

**WATERVILLE CITY COUNCIL
REGULAR MEETING
October 4, 2022, 5:00 p.m.**

There was a meeting of the Waterville City Council held in the Council Chambers at 5:00 p.m. on October 4, 2022.

Present: Mayor Alan Schmidtke, Council members Jennifer Grobe, Tim Smith, Roy McIntyre, Dave Wollin

Absent: None

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

Also Absent: City Engineer Jason Femrite

Call to Order/Roll Call/Pledge of Allegiance

Mayor Schmidtke Called the meeting to order at 5:00 p.m. noting that all Council members were present. Also present: Teresa Hill, City Administrator and Jason Moran. Pledge of Allegiance was recited.

Approval of Agenda/Additional Items to Agenda.

Motion by Wollin, Seconded by Grobe to approve the agenda. Motion Carried 5-0.

Consent Agenda

A. Approval of Minutes- September 6, 2022, September 13, 2022. B. Approval of Disbursements: 1. Electronic Fund Transfers (35241E-35252E) \$13,271.52. 2. Payroll Check Numbers (2022367-2022410) \$40,623.24. 3. Computer Generated Checks and Overtime (37088-37147) \$156,572.06. 4. Total Disbursements \$210,466.82. C. Impress Cash \$ 46.48. D. Hire Recommendations. 1. Part-time Officer Hire. 2. Full-time Public Works Hire. **Motion by Wollin, Seconded by Grobe to approve the consent agenda. Motion Carried 5-0.**

Unfinished Businesses

A. Approval to Conduct Soil Borings. Administrator Hill advised Council that three quotes were received with Chosen Valley being the lowest at \$5,530. This would allow us to see if a Fire Hall could be built on this property. **Motion by Smith, Seconded by McIntyre to approve the bid from Chosen Valley for the soil borings for the value of \$5,530.00. Motion Carried 5-0.**

Citizen Time.

No residents present wished to address the Council

New Business

Petition to Vacate. Administrator Hill provided some background on the request. The petition would vacate the portion of the 1 lot to take the existing garage out of the right-of-way. **Motion by Smith, Seconded by McIntyre to accept the petition for that parcel and set the public hearing date of our regular meeting in December 6th at 5:00 p.m. Motion Carried 5-0.**

Sale of Property (Paquin Street Parking lot). Mr. Tim Nytes and Mr. Ted Nytes presented a plan to build an apartment building on the lot in approximately 2-3 years. He had 2 plans one being 2 four plexes or 1 eight plex. Mr. Nytes also requested a copy of a housing study and information on who completed the demolition of the building. This would help with the decision

of which plan to go with. Council Member Wollin commented that they keep hearing that there is nothing to rent in town for families. Council Member Grobe inquired if the size would incorporate the entire lot? Mr. Nytes commented that it would pretty much except for the setbacks. The building would be by the sidewalk and then there would be parking on the west side of the building. Administrator Hill did advise the council that there are a couple issues that would need to be cleaned up with the land. They would want to take control of the alley and remove that portion for the parcel of land. There is also an easement that runs through the middle of the property. There are also encroachment issues with the building that sits on the corner of the alley and Paquin Street. We would want to get these issues straightened out so Mr. Nytes would know exactly what he would be purchasing. That is, if the Council is in agreement to selling the property. Attorney Moran advised the Council that the Alley, encroachment and easement issues all need to be cleaned up regardless of what we do here. Council Member Smith and Council Member Wollin agreed that the sale of the property is a good idea. Council Member Smith stated that we do not need any more parking lots and it would be helpful to have some more housing and put it back on the tax rolls. Council Member McIntyre stated that we need the housing. Attorney Moran recommended that the council not vote on the sale of the property at this time. He also suggested that the Council give permission for Teresa and Him to clean up these issues. Tim Nytes, requested permission for him to move forward in putting his power line in next to the building. As they learned through this process, that their building is on the property line. Administrator Hill advised that he needs an easement to bring his electric into the building. Attorney Moran suggested that the easement should be incorporated now.

