

WATERVILLE CITY COUNCIL
REGULAR COUNCIL MEETING
February 7, 2017, 7:00 P.M.

There was the regular Council meeting of the Waterville City Council held in Council Chambers at 7:00 p.m. on February 7, 2017.

Present: McIntyre, Grobe, Smith and Mayor Schmidtke

Absent: Wollin (arrived 7:25 p.m.)

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

Also Absent: None

1. Call to Order / Roll Call / Pledge of Allegiance. Mayor Schmidtke called the meeting to order at 7:00 p.m., noting that all Council members were present except Wollin (arrive 7:25 p.m.). Also present was Teresa Hill, Administrator/Clerk, Jason Femrite City Engineer and Jason Moran City Attorney. Pledge of Allegiance was recited.

2. Approval of Minutes- January 3, 2017 and January 18, 2017 Council Meetings. Motion by McIntyre, seconded by Smith to approve the minutes of January 3, 2017 and January 18, 2017. Unanimous vote. Motion carried.

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

4. Written Petitions, Request etc.

A. Utility Bill Insert Requests

1. Waterville Lions – “Chilly” Open Ice Golf Tourney February, 2017.

2. Take it to the Box – Tri-County Al Christensen information on Le

Sueur County Sheriff’s Office for disposal of unused or expired medications.

Motion by McIntyre, seconded by Smith to approve the utility billing inserts of the Waterville Lions Club and the Take it to the Box. Unanimous vote. Motion carried.

5. Unfinished Business

A. Resolution 2017R-003 Legislative Prayer. Discussion held by Council on Legislative Prayer. Motion by Schmidtke, seconded by McIntyre to not adopt resolution 2017R-003 Legislative Prayer. Unanimous vote. Motion carried.

6. Citizen Time (Comments, Information from those present) No one wished to address Council.

7. New Business

A. Raffle and Bingo Requests.

1. Resolution 2017R-004 Granting Raffle Request – Waterville Fire Relief Association. Motion by McIntyre, seconded by Smith to approve Resolution 2017R-004 granting Waterville Fire Relief Association raffle request. Voting for: Smith, McIntyre, and Grobe; Abstain: Schmidtke. Unanimous vote. Motion carried.

2. Resolution 2017R-005 Bingo Request – WEM Moving Forward Foundation. Motion by Schmidtke, seconded by Grobe to adopt Resolution 2017R-005 bingo request by the WEM Moving Forward Foundation. Unanimous vote. Motion carried.

3. Resolution 2017R-006 Granting Raffle – Waterville Festival

Organization. Motion by McIntyre, seconded by Smith to adopt Resolution 2017R-006 granting the Raffle for the Waterville Festival Organization. Unanimous vote. Motion carried.

B. Bullhead Days Requests.

1. Bullhead Days Road Closure, Police, etc. Ms. Hill said the road closure time has changed, it was previously Thursday morning at 5:00 a.m. and they are now requesting Wednesday at noon. Ms. Hill said they will be having a larger carnival this year and the earlier request is probably to allow for set-up. Motion by McIntyre, seconded by Smith to accept the Bullhead Days road closure request and police coverage the 2nd weekend in June for Bullhead Days. Unanimous vote. Motion carried.

2. Financial Contribution request. Motion by Smith, seconded by Grobe to approve the financial contribution request of \$5,000 for the Waterville Area Festival Organization for Bullhead days for 2017. Unanimous vote. Motion carried.

C. Fire Department Officer Approval. The Waterville Fire Department requested approval of the following officers: 1st Assistant: Al Schmidtke; Captain – Jeremy Schwartz; Captain – Matt Duhme; Training Coordinator – Matt Duhme; SCBA Coordinator – Dick Tolzman and Secretary – Ryan Knish. Motion by Grobe, seconded by Smith to approve the named Fire Department Officers. Voting for: Grobe, Smith, McIntyre; Abstain: Schmidtke Unanimous vote. Motion carried.

D. Sewer Cash Flow Reserve Policy. Ms. Hill advised that this is to set up some written guidelines to let your consumers know how your funds are going to be handled as Council moves forward in analyzing the reserves. Motion by McIntyre, seconded by Smith that we approve the sewer cash flow reserve policy. Unanimous vote. Motion carried.

E. Ordinance 51.125.2-2017 Amending Sewer Rate Charges.

A. First Reading. Mayor Schmidtke advised that this is the first reading of Ordinance 51.125.2-2017 amending sewer rate charges. Motion by Smith, seconded by McIntyre to approve the 1st reading of Ordinance 51.125.2-2017 amending sewer rate charges. Unanimous vote. Motion carried.

