

WATERVILLE CITY COUNCIL  
REGULAR COUNCIL MEETING  
August 7, 2017, 6:00 P.M.

There was the regular Council meeting of the Waterville City Council held in Council Chambers at 6:00 p.m. on August 7, 2017.

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

Absent: None

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

Absent: None

**1. Call to Order / Roll Call / Pledge of Allegiance.** Mayor Schmidtke called the meeting to order at 6:00 p.m., noting that all Council members were present. Also present was Teresa Hill, Administrator/Clerk, Jason Moran City Attorney, Jason Femrite and Kris Swanson of Bolton & Menk. Pledge of Allegiance was recited.

**2. Approval of Agenda/Additional Items to Agenda.** Mayor Schmidtke advised that there are additional items to add. Under 4B Lakes Association Pontober Fest sign, 5D Highway 13 Speed Limit add ditch cleaning, scratch 7G2 and 7J will be Fire Hall feasibility study award of quotes and number 14 closed meeting attorney client privilege – potential litigation. Motion by McIntyre, seconded by Smith to approve the agenda with the additions. Unanimous vote. Motion carried.

**3. Approval of Minutes – July 11, 2017 Regular Meeting and July 21, 2017 Special Meeting.** Motion by McIntyre, seconded by Schmidtke to approve the minutes July 11, 2017 Regular Meeting and July 21, 2017 Special Meeting. Unanimous vote. Motion carried.

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

**A. Resolution 2017R-020 Granting Variance for Kevin Kloss.** Kevin Kloss 4092 Tetonka Bay Drive South, Waterville MN request a variance for an ordinary high water setback variance of 37.5 feet allowing for an ordinary high water setback of 37.5 feet to increase an existing deck. Current zoning allows for a setback of 75 feet from the ordinary high water mark. The property is zoned R2- Medium Density Residential shoreland and flood plain as is described as follows: Parcel ID #24.702.0020, Legal: Tetonka Bay Sub #2 (Tetonka) Lot 002. Motion by Wollin, seconded by Smith to adopt Resolution 2017R-020 Granting Variance for Kevin Kloss. Unanimous vote. Motion carried.

**B. Waterville Lakes Association Pontober Fest sign.** Mr. McIntyre asked to put up signs at the City signs the same as the Waterville Lakes Association did last year. Motion by McIntyre, seconded by Smith to approve the Pontober Fest signs for the Waterville Lakes Association. Unanimous vote. Motion carried.

**5. Unfinished Business.**

**A. Wastewater Plant Open House and Update.** Kris Swanson of Bolton & Menk presented Council with an update of the Wastewater Treatment Plant. Mr. Swanson said the contractor is progressing along. The plant started up in April and May and had its first discharge on May 15<sup>th</sup>. We are meeting effluent limits since that time and the contractor continues to progress through completing the project. Remaining items are blacktopping, seeding, finishing up lift stations, paint or touch ups. The last thing they have to do is to look at the existing bio-