Motion by Wollin, Seconded by Smith to give Teresa and Jason the go ahead to work out all of these issues. Motion Carried 5-0.

Herbert Street Drainage Ditch. Administrator Hill advised council that there is a drainage ditch that runs along the Brook Wilmes property that was cleaned out approximately 2 months ago. Mr. Connors was looking at doing some different solutions to the drainage issues. He obtained an estimate to install a 15-inch culvert to be installed on the property where the draining ditch is. Administrator Hill requested the Engineer look to see if a 15 inch would be adequate to handle the drainage in that area. He did view the site but more engineering would be needed to see what would need to be put into place. Administrator Hill also advised that the long-term goal for that area was to direct the drainage off the private property with a future project. Administrator Hill recommended that Jason Femrite, City Engineer take a closer look at it. We do not want to run into issues where it is not big enough. We would also need to look at the watershed that would drain into that area to make sure we are not causing any back up issues by channeling the water into a culvert that may not be the proper size. Council Member Smith asked Street Superintendent Hiller why they had cleaned it out. Mr. Hiller, advised that the ditch was silted in. Mr. Moran stated that it was just a maintenance issue and it needed to be cleaned. Councilmember Smith inquired if it is draining properly now? Mr. Hiller said it is now taking the water. There is still a culvert that goes into the old Wilmes property right on the lakeshore that is restricting some at this time. Council Member Smith suggested that we look at what we can best do. That would be a long run and if it gets plugged or collapsed, we will have a problem with that. He also Commented that he doesn't know about having city infrastructure over private property like that. We would want to keep it an open ditch and keep it unrestricted. Brad Connors informed the Council that he has a signed purchase agreement for the property. Mr. Connors said that he was finalizing the sale and the city showed up and took 2 loads of dirt out. He did not remember this being cleaned out for 48 years. He was surprised that they just showed up and took it out. He felt it would have been neighborly to notify them and not just show up. He also stated that Tetonka Boulevard and Herbert Street are abandoned roads. Since the outlet was not cleaned out it will create a pool. Mr. Connors commented that it was not fixed properly. So now, we have a deeper hole where all that water is going to run and trickle out of the end of the pipe. That needs to be cut out and put in correctly. This is why he got the bid. His

idea is to match the culvert that is there, pull out the culvert by the lake and put it all the way through and put a top drain about half way down so the surface water can get in that drain and not flood Phil's or anything and drain like it should. The ideal thing would be to put it into the storm sewer, but that is a pretty expensive thing. Council member Smith commented that this is probably something that Tom, Jason Femrite and Jason Moran need to look at and come up with a good solution until we can get it into the storm sewer. Council member Smith inquired what triggered the clean out. Mr. Hiller said that the water was draining through the waterway, but it was silted up enough where it was draining into Phil's property. They cleaned it out so they had grade from the beginning to where the old culvert is still. The center was clean out but the end was left because we were not sure who owned it. Without access into the old Wilmes property that culvert would not need to be in there. Mr. Connors commented that the city easement should not end at the old Tetonka Blvd. It should be cleaned out to the end. If you are going to take everyone's water from that area and pile it in the ditch you would think the city would need to clean out the old Tetonka Blvd to get the water to where it is supposed to go. Mr. Hiller stated that he understands that but, he does not know who is responsible for the old steel culvert that is in there currently. It was unknown if it was City or Private infrastructure. Mr. Connors questioned how long the city has rights when a street is vacated? Mr. Moran said we could until it is vacated. Mr. Moran commented that typically when you vacate a road half goes to one property owner and half goes to the other but any utility easements, or infrastructure easements remain. The City still maintains the right to inspect and repair, dig and excavate. Even if the road is vacated, the easements typically remain. Mr. Connors confirmed with Mr. Moran that the water easement would be there forever. Mr. Moran confirmed that was correct until the council takes a specific action to vacate that particular easement. Mr. Connors asked if we looked to see if it was ever vacated. Ms. Hill stated that she did do some research and did not see where the easement was vacated. Mr. Connors said then we would have the easement on Tetonka Blvd also. Mr. Moran said yes unless it is private infrastructure. Mr. Hiller stated that if we can get in there and remove that old culvert where it dumps into the lake the problem would be solved. Council member Smith stated that if we dig it out, we may have erosion and what would the DNR say. Councilmember Smith stated that this should be done the right way, we as the city are dumping water into private property and we have some sort of responsibility there. We should look into it and make it right the best as we can. Mayor Schmidtke asked Mr. Hiller what the tile along Herbert Street looked like. Mr. Hiller commented that it is a steel culvert. When Herbert Street got done, they all got culverts put in and they stayed with the 15 in going through there. Mr. Hiller said it is a good idea but we want to make sure we put the correct size in that waterway to the lake so we don't have to come back and re-dig that up 5 years down the line. Mayor Schmidtke asked if it was totally blocked? Mr. Hiller said yes, it had been silted in over the years and it probably ran off into Brad's Grandpas place or Phil's place now. Once Phil bought it, it was enough that he brought it to our attention and we had to go in and clean the ditch out so it would take water. **Motion by McIntyre, Seconded by Smith to have Jason Femrite look at it and come back with a plan to correct the problem and some costs to it. Motion Carried 5-0.**

