

WATERVILLE CITY COUNCIL  
REGULAR COUNCIL MEETING  
April 4, 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 April 4, 2017.

Present: McIntyre, Grobe, Smith, Wollin and Mayor Schmidtke

Absent: None

Also Present: Administrator/Clerk Teresa Hill and Jason Moran City Attorney

Also Absent: Jason Femrite City Engineer

**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. Also present was Teresa Hill, Administrator/Clerk and Jason Moran City Attorney. Pledge of Allegiance was recited.

**2. Approval of Minutes- March 7, 2017 Public Hearing and Regular Meeting.** Motion by McIntyre, seconded by Smith to approve the minutes of March 7, 2017 Public Hearing and March 7, 2017 regular Council Meeting. Unanimous vote. Motion carried.

**3. Approval of Agenda/Additional Items to Agenda.** Mayor Schmidtke said that he has two additions to the agenda item 7J Don and Brenda Novack Memorial Day Ceremony street closure request and item 7K Doug Spicer FEMA school change to November 5 through the 10<sup>th</sup>, 2017 and item Section 5A Ordinance 117 Rental Housing Registration/Licensing Ordinance and 2<sup>nd</sup> reading will be tabled to May 2<sup>nd</sup>, 2017 as it was stated in the minutes that it will be held at that time. Motion by McIntyre, seconded by Grobe to approve the agenda with the amendments of item 7J Don and Brenda Novack Memorial Day Ceremony street closure request and item 7K Doug Spicer FEMA school change to November 5 through the 10<sup>th</sup>, 2017 and item Section 5A Ordinance 117 Rental Housing Registration/Licensing Ordinance and 2<sup>nd</sup> reading will be tabled to May 2<sup>nd</sup>, 2017 as it was stated in the minutes that it will be held at that time. Unanimous vote. Motion carried.

**4. Written Petitions, Request etc.**

**A. Utility Bill insert request – Le Sueur County DAC.** Motion by Wollin, seconded by Grobe to approve the utility bill insert request by the Le Sueur County DAC. Unanimous vote. Motion carried.

**B. Resolution 2017R-011 Granting Variance Request for Louise Warner.** Planning and Zoning recommended that we approve the variance requested by Louise Warner. Motion by McIntyre, seconded by Smith to approve Resolution 2017R-011 granting the variance request for Louise Warner. Unanimous vote. Motion carried.

**5. Unfinished Business**

**A. Ordinance Chapter 150.03 Accessory Structure.**  
**(1) Ordinance Review.** Mr. Moran advised that this is the 1<sup>st</sup> reading of Ordinance Chapter 150.03 accessory structure. The Planning and Zoning took this ordinance into consideration. They are primarily concerned about the tarp-type carports. This would eliminate the tarp kind carport construction. In addition it would also limit accessory structures to three and it does contain some setback requirements. Tarp-type carports would be disallowed but the ones that are in place would be grandfathered in.

(2) **1<sup>st</sup> Reading.** Motion by Smith, seconded by McIntyre to approve the 1<sup>st</sup> reading of Ordinance Chapter 150.03 accessory structure and to set the public hearing. Unanimous vote. Motion carried.

(3) **Public Hearing Date.** Discussion held to set the regular Council meeting to start at 6:00 p.m. and hold the public hearings first and continue with the regular Council meeting. Motion by Wollin, seconded by Schmidtke to set the public hearing for May 2, 2017 at 6:00 p.m. Unanimous vote. Motion carried.

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

**A. Curt Gold, 600 Tetonka View Drive.** Mr. Gold addressed Council regarding street lighting. He advised that his property is with Minnesota Valley Electric and not Xcel. Ms. Hill advised that when Xcel changes out the heads that they are doing they will be doing an analysis of the street lighting for the City. Ms. Hill said that we would have to have Council take a look at the area where Mr. Gold resides to see if any additional street lighting is needed. We are still waiting on the one street light to be installed in that area. Mayor Schmidtke asked how many lights are out in that area now. Mr. Gold said the last light ends by the Lagoon area as you come around the corner to Tetonka View Drive. There should be one around the corner and one past his residence by where the cul-de-sac is. Mr. Wollin said it is a safety concern. Ms. Hill advised there is a light that will be installed by the Tetonka View Circle. She is not sure if it will be on the north or south side of the road. Ms. Hill will be contacting Minnesota Valley Electric to find out when that light will be installed.