B. 2nd Reading – conducted at Public Hearing. Ms. Hill said you have the option to waive your second reading. Ms. Hill suggested that Council have the 2nd reading at the time of the public hearing and then go into public comment section.

C. Public Hearing Date. Discussion held regarding when to hold the public hearing. Motion by Schmidtke, seconded by McIntyre to hold the public hearing March 7, 2017 at 6:00 p.m. Unanimous vote. Motion carried.

D. Informational mailing. Ms. Hill said that she included a draft of the informational mailing that she proposes to send out with the February utility bills. Motion by Schmidtke, seconded by McIntyre to approve the informational mailing on Ordinance 51.125.2-2017 amending sewer rate charges. Unanimous vote. Motion carried.

- F. Safety Program Policy Review**
 - A. AWAIR**
 - B. Blood Borne Disease Exposure Control Plan**
 - C. Employee Right-to-Know**

Ms. Hill said Council has to review the safety program policy annually. Motion by Smith, seconded by Schmidtke to approve the safety program policy as it is. Unanimous vote. Motion carried.

G. Out of State Training Request – Doug Spicer. Ms. Hill advised that Officer Spicer has the opportunity to go out of state to do some emergency management training. This is all free of charge. The federal government picks up the air fare and travel arrangements. The City just has to make sure there is coverage for the shifts. Ms. Hill said Officer Spicer did have to meet training requirements before he could be accepted. Officer Spicer has been accepted. The training is March 5th through March 10th. Motion by Smith, seconded by McIntyre to approve the out of state training request for Officer Spicer. Unanimous vote. Motion carried.

H. Resolution 2017R-007 Awarding Bid for Residential Rehabilitation work. Timm's Trucking is the low bidder at \$6,960.00. Ms. Hill said this is the flood mitigation project at 720 Virginia Street. The federal government will be picking up 75% and the state will pick up the other 25%. Motion by McIntyre, seconded by Schmidtke to approve Resolution 2017R-007 awarding the bid for the residential rehabilitation to Timm's Trucking. Unanimous vote. Motion carried.

I. Wage increase – regular non-union part-time employees. Mayor Schmidtke said this would be a fifty cent per hour wage increase like all the other full employees received. Motion by McIntyre, seconded by Smith to approve the 50 cent wage increase for the regular non-union part-time employees. Voting for: McIntyre, Grobe, Smith; Abstain: Schmidtke. Unanimous vote. Motion carried.

J. RFP Waste Disposal – Contract ends 5/31/2017. Ms. Hill said that she provided Council with the ongoing contract with Waste Management and also included the RFP that was done the last time. Ms. Hill said that the RFP would have to be approved and published. Discussion regarding the RFP for waste disposal. City Attorney Moran said that the RFP is similar to what Elysian sent out last year. Mr. Moran said in his preliminary review of the RFP it looks pretty good. You could go for bids tonight. Mr. Smith asked if we would need to amend the language in the contract to cover any complaints that we have received. Ms. Hill said the complaints that we had were service orientated. Mr. Moran said he has documented the concerns over the years and he has a completely new contract already started. Whoever we go with it will not be this type of contract. It will be driven by the concerns that we have had over the course of the past two years. Discussion on when to have the bid opening. Motion by McIntyre, seconded by Smith to go out for bids on waste disposal and as we get the bids in we have City Attorney Jason Moran provide us with a new contract. Unanimous vote. Motion carried.

K. Wastewater Treatment Plant Update. Chris Swanson addressed Council regarding the Wastewater Treatment Facility. Mr. Swanson said all the buildings are up and the concrete is poured. The equipment is being installed. The contractor is looking at finishing up the underground piping in February, the electrical conduit and that stuff is getting hooked up. The first start ups will be coming in March. The start up of the equipment is a month process. They will then start transferring the waste water flow to the new facility. During that time they will work with the City of Mankato. They will use bacteria to eat the waste. Mr. Swanson said

they are planning the plant start up in spring of 2017, with a completion of late spring or early summer. The contractor will demo out the existing facility and will put a bio-solids storage structure on the foot print of the old facility. Mr. Swanson said Council could consider and start thinking about with this big improvement and the sewer rate increase is to have an open house this summer. Mr. Swanson discussed how they could help facilitate an open house. The community would be able to see what the new facility looks like. Mayor Schmidtke asked if running the new facility would be more difficult than the current facility. Mr. Swanson said that there will be a learning curve. Mr. Wollin asked if there were any challenges that the contractor ran into. Mr. Swanson said there have been a few things, last year there was a lot of rain and snow and the contractors had a difficult time, it is a muddy mess. They have had to work through that the whole time. Mr. Swanson said the contractor will recycle all the old concrete and iron. The main lift station was also a challenge. Mr. Schmidtke said from the old plant to new plant will the water be the same. Mr. Swanson said no, it is similar coming off of the biological process that he described, but because of the low phosphorous we are actually running it through a sand filter so when we tour out there you will see a sand filter identical to what you have at your water plant. We let the bacteria eat it all and then any particles that are left we take it through the sand filter to make it ultra clean by taking the nutrients out of the system. Mr. Schmidtke said this will be better for the lakes. Mr. Swanson said it is better for the lakes and for the Cannon River watershed. Discussion regarding grants that are available for non-sewered properties to connect into treatment facilities.

