other Counties in the areas as well as the majority of the other cities in the area. Madison Lake took this up a couple of weeks ago and they did approve it. They found that the net increase to the residents was about 50 cents per consumer per month. Le Center is taking it up tonight. Le Center estimated the increased cost would be about \$1,600 a year, a little over \$100 a month. Because Le Sueur County is entering into this agreement all of the cities in this County are also somewhat bound to enter into this agreement as well. We will be paying \$5.00 more per ton than what we were previously. Mr. Moran's recommendation to the Council tonight is to go ahead and approve the agreement. We have very few other options available to us to send our waste. Motion by Schmidtke, seconded by Mihalik that we accept the contract with South Central Service Cooperative Solid Waste Processing. Unanimous vote. Motion carried.

E. MAVA Membership (\$750.00 per year). Ms. Hill advised that MAVA is a volunteer organization that helps set up structures and basically gets your volunteer infrastructure in place. They have lots of resources and hands on help available to get something up and

running. The City has been looking at trying to get a volunteer coordinator up and running to help out with different organizations through the City functions to recruit and maintain volunteers and work forces. The volunteer coordinator has not had any assistance other than a webinar. If Council wants to continue getting volunteers for the City she believes this would be a good cost spent. Motion by Vail, seconded by Schmidtke to accept the MAVA Membership at the cost of \$750 per year. Unanimous vote. Motion carried.

F. Permission to advertise for seasonal help. Motion by Vail, seconded by Mihalik to advertise for seasonal help. Unanimous vote. Motion carried.

G. Tall Grass Ordinance Revision. The current ordinance has tall grass at 12 inches is the height where it becomes a nuisance. Discussion held regarding the tall grass ordinance height. Motion by Mihalik, seconded by Schmidtke to have the ordinance adjusted to reflect six inches. We will have the first reading on the 23rd at the public meeting. Unanimous vote. Motion carried.

H. Parks Report. Ms. Vail presented the Parks Advisory Board report for the year 2015. Ms. Vail thanked all the volunteers in 2015. Motion by Mihalik, seconded by Vail to accept the Parks report. Unanimous vote. Motion carried.

I. FEMA Elevation Acquisition Project. Ms. Hill advised that this was approved by FEMA and it has been approved by the State so FEMA will be picking up 75% and the state would be 25% of the projects that were listed. One will be acquisition and the rest are elevation projects. Ms. Vail said she would like to thank Ms. Hill for all her hard work on this.

J. Reed Street South Street and Utility Construction (Bridge to Hwy 60). Mayor Mihalik said that while the street is under construction the City has the option to run utilities to the area. There are four parcels that would receive hook-ups. Ms. Hill said that it is a unique situation. You have Township on one side and the City on the other. We do not have assessing authority for the Township portion of it. If the Township residents would want to have a connection to that she would assume annexation would be available to them in order to come in and obtain services. If you go on a per unit cost, in previous numbers she does not know whether or not the amount that would be assessed for the water and sewer would stand up in court. We had talked about having an appraisal done to find out what that cost would look like and what you could actually assess them for. We should also look at upsizing for future growth across the highway. Ms. Hill said if this is something that Council is interested in pursuing we should get working on it right away because it is not going to be an easy typical assessment process. Discussion regarding the parcel of properties that would be assessed. Motion by Schmidtke, seconded by Vail to obtain appraisals of the properties. Unanimous vote. Motion carried.

K. Street Project Quotes/Bids. Mayor Mihalik said that Mr. Peach is unable to be with us today but will be available for the meeting on the 23rd. Mayor Mihalik tabled this item until Mr. Peach can be present. Ms. Vail discussed Common Street from 3rd Street to Hwy 13 issues with the hook-ups. Motion by Mihalik, seconded by Vail to table the street project quotes and bids to the meeting on February 23rd, 2016. Unanimous vote. Motion carried.

L. Wapasha Construction Pay Estimate #6. Motion by Mihalik, seconded by Vail approving pay estimate #6 in the amount of \$166,077.22 to Wapasha Construction. Unanimous vote. Motion carried.