**B. Dave Arnold, 604 Tetonka View Drive.** Mr. Arnold requested that Council members drive the area at night so that they can see where the lights need to be installed.

**7. New Business**

**A. Hot Summer Nights Request.** The Chamber set the dates for Hot Summer Nights for June 22, July 27<sup>th</sup>, August 24, and September 28. They have requested street closures, use of City Patio, outdoor music from 6:00 p.m. to 9:00 p.m. and allowance for street vendors to set up tables in areas closed to street traffic. Motion by McIntyre, seconded by Smith to approve the Chamber's request for Hot Summer Nights. Unanimous vote. Motion carried.

**B. Traditions Car Show Request.** Traditions is having a car show on May 20<sup>th</sup> and requested the City provide 8 picnic tables, 6 garbage cans and the street blocked from 1<sup>st</sup> Street to 2<sup>nd</sup> Street. The car show is from 11:00 a.m. to 3:00 p.m. Motion by Smith, seconded by Schmidtke to approve Traditions car show request to block off Main Street from 1<sup>st</sup> Street to 2<sup>nd</sup> Street on May 20<sup>th</sup> and to provide the materials they requested. Unanimous vote. Motion carried.

**C. Ordinance Amending the Off Sale Hours of Operation.** Mr. Moran advised that the Minnesota Legislature signed off on a law allowing liquor sales on Sunday. The ordinance he provided does allow this to occur in the City of Waterville starting July 2<sup>nd</sup>. Sunday sales can occur between the hours of 11:00 a.m. and 6:00 p.m. Our ordinance contained language that needed to be amended. The amended ordinance that he has drafted, anytime the Legislature makes any additional changes in the future to sale times or dates they are automatically incorporated by reference in this ordinance. You should not have to amend the ordinance again. Mayor Schmidtke asked if a public hearing will have to be held. Mr. Moran said yes.

Motion by McIntyre, seconded by Smith we approve the 1<sup>st</sup> reading of Amended Ordinance Number 111.020 regarding hours allowing liquor sales, waive the 2<sup>nd</sup> reading and set the public hearing date for May 2, 2017. Unanimous vote. Motion carried.

**D. Fire Hall Feasibility Report Quote.** Ms. Hill asked Brunton to prepare a proposal so that we could determine a quote amount that we would be looking at. Then we can put in for a grant application to Ag Star or Bremer Bank. We will use this information to know how much to request and we will come back at a later date when we find out if we get a grant and then look at doing the proposal.

**E. Rock Pile at snow lot.** Mr. Peach provided a letter to Council regarding the rocks that have been piled at the City's property on Reed Street South. Mr. Peach intends to use the rocks at the Lions Park and boat landing, by the storm water outlet on Whitewater Creek and they are also looking at placing some larger rocks at the Lagoon park area. Mayor Schmidtke said that the rock pile has been going on for years and it is an eye sore. Mayor Schmidtke asked if there is a time frame when the rocks will be removed. Ms. Hill said she does not have a time frame but if Council sets a time frame they will have to work within that period of time. Ms. Hill said it is still wet where they will be placing them and she is not sure when the storm sewer repair will be done. Mr. Wollin said we need the rocks. Are there any options to hide them from public view? Mayor Schmidtke said they could move them south. Mr. McIntyre said there is more than just the rock pile; there is a mess there that needs to be cleaned up. There are sewer pipes and everything else back there. Mr. McIntyre said he spoke with Mr. Peach and as soon as it is a little drier they can move a lot of that rock.

**F. 433 Herbert Street Split of Property.** Mr. Moran said he has no objection to the property being split if the County has no objection. There may be some procedural hurdles that they will have to accomplish in order to get that done. He does not see why the City would object to this request. Jan Wilmes was present at the Council meeting. Ms. Hill advised that the property tax statements were combined out of convenience and it wasn't something that the property owner requested, it was just so that there were not ten different property tax statements. It is all one parcel now. You have to go through a different process to split it. Ms. Wilmes said that she spoke to the County Assessor's Office and they have no objection to the split of property and that it is up to the City. Motion by Wollin, seconded by Grobe to approve the homeowner's request to the split of property pursuant to any County stipulation or requirements. Unanimous vote. Motion carried.