L. Septic Receiving Station. Mr. Swanson said the rules have changed for them to spread septic on the ground. They are now looking to get rid of it at municipalities. It comes down to the cost, can you recover the costs of taking their waste. Mr. Swanson said his experience says that most communities of Waterville's size it is difficult to do. The slug loadings would create more work for operations. Mr. Schmidtke said it does not look like it is feasible to have a septic receiving station.

M. Board of Review and Equalization Meeting – April 10, 2017 at 5:30 p.m. Motion by Wollin, seconded by Grobe to hold the Board of Review on April 10, 2017 at 5:30 p.m. Unanimous vote. Motion carried.

N. Wapasha Pay Estimate #18. Motion by McIntyre, seconded by Schmidtke to approve payment of pay estimate #18 in the amount of \$616,591.62 to Wapasha Construction. Unanimous vote. Motion carried.

8. Engineer's Report. Mr. Femrite gave an update on South Reed Street. As we talked at the last meeting we have forgone any of the utility extensions. That project is slated for construction this year. We had a predesign meeting with some of the utility companies. Mr. Peach came over to that meeting today. Mr. Femrite said based on his understanding we are reconstructing from Highway 60 to the bridge and then overlaying all the way up to Main Street. The trail improvements we are doing some of the pedestrian ramps. With the overlay the ramps have to become ADA compliant. That is the work that is being done on the trail. Mr. Peach asked if we were going to be making any extension off the roadway from Green Street back to the bridge closer to where the trail head is by the Whitewater Creek. Mr. Femrite said he posed that question to Darryl Pettis and will report back when he hears on that. Mr. Femrite said the trail improvements are the ADA ramps, if he wants to do something different he will implement that. They are progressing with the design and will be submitting them to MNDot at the end of the month for their review. Ms. Hill said she has talked to Mr. Pettis about that, that was in the beginning stages when he first mentioned it, we talked about the trail extensions. Mr. Femrite

said we will get some clarifications and get that included if that is what he wants to do. Mr. Schmidtke asked if that will be curb and gutter from Hwy 60 to the bridge. Mr. Femrite said it is going to be curb and gutter for a majority of it. The first couple hundred feet will still remain rural until you get up to the first driveway and then it becomes urban all the way to the bridge. There are four catch basins proposed as you come down the hill heading north. Mr. Schmidtke said that will take care of that washing then which is constant.

9. Attorney's Report. Mr. Moran said he has some things going with Planning and Zoning. Right now we will be bringing for Council's consideration in April the rental ordinance. It will be a basic, bare bones type ordinance. Planning and Zoning will be meeting this month and he will be discussing a very simple ordinance with them pertaining to that. He is also imitating an accessory structure ordinance and will likely be bringing that ordinance to Council in April. This would be governing outside car ports and those sorts of things. We had a major criminal case which was actually resolved today. It was a drug related burglary case. The defendant did plead guilty to burglary in the 2nd degree. Your local law enforcement did a very good job on it and was very well investigated. It did result in a straight plea, a straight conviction and 43 months commitment to the department of corrections. It was a busy month. Mr. Schmidtke asked if the rental ordinance would cover the outside building structures. Mr. Moran said yes, it will primarily pertain to fire safety, outside nuisances, no broken windows, no excessive wear and tear on the paint and siding, no garbage outside. It will be really targeting a lot of nuisance. The interior will be more mechanical. You have to have an operating faucet, an operating stove, operating electrical appliances, HVAC has to be operable. He will not get real technical on major code violations, but just basically the basics. Mr. Smith asked who is going to be responsible for inspecting and enforcing that. Mr. Moran said the City will hire someone to do a basic inspection. Typically they are done by a building code official. Certainly somebody that has familiarity with the state fire code. We are not looking for building code issues. He would like to have somebody that has a very good understanding of the state fire code that can check the fire extinguishers and to make sure you have got two exits, so that you don't have a lot of safety issues. Mr. Moran said it is primarily safety driven and nuisance driven.