solids tank. There is an existing tank there that holds sludge. We have to get that drained down and inspected. Mr. Swanson showed some photos of the Wastewater Treatment plant. The whole plant does have a back-up generator. We have added a generator at the Herbert Street lift station. There is also a back-up generator at the main lift station site. Mr. Swanson provided a project cost summary. The original total amount of the project was 13.42 million, a little over 6 million in grant was obtained two years ago with 7.4 million in low interest loans. To date the City has spent approximately 11.44 million of that with the contractor being about 97% complete and retainage. There is 5.6 million of the grant and 5.8 million of low interest loan. The anticipated total final project cost with engineering, Kamp Dels, the Wastewater Treatment Plant is estimated to be 12.75 million dollars. Coming in less than the 13.42 million that the City has a total loan for and then it also gives the grant breakdown and the loan breakdown. If you take the 6.73 million in loan, Kamp Dels will pay a little over 1 million dollars of that 6.73 million leaving a final loan amount for the City of 5.72 million. Mr. Swanson said overall the project has gone well. The contractor has done a good job with cost control but the schedule has gone long. The contractor has indicated a couple of requests for schedule extension. We have not acted on that. We will deal with this at the end of the project when we close things up. The Council may want to have a discussion on how you want to close that project out and what you want to do with potential liquidated damages. Mayor Schmidtke brought up the first engineer's cost on the project and from where it went from there to 8 million and then up to 12/13 million and you can see where they added all the extra's in on the bid sheet. Mr. Swanson said there was the original one that we estimated at 8 million, the bids came in higher and that is when we went back to PFA and worked for the City to get additional grant money. In the facility plan we had estimated a 5.619 million dollar loan cost for the City and in the end you are going to be at about 5.72, so really close to what was originally predicted so the rates for residents end up being very close to the same as what the Council approved back in 2013. Mayor Schmidtke said from the original estimate from where the bids came in we are higher. It shows where their costs went up. Mr. Swanson said his estimates were low. Mr. Swanson said the original completion date was January 27, 2017. They have issued a couple of letters looking for a couple of months. There are some legitimate extensions that can be in there. Mr. Swanson said he cautions Cities about how much money they can obtain from liquidated damages, such as what your actual damages are and how you can show that. Liquidated damages are spelled out to be \$1,000 per day. Mayor Schmidtke asked what we went over on engineering. Mr. Swanson said engineering was an estimate at the time. The original estimate in the report was about 1.38 million, we are at 1.26 million to date and through completion we are probably going to be at 1.35, so about 11.8% of the total construction cost. For a typical engineering contract of this nature somewhere between 10 to 15% is what engineering typically costs on these. He feels we are in the right range. Mr. Moran asked if the increased engineering costs are a result of the delay of construction. Mr. Swanson said potentially there is some. Discussion regarding liquidated damages. Ms. Hill suggested having an open house in October. Discussion on a date. Motion by Smith, seconded by to have an open house at the Wastewater Treatment facility October 14, 2017 from 10:00 a.m. to 2:00 p.m. Unanimous vote. Motion carried.

**B. 5<sup>th</sup> and 6<sup>th</sup> Street Parking Discussion.** Mr. McIntyre went to the School Board meeting and explained to them what we were looking at what we want to do. The consensus was doing a one-way Street on 6<sup>th</sup> and 5<sup>th</sup> Streets would work well. Especially with 5<sup>th</sup> Street the buses can come in and be right there where the kids can get on the bus without congestion. Mr. McIntyre spoke with Police Chief Manning he said we could work it out to get angled parking in there to get more parking and still have a one-way Street. It would slow traffic down and protect the safety of the students coming in. Discussion regarding the traffic flow and parking. Discussion regarding a public hearing date. Motion by Wollin seconded by McIntyre to have a

public hearing on the 5<sup>th</sup> and 6<sup>th</sup> Street parking discussion on September 5, 2017 at 5:30 p.m. Unanimous vote. Motion carried.

**C. Township Fire Contract Meeting – August 16, 2017.** Ms. Hill said the Township is available that date but she has not set a time. Motion by Schmidtke, seconded by McIntyre to set the time of the August 16, 2017 Township Fire Contract Meeting at 5:30 p.m. Unanimous vote. Motion carried.

**D. Hwy 13 Speed Limit.** Mr. Scott Thompson, traffic engineer for MN DOT District 7 headquartered in Mankato. District 7 covers the south central portion of the State which includes Waterville as well as Highways 60 and 13 that pass through Waterville. Mr. Thompson said he is here this evening because he had a call from a concerned Citizen last week with regards to the safety of Highway 13. Mr. Thompson said the Citizen had some suggestions on how to improve public safety. One of those of course was addressing the speed limit on Highway 13. Mr. Thompson gave a hand out to Council regarding speed limits. MN DOT establishes non-statutory speed limits on all roads. Minnesota Statute 169.14 cover and govern speed limits in our state for all roads. Statute 169.14 has numerous regulatory speed limits what we call statutory speed limits. If you are urban district it is automatically a 30 mph zone, if you are on a rural two lane highway it is 55 mph. For the most part everything in between there that is when 169.14 says you need to have a traffic investigation to determine what the appropriate speed limit is for that roadway. 169.14 requires that the Commissioner of Transportation MN DOT complete those traffic investigations regardless of ownership of the road. Whether that is a State Trunk Highway or a City Street MN DOT is responsible for determining what that speed limit is outside of the statutory 30 or 55 mph. Mr. Thompson described what they look at in the speed study/traffic investigation. They include roadway geometry, crash history, speeds motorists are driving, and access locations and types. When a Council or Board requests a speed study the results are binding so we try to caution Council's and Boards that be aware of what you are asking for because MN DOT will adhere to the results of that study to post the road at the speed limit that is recommended by that study. Mr. Thompson said lowering a speed limit won't reduce motorist behavior or speeds. If you increase the speed limit you will not adversely impact motorist behavior. We as motorists don't necessarily drive the number that is on the sign, we drive the number that speed that is comfortable. Unreasonable speed limits can increase crashes. Speed limits should match motorist's speeds. In a study they will observe motorist's behavior, they will sit out there with a radar gun in an inconspicuous manner so they are not influencing speed, they will pick a time where they will observe at least 100 vehicles driving at a given location. They record those speeds. They compile all that information and figure out what the 85<sup>th</sup> percentile speed is. The 85<sup>th</sup> percentile is what the majority of reasonable drivers are doing accounting for the fact that you will always have unreasonable drivers. 85<sup>th</sup> percentile is accepted internationally. A speed study was completed in 2015. Ms. Hill questioned the signs that Mr. Thompson had displayed for pedestrian crosswalk safety signs. Mr. Thompson said that he thinks the safety signs would work in a 45 mph zone. Discussion regarding the flashing signs by Morristown and other areas with the same system.