**G. Budget Revisions.** Ms. Hill said this is the cleanup she does in December with the adoption of the 2017 budget, she did not get around to doing that so she has prepared the line items and adjustments. Motion by McIntyre, seconded by Grobe to approve the budget revisions of December 1, 2016 as prepared by Administrator/Clerk Hill. Unanimous vote. Motion carried.

**H. Refuse RFP.** City received RFP's from WasteManagement and West Central. Mr. Smith reviewed the two RFP and questioned if West Central will provide valet service. Ms. Hill said WasteManagement does provide valet service but it depended on how far they have to go. There was one resident on Lind Street that this service was not provided because they have to go too far. Mr. Don Williamson owner of West Central sanitation said they do provide valet service. It can be at an extra charge if they want that extra service, but typically for handicapped people they always do that at no extra fee. Discussion regarding WasteManagement's service over the past few years. Mr. Moran said that is one of the reasons why we went to bid was because our concerns were not being addressed by WasteManagement. The District Manager of

WasteManagement was present and addressed Council regarding their service to the City. Ms. Hill said that there is a communication problem between the drivers and WasteManagement. Mr. Wollin advised that it has gotten better but issues still have not been resolved. Mr. Moran said in terms of pricing they are pretty much identical. WasteManagement's contract expires the end of May. Mr. Moran said we did go out to bids because of the problems with WasteManagement and to a large extent those problems still exist. Mr. Smith said that it sounded like West Central will be buying a new truck to service our area under our road restrictions. Mr. Don Williamson addressed Council regarding their business and trucks that they use. Mr. Williamson advised that there are no fuel charges in their proposal as they use compressed natural gas trucks. Mr. Williamson said that they will work with the public works director on which streets should be serviced first when the truck is not loaded to lessen heavy trucks on roads that are not in good condition. Mr. Smith asked if they would handle their own billing. Mr. Williamson said they anticipated doing their own billing. Motion by McIntyre, seconded by Wollin to accept West Central Sanitation's bid to take over the end of May and do our garbage disposal and recycling pick-up. Unanimous vote. Motion carried. Mr. Moran will start on the contract.

**I Wapasha Pay Estimate #20.** Motion by McIntyre, seconded by Wollin to approve payment of pay estimate #20 in the amount of \$288,246.15 to Wapasha Construction. Unanimous vote. Motion carried.

**J. Don and Brenda Novack Memorial Day Ceremony request.** Don and Brenda Novack requested street closure request at the corner of Third and Lake Street by the Post Office for the Memorial Day Ceremony. They requested the street closure from 7:00 a.m. to 11:00 a.m. Motion by Wollin, seconded by Schmidtke to approve Brenda and Don Novack's request for the Memorial Day Ceremony street closure. Unanimous vote. Motion carried.

**K. Doug Spicer – FEMA school.** Request is to change attendance to the FEMA School to November 5<sup>th</sup> through the 10<sup>th</sup>. Motion by McIntyre, seconded by Smith to approve Doug Spicer's attendance to his training November 5<sup>th</sup> through November 10<sup>th</sup>, 2017. Unanimous vote. Motion carried.

**8. Engineer's Report.** Ms. Hill advised that Mr. Femrite supplied a written report. He said that the 2017 street improvement projects are going out for bid on April 6<sup>th</sup>, bid opening will be April 24 and the Council will consider awarding the contract on May 2, 2017 with construction to start summer 2017 and completion date September 1, 2017.

**9. Attorney's Report.** Mr. Moran had nothing to add.

**10. Administrator's Report.**

**A.** Ms. Hill said at the public hearing for the rate analysis a question was asked about the rounding factor and whether or not we can round to a lesser degree than 1,000 gallons. Ms. Hill said our system can handle down to 10 gallons without doing major changes. Mr. McIntyre asked how long it would take to make those changes. Ms. Hill said you would have to go through a rate analysis again. She would not personally want to do anything real quick because she will need to do another analysis on what that impact would do for rates. We will be watching our rates quarterly and we can keep an eye on that whether you would choose to do that at a later time. Then she could do a little more accumulation of data.