10. Administrator's Report.

A. Ms. Hill said that last she happened to be watching Channel 9 news and she came across a very interesting report on firefighters and their cancer risks. She sent a link for Council to see. Please take time to watch it, it was very interesting, lots of good information. One of the items that they talked about was an extractor. It is a washing machine that extracts the soot and stuff from their turn out gear. There is data that talks about how they tested the firefighters after they came out of a fire and their increase risks associated with contaminants. It was a very good report. It gave a lot of good information and she wanted to forward it to Council and maybe ponder that idea, maybe looking at sources of trying to accommodate that on our level. They did talk about head gear also. There are new versions out that are more protective. Those are things we want to take a look at. We do have a designated reserve fund for safety equipment, that is what your League of Minnesota dividends is going to. Ms. Hill said she did ask Chief Meskan to find some information about how much they cost. She would like to open it up for Council's thoughts on that and maybe bring it back to the next meeting and talk about it a little more and get more figures on it. She thought it would be very beneficial. Ms. Hill said there are different grants out there available for it. Ms. Hill said the report said that there were 38 that were awarded this year. Ms. Hill said she thinks if it is something the Council feels strongly about also you find a way to make it happen. It is not about getting a grant, it is about just getting the funds and making sure that you have an opportunity to at least help. She would like to bring this up again at the next meeting. Mr. Schmidtke said those machines are \$10,000 a piece. Mr.

Smith said that is a minimum. He is not sure what their two machines ran. The machines that they bought in St. Louis Park are five years old now and they have a service contract with a gear wash company to service their gear once a year to inspect and certify it, but they also supply the chemicals to wash and disinfect the gear every time we have an exposure. He has got some experience and has done some research on this not only with the gear washing and certification but also into the new head gear of the hoods that we are familiar with. They are cancer particular blocking hoods out now that are a little more expensive. We are in the process of doing a little more research and we will be purchasing some in St. Louis Park. So anything that he can do to help you guys out he is more than willing to lend information. His Chiefs are more than willing to help out. We have a lot of good information on it and it is something that is up and coming. There is also a lot of research done on this right now both through the doctors and through the IAFF and the local firefighter's unions and organizations about the cancer. Mr. Smith said he thinks this is something that we should seriously look into for here, not only for the protection of the guys but also to help save the City from potential costs later on. If there is any way that we can prevent the cancer and sicknesses of the guys that is what we want to do. Mr. Schmidtke said yes we updated our suits and have a washing machine but it is just a regular washing machine. This is something new. He has heard them talking about cancer before about firemen getting it. Years back when you went into overhaul, a lot of times you didn't have your SCBA's on. Now it is mandatory. With regulations you have to. This is definitely something we need to work on. Mr. Smith said if there is information that you want or need for some reason you want me to put together something let him know and he will do everything he can to put it together. Mr. Schmidtke said he will look at the Mankato School that has a class on that. He didn't look that close at it. It is about cancer and stuff, it will probably touch on this. Mr. Smith said he is pretty sure if it is not the same one he went through it is similar to the one he went through. The presenter we had for that was a St. Paul firefighter who was diagnosed with cancer and the battle that he has had not only with the cancer but with the insurance companies and with the City to have his treatments paid for and the delays of treatments and what not that are happening. There is a lot of stuff going around right now so he would encourage anybody that is interested to look at it. He can dig up information if we need. Mr. Schmidtke said there has been some of it in the Fire Chief's magazine. Ms. Grobe asked if those would require special plumbing to be hooked up. Mr. Smith said they don't. Ms. Grobe asked if the chemicals that you use to clean it does that affect any of the things that run through the plant at all. Mr. Smith said we don't provide any special treatment that he is aware of for that water in St. Louis Park so he does not believe so. The chemicals that we use are meant to kill some of the extra bacteria and help remove some of the fire particulates and the stuff that we get into. It helps them release from the gear which is made from caviler and other different types of material so it is not going to damage the gear because the stuff is meant to last ten years and then we replace it. In those ten years it could get washed a couple hundred times. Mr. McIntyre said he thinks we should have more information supplied to us at the next meeting and some cost and where it goes and everything. Just because our firefighters are voluntary it doesn't make them any less than any other firefighter in the State.

15. Council Discussion. No discussion.

16. Approval of Disbursements. Motion by Wollin seconded by Grobe to approve the disbursements in the amount of \$360,507.29. Unanimous vote. Motion carried.

17. Impress Cash Fund. Motion by McIntyre seconded by Smith to approve the impress cash fund in the amount of \$133.78. Unanimous vote. Motion carried.

18. Adjourn. Motion by Smith, seconded by McIntyre to adjourn. Unanimous vote. Motion carried. Meeting adjourned 8:05 p.m.

Alan Schmidtke, Mayor

Teresa Hill, Administrator/Clerk