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

**A. Dave Arnold,** 604 Tetonka View Drive said thank you to Council for putting in the street light. It does help. He went out and looked at different times to check it out. From Barb and Dennis Schluender's the curb all the way up the street it is not real bright but you can definitely see the difference. He just wanted to say thank you for that. He appreciates it.

**B. Barb Schluender**, 508 Tetonka View Drive. She is looking for some clarification on codes, policies, ordinances. We citizens need to adhere and abide by them. Whose responsibility is it to make sure that happens. Mr. Moran said it is a mix between administration and law enforcement. Ms. Schluender asked if the Council members sworn to oath to have to adhere and abide by them as well. Mr. Moran said not specifically, we all as citizens have to follow the law but the Council doesn't take any specific super power oath to follow the law. Ms. Schluender said would you agree that in regard to a nuisance for instance, any member that is appointed to the nuisance committee would it be an expectation of the City Council member or a nuisance committee member adhere and abide by the nuisance ordinance. Mr. Moran said not any more than anybody else. Again he thinks that we all have to follow the law. Ms. Schluender said so the people that are expected or enforcing these nuisance laws they personally aren't expected to have to do that. Mr. Moran said no they are expected to follow the law just as anybody else. Mayor Schmidtke said any citizen in town has to abide by that. Ms. Schluender said she agrees, but would you agree that at minimum the Council members or the members on the nuisance committee as they are pointing their finger at somebody else have three fingers pointing back at them whether it be a business or anything that they themselves their property should abide by the rules and regular ordinances. Mayor Schmidtke said he would guess so. Ms. Schluender said another question she would like clarification on is it okay for a Citizen to plow or snow blow or maintain snow on a City road or street or driveway. Mayor Schmidtke said he believes that was discussed and he thinks that is what the policy would be on that. Ms. Schluender said that a private citizen can do that? Ms. Hill said by the lift station, yes, going east and west and it abuts a private driveway. Other than that we don't allow residents to plow on the streets. Ms. Schluender said okay, but that one is an exception. Ms. Schluender said if a City employee with a City truck comes to plow are they allowed to plow private citizen's driveways or properties. Ms. Hill said no, unless it is an abatement by the City Council. If you have snow or ice on your sidewalk and it is not taken care of they go through that process. Ms. Schluender said me as a citizen if I see the City red truck come by with the snowplow I can't flag him in, I can't ask him to plow my driveway. Ms. Hill said not on private property no. Mr. Smith asked if we have had any requests like that. Ms. Hill said not that she is aware of. Ms. Hill said sometimes when they have to turn the turn on a cul-de-sacs and stuff but they are usually still in the right of way. Ms. Schluender said in regards to fire hydrants, obviously a firefighter can use them, City employees can. If a City employee is on a private time or private citizen are they allowed to hook up to a City fire hydrant? Ms. Hill said with permission. We do have contractors who have permission to draw off them. Ms. Schluender said she couldn't hook up to the one by her house and start watering her grass. Ms. Hill said not without permission.