Loader & Equipment.

Loader. Street Supervisor Alan Hiller stated that he received 3 State bids for the loader: A Case model for \$132,000, Volvo for \$144,788 and John Deer for \$152,000. He recommended the Volvo loader. He stated that it is the right machine for the city. Councilmember Grobe inquired about parts availability. Mr. Hiller informed her that parts are available for all 3 loaders. The Volvo seems like a lot more stable of a machine to handle a snow blower. Quotes for used loaders ranging from 300 hours to 1700 hours was between \$168,000 and \$192,000.

Snow Blower. Council member Smith commented that there is a quote for \$100,00 on a 25-year-old used snow blower and \$189,897 for a new one. He inquired what kind of issues we would have on a 25-year-old snow blower. Mr. Hill stated that he wanted to be honest with the

council in that he did not feel comfortable purchasing a used snow blower. Mr. Hiller said that with his research, the sellers had no idea what may happen with it and what would the parts situation be. He is not recommending the purchase of a used item. He also did not recommend spending the money on something new since our process is working good with Sunny Brook. Keep working with them until we can get some better information on some used stuff or purchase something new later on. Mr. Wollin commented that he did the math and if you take \$16,000 from last year times 25 is about \$400,000 and you are still not getting to that new number. If a blower is purchased in the future, can it be fitted to work with the loader? Mr. Hiller advised that it would be possible. Councilmember Grobe stated that if a person got everything all at once, wouldn't it save in the long run. You would only pay bonding costs 1 time if it was combined. You would have the equipment set and ready. You don't know about their availability all the time. It's fine if they are going to be available when you need them. If we are going to do it, we should just do it all at once and have it done and we don't have to worry about it coming back in a few years and us saying we should really do this. Mr. Hiller said he agreed but he would not buy used. Mayor Schmidtke commented that if you get a new snow blower now, you will have to rent trucks. Mr. Hiller advised that we would need to hire 4 or 5 tandems like we have been. That would not change. We would have it when we want it. It is not only for the windrows. If we get a lot of snow and the streets get narrow, we can shave them down and get them out of the way. Discussion was held on the delivery time of equipment and the ability for Sunny Book to cancel the snow blowing agreement. Mayor Schmidtke commented that they should just wait, our finances are not real well. We have a lot of nice things going for us and Mayor Schmidtke could not see the city spending \$189,000 for something that is used 3 or 4 months out of a year. We had to cut a lot of stuff this year, what will it be like next year? Councilmember Grobe asked what we would need to levy for this. Administrator Hill advised that you would levy 105% of the payment. For this year a 1% increase raised about 9 or 10 thousand. Councilmember Grobe stated that we don't have anything coming off next year. Hill responded in 2025.

Mayor Schmidtke said it would be ok to get the loader and box plow and keep Fessels for this year and see how the budgets work out for next year. Smith, If we don't bond for it this