**11. Council Discussion.**

**A.** Mr. Smith said he had a chance to drive around and look at different areas for lighting. The Lagoons was one area that was pointed out. His observations out there were that Marian Street and Tetonka Blvd., the one that parallels the lake and the one next to the south from there are lighted pretty well about half way to the edge of the channel then it seems like the street lighting drops off at that point. We may want to look at that area. Cedar Circle seemed like it had one light on either end of it. One in the middle where there is a couple of dark areas might be such that we want to look at that especially if we are going to redo that road. We might want to relocate one and add one. Mr. Smith said he looked at the gravel roads by the snow lot that City uses and there is not a lot of lighting out there. We are having problems with trash and dumping out there, maybe it would be a good resolution to drop some lighting out there to at least help light the area. Mayor Schmidtke said at Cedar Circle he doesn't know if that would be something we would want a request from the property owners out there. Mr. McIntyre said if you had it out on the view drive it would blend into that circle. Mr. McIntyre said he has been out there a couple of times and looked at it. Mr. Smith said he drove the entire City and those were the areas that he looked at and thought we may need something. Mr. McIntyre said one other area in looking at it and it is nice to do it when school is in effect and you have your sports and everything. Even though with the New Casey's giving a fair amount of lighting it really needs to be improved if they are going across Highway 13. It looks like we can't get a bridge over Hwy. 13. It gets where it is hard to see somebody standing on the side of the road when you are coming down. That is another area that needs to be looked at. Mayor Schmidtke asked if there were grants for street lighting for walkways for schools. Ms. Hill said it is called safe way to school. They have to be applied for by the school district. Mr. Wollin said if that was brought to the school board Mr. Whitehurst he can't see him saying no to at least trying something like that. Ms. Hill said we have had a couple of conversations. She thinks there is a minimum threshold. She knows she presented something that we were looking at different avenues doing the research so that we could present that to the school. She knows that there is a minimum threshold or there was the last time she looked. She does not know if that is something that they would entertain or not. The school actually has had a couple, she knows the Morristown Building had one and she is not sure if the Waterville Building had one or not. Mr. McIntyre asked if we can revisit that. At night when it is dark, it is not so bad now because you have daylight savings time, the thing is he knows in the late fall and winter all we need is one kid to get ran over on that road. Mr. Wollin said there is a lot of traffic. Mr. McIntyre said especially when you have sport activities going on at the football field, it is dangerous.

**B.** Mr. Wollin said maybe we can open discussion on this some time and maybe he can write something up but when we had talked about doing the museum at the Senior Center he would still like to open that up. We are a town that has tourism and the bike trail. He knows that in many places that are like us they have some things like that that will bring people into town. A little off the wall museum or a place where people can go visit. He would like to see us open that discussion again. Mr. Wollin asked if we had any plans for the upstairs at City Hall. If there is something that we can get bikers into town to see wouldn't that help business. Mr. Wollin said he would be interested in looking at. Mr. McIntyre said he thinks we should.

**C.** Alan Schmidtke said that he is going to put Mr. Moran on the spot, he has a problem being called Mayor at a meeting and if this is okay people can either call him Alan or Al because he is the same as these people up here, he is just a normal person up here and we are doing our job. So can that be done? Mr. Moran said it can definitely be done. He feels that he is just like these four people that are sitting beside him. Mr. Wollin said it is just a way to pay respect to an elected position. Alan Schmidtke said he doesn't need that.

**12. Approval of Disbursements.** Motion by Grobe seconded by Wollin to approve the disbursements in the amount of \$777,462.62. Unanimous vote. Motion carried.

**13. Impress Cash Fund.** Motion by McIntyre seconded by Smith to approve the impress cash fund in the amount of \$21.17. Unanimous vote. Motion carried.

**14. Adjourn.** Motion by McIntyre, seconded by Schmidtke to adjourn. Unanimous vote. Motion carried. Meeting adjourned 8:00 p.m.

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Alan Schmidtke, Mayor

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Teresa Hill, Administrator/Clerk