**C. Sue Roskis**, 437 Main Street East #7 which is in Scott's Campground and her friend Alli Master and she lives right across the street from them. She is the one that spoke with Scott Thompson here last Friday. Scott took a lot of time with her and she took a lot of time with him. She thanks Council for letting him speak tonight because I couldn't explain all the stuff he explained. She would like a copy of that information. She has a few questions for Council and for Scott when he and I spoke we talked about the statute 169.14, 1960 is when that rule was put in place and still is right? Mr. Thompson said that was the clear zone concept is what we were talking about. Ms. Roskis said when we talk about the clear zone concept. Mr. Thompson said the background information on the clear zone concept is in all of our highway design we hopefully buy sufficient right-of-way to create a clear zone which is to say that it is a space along the side of the road where if a motorist happens to go off the road there is nothing in that clear zone area that they are going to hit. The clear zone is adjusted based upon speed, based upon the slope of the ditch. So a slope that a motorist should drive over it if they were to leave the roadway, it is also adjusted if the road is on curve and depending on how old the highway is

whether MN DOT purchased the right-of-way for it or it was just through prescription if you will, there was always a highway there, it is that way now. Sometimes that clear zone is provided and sometimes it isn't. In all of our reconstruction we try to provide this clear zone. He was trying to share with Sue that the clear zone for this portion of Highway 13 is 32 feet wide from the white line. The way that the clear zone was developed back in the '60's was a bunch of researchers went out and they measured tracks in snow and they figured out for the various roads the point where motorists came to a stop 80% of the time. That was an acknowledgement that if we were to design a highway that 100% of vehicles when they went off the edge of the road you wouldn't have a highway going through any populated areas because you would need to have such a wide clear zone that you would (1) never be able to afford a road anywhere close in town and (2) we wouldn't allow anyone live close to the highway. The clear zone concept accounts for the fact that 80% of vehicles should stop in this clear zone distance if they go off the edge of the road. He was sharing with Sue that this research was done back in the '60's and of course vehicle dynamics have changed since that time and to the best of his knowledge there hasn't been a major undertaking to re-evaluate are those clear zone distances still accurate. That being said that is still the predominant design method in all 50 states is to provide this clear zone. Ms. Roskis said so going 45 mph you said it will take 17 feet to stop a car. Mr. Thompson said right at 60 mph it was 32. Mr. Thompson said 80% of vehicles should come to a stop within and you are assuming they are hitting the brakes if they go off the road. Ms. Roskis said if they came down the bank at Scott's Campground or into the school they have 15 feet to stop if they are hitting the brakes. Mr. Thompson said the clear zone concept would say that is what you could provide. Obviously in those areas we are providing more than that. Ms. Roskis said going north it is 55 miles per hour and going south it is 45 right across from each other. Mr. Thompson said the 60 mph design speed for that portion of Highway 13 we are at 32 feet. Ms. Roskis said so to summarize what the Council and you guys were going to do she did not hear a summarization of the next step. Are we taking the next step? We talked about rumble strips, she doesn't know if Council understands the rumble strip concept. Mr. Thompson said obviously rumble strips are the indentations that we make on a center line as well as the edge of the road on the shoulders. You can see them all over. We normally keep them in our rural portions because obviously there is some nuisance noise that goes along with them. Motorists that unfortunately might be distracted using that rumble strip as they drive down the road. That noise can be heard potentially up to a half a mile away. We all know that noise really travels along water and you folks have water here. Rumble strips have been shown to reduce up to 40 percent of all crashes but again you would have a tradeoff in regards to enjoyment. They do have something called a sandy soil rumble which is a quite rumble, it doesn't make as much nuisance noise when someone hits it but you can still hear it. Mr. Thompson said that Ms. Roskis mentioned guard rails. He explained to her that MN DOT struggles with regards to the amount of money we have to spend on safety. Because of the clear zone concept guard rail above and beyond what is currently out on Highway 13 wouldn't be warranted. Guard Rails creates snow trap problems. Discussion regarding the speed that people drive on Highway 13. Mr. Thompson said most warning signs are ineffective.

**D. Kurtis Couch, 120 6<sup>th</sup> Street.** Addressed Council regarding the 6<sup>th</sup> Street parking issue, the original issue that there was would have been back the end of April. There has been a lot of erosion issues in the right-of-way, since then with all the rain and water it essentially keeps eroding more of the driveway away. He would like to replace the driveway but until the sides of the road are fixed. He brought in 12 cubic yards of top soil to grade around his house, he filled in quite a bit of it by the street. When we had the storm the Police Officer also noticed that almost a third to a half of my driveway had flooding up it because all the water from the street would run off into the lawn and created a big creek or river through the lawn, up the driveway

and then down into Whitewater Creek. Since he filled in with the soil it hasn't flooded once. It would be nice if something could be done to complete it out. A little bit more dirt is needed. Since the parking issue isn't going to be addressed for some time it would be nice if something could be done to finish it out. He would like the street department to look at it. Ms. Hill said they did look at it before and what the Council had talked about at the last meeting was that if you were going to allow parking there we were going to shoulder that. We just haven't made that decision as to whether we were going to do that. Mr. Couch said shouldering is not permeable by the rains, you are essentially creating a greater surface area for runoff. And the vehicles running over all the gravel and make giant ruts in it. The general appearance of it looks very bad. The appearance for the school, the appearance for everybody in the neighborhood it just looks crappy. Ever since he filled it in and spending a lot of time outside cleaning up everything there have been dozens of people in the neighborhood and businesses say it is about time someone fixed the ruts and fixed the street problem.