8. Engineer's Report. Mr. Femrite said that he really does not have a lot. On South Reed Street we did a few estimates for the sewer and water and after doing the appraisals we will have an understanding of what those costs for extending sewer and water are to compare against those appraisals. We also had an estimate if we would be replacing the bituminous surface above those utilities. Since they are opening that up what you would be potentially saving if we come through and do that at a later date. You will have that information to make some decisions with.

9. Attorney's Report. Mr. Moran said he had nothing to add. Mayor Mihalik asked Mr. Moran about the Gilligan's building. Mr. Moran said he did approach Casey's again about trying to acquire Gilligan's with two different options either we take it as it previously was or we take it with some money to demolish it. Casey's position was frankly no with regard to any further discussion on the building. Casey's is looking at either demolishing it or doing a control burn. With regard to a control burn this particular property poses some hazards. Our insurance company looked into it and has some concerns about a control burn. We will see how that progresses. Mr. Moran said it is fair to say that the City will not be getting the Gilligan's building. This is fairly unfortunate in his opinion, he did virtually everything he could to get Casey's to convey it to us with additional parking. They were hesitant to do that. We are not going to get the building. Mr. Schmidtke said he thought we decided a couple of months ago that we were not interested in it. Mr. Moran said we had discussions about that. He was going to try to pinch them for a little bit of cash conveying it to us with a little bit of money to demolish it. There is no negotiation on it. Mayor Mihalik said we were not interested in the building without the parking or the access. Mr. Schmidtke said once we got the bids for the parking we decided it was not feasible to even acquire. Mayor Mihalik said right not with that cost. Mayor Mihalik said does he understand correctly what spurred the conversation was the fact that you were approached with a contract regarding a controlled burn. Mr. Moran said right, they wanted to know if we would be interested in doing a control burn and his response was is there a way that we can bring back the discussions for the City to get the property back. It is not happening.

10. Administrator's Report. Ms. Hill had nothing to report.

11. Council Discussion.

A. Mayor Mihalik said Council should have received an e-mail notification that the Minnesota Pollution Control Agency informed us that we are receiving the 2015 wastewater treatment facility operational award. Those included that our facility was overseen by a properly certified operator, it did not exceed the effluent limits contained within our permit, our required monthly and annual reports were all timely and complete, and our facility did not experience any unauthorized releases, enforcement actions or inspections identifying significant compliance concerns. Mayor Mihalik said so a big thank you to those in that department to receive that award. Thank you for them.

B. Mayor Mihalik said the next thing he would like the Council to consider is the Governor's Fishing Opener. This has been a big discussion around town. We did do a letter showing that we would support the Governor's Fishing Opener but there are a couple of things that we need to start to consider. One is the cost, and we are going to be coming up on the budgeting season in just a few months and the cost for the picnic that the City would incur would be \$10,000 and there is also other costs that we need to consider whether it is law enforcement, emergency personnel, closed streets, excess time, personnel, whatever is needed so these are all costs that the City is going to have to incur and as we look at this tonight saying gosh we have a road that wants to get paved and how are we going to pay for that and we have water and sewer

in certain areas that we need to make sure that if we are going to make sure that we get the support of the Chamber that we are also getting that financial support as well. Please keep that in consideration. He would like this to be a topic for a vote and consideration at the upcoming meeting. Ms. Vail said as we get closer to that maybe we could have the Chamber go over that with us as to their fund raising and raffle and what we can do to be part of that so we can keep the cost down for the citizens. Ms. Vail said she would like that to be brought into the conversation right up front from their representative.

12. Approval of Disbursements. Motion by Schmidtke seconded by Vail to approve the disbursements in the amount of \$469,814.96. Unanimous vote. Motion carried.

13. Impress Cash Fund. Motion by Mihalik, seconded by Vail to approve the impress cash fund in the amount of \$95.10. Unanimous vote. Motion carried.

14. Adjourn. Motion by Mihalik, seconded by Schmidtke to adjourn. Unanimous vote. Motion carried. Meeting adjourned 7:37 p.m.

Stephen Mihalik, Mayor

Teresa Hill, Administrator/Clerk