## **7. New Business**

**A. 5<sup>th</sup> Street South Black Topping Request – Catholic Church.** The Catholic Church is going to blacktop their parking lot and part of their parking lot is part of a City Street. Ms. Hill said the City Street runs on the north and south section of it and it meets up into their parking lot a little further back. Mayor Schmidtke said it would make sense that we do our part and everything would be done at the same time. The cost of that would be \$5,680. Motion by McIntyre, seconded by Smith to approve the 5<sup>th</sup> Street South blacktopping portion of the City by the Catholic Church in the amount of \$5,680. Unanimous vote. Motion carried.

**B. South Central Seal Coat Coverage.** The original bid was for \$6,400 and he went over on his footage that he filled and wants another \$1,500. Discussion held. Motion by Schmidtke, seconded by McIntyre to award the \$6,400 that his original bid called for. Unanimous vote. Motion carried.

**C. Rental Inspector Contract Approval.** Mr. Moran said the City hired Dan Murphy with City Building Inspection Services LLC. This contract covers the independent contractor agreement. He would not be an employee of the City. He would be an independent contractor. He will be paid at a rate of \$70 per hour. The contract will take effect October 1<sup>st</sup> of this year and it would truly be at will meaning it is for an indeterminate amount of time for as long as you want it to be. If you are unhappy with his service you can terminate it at any time. Likewise you can keep him on. His duties and obligations are set forth in the contract. Motion by McIntyre, seconded by Smith to approve the City of Waterville – Independent contractor agreement – Housing Inspection Services Agreement. Unanimous vote. Motion carried.

**D. Sale of Lawn Mower and Paint Sprayer.** Motion by McIntyre, seconded by Smith that we put the lawn mower and paint sprayer up for sale. Unanimous vote. Motion carried.

**E. Ordinance Revision Request §150.03 Sub Section (F) 1.** Ms. Hill said this revision changes the setbacks from a zero property line set to a three foot property line setback that allows for an individual to maintain both sides of the fence without trespassing on the neighboring side. Discussion regarding whether to require a survey be done. Motion by Smith, seconded by McIntyre to approve the first reading of an Ordinance Amending Sub Section F(1) of Ordinance No. 150.03 adopted on June 3, 1997 and codified on November 27, 2008 and titled “An Ordinance relating to General provisions of (F) Fences. Unanimous vote. Motion carried. Motion by Smith, seconded by McIntyre to set the date for the public hearing for Ordinance

150.03 Sub Section (F) 1 for September 5, 2017 right after the public hearing at 5:30 p.m. Unanimous vote. Motion carried.

**F. Boulevard Tree Trimming.** Mayor Schmidtke said he has had some concerns with trucks coming down certain roads and hitting Boulevard trees, the Fire Department has had some problems with branches overhanging on the streets with the fire equipment. Mr. Moran said typically a Boulevard Tree is a legally designated area between the curb or beginning of the road and a portion of the boulevard. He is not sure how far it extends out in Waterville. Ms. Hill said it changes depending on the width of the street. Typically 66 feet includes the road and the Boulevard or right-of-way. Ms. Hill said in our ordinance it talks about tree trimming being an assessable cost and we have to notify people and go through a hearing process in order to trim trees. We have to state what areas we are going to be doing and what that cost is. Ms. Hill would like to have the ordinance cleaned up so that we don't have to go through that process. Mr. Moran said he could do a revision of the ordinance and put in a clause for a hazard tree. If a tree is a hazard tree it can be taken care of within short order. Ms. Hill would like to have a plan for tree trimming. Discussion regarding trees that need to be trimmed. 3<sup>rd</sup> Street, 2<sup>nd</sup> Street, Hoosac Street, Paquin Street, and a portion of Main Street by the funeral home should be looked at for what needs to be trimmed.

**G. Donations.**

1. **Resolution 2017R-021 Accepting Preuss Donation.** Motion by Wollin, seconded by Grobe to adopt resolution 2017R-021 accepting Preuss Donation. Unanimous vote. Motion carried.

2. **Resolution 2017R-023 Accepting Night to Unite Donation.** Motion by McIntyre, seconded by Wollin to adopt resolution 2017R-023 accepting Night to Unite Donation. Unanimous vote. Motion carried.

**H. Budget Work Session Meeting dates.** Motion by Smith, seconded by Grobe to set our budget work session meeting date and time to coincide with our August 16, 2017 special meeting to make it after our special meeting. Unanimous vote. Motion carried.

**I. Wapasha Pay Estimate #24.** Motion by McIntyre, seconded by Smith to authorize payment of Pay Request No. 24 of Wapasha Construction Co. for \$523,233.68. Unanimous vote. Motion carried.

**J. Fire Hall Feasibility Study Award of quotes.** Mayor Schmidtke said the \$5,000 we got from AgStar is not enough to do a basic feasibility study. Ms. Hill said the preliminary estimate that she received was more than the \$5,000. Ms. Hill said you would receive \$5,000 to offset the cost of a feasibility study. Motion by Wollin, seconded by Smith to go with the feasibility study quote that we have. Unanimous vote. Motion carried.

**8. Engineer's Report.** Mr. Femrite gave an update on the Reed Street South project. They did receive bids on it and RAW Construction was the low bidder. It was underneath the engineer's estimate. We are holding a preconstruction meeting at City Hall on Thursday this week. At that time we will get the official schedule. They were talking about mobilizing the 21<sup>st</sup> of August and there is a substantial completion date of September 30<sup>th</sup> with a final completion of October 14, 2017. Mayor Schmidtke asked if they are just going to mill from Main to the bridge.

Mr. Femrite said just the edges a six foot edge. Mr. Femrite said we are redoing the pedestrian ramps on the trail and all the sidewalks to make them ADA compliant. The state has approved it. It took a significant time on their review but it is fully signed off on. Mr. Schmidtke asked if there are any manhole covers that will need to be raised. Mr. Femrite said yes and they will be raised.

**9. Attorney's Report.** Mr. Moran did not have anything extra to report.

**10. Administrator's Report.** Ms. Hill did not have anything extra to report.

**11. Council Discussion.**

**A.** Roy McIntyre said he would like to thank all the people who helped out for our Night to Unite. We had a good success. We had more than what we handed out in hot dogs which was 234. We had about 400 people there. It was great with the band and the bean bag toss. He thinks it was a great success. The volunteer firefighters helped tremendously with getting the hot dogs and when it rained to help people get out of the rain. He appreciates all the help that he got to make that a success. Mayor Schmidtke said he received a lot of compliments during and after that they liked it at the Fire Hall because of the parking. If it was hot as it was out they could sit inside with the fans. Mayor Schmidtke said he did receive from feedback from the Fire Department members that they were going to donate their time that night. They weren't going to charge anything for working that night. That is kind of nice. Mr. McIntyre said it is. Mr. Smith said pass along our thanks. Mr. McIntyre said we appreciate it very much. Mayor Schmidtke said they enjoy that stuff too, it was kind of fun for them.

**B.** Mr. Smith said that the new extractor that the Fire Department got has been very well received. The guys are extremely appreciative of it. They are using it. That was a good investment on the City's part. He would like to see us move along with updating gear and look into getting second sets of gear and possibly some professional cleaning and inspection of that gear to make it last a little longer and also improve the safety of the guys that are using it.

**12. Approval of Disbursements.** Motion by Grobe seconded by Schmidtke to approve the disbursements in the amount of \$670,411.25. Unanimous vote. Motion carried.

**13. Impress Cash Fund.** Motion by McIntyre seconded by Smith to approve the impress cash fund in the amount of \$51.34. Unanimous vote. Motion carried.

**14. Closed Meeting – Attorney Client Privilege – pending litigation.** Motion by Smith, seconded by Grobe to go into closed session for attorney client privilege and pending litigation. Unanimous vote. Motion carried. Closed Session 7:54 p.m.

**15. Reopen meeting.** Motion by McIntyre, seconded by Smith to reopen the meeting. Unanimous vote. Motion carried. Meeting reopened 8:05 p.m.

**16. Adjourn.** Motion by Grobe, seconded by Smith to adjourn. Unanimous vote. Motion carried. Meeting adjourned 8:05 p.m.

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Alan Schmidtke, Mayor

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Teresa Hill, Administrator/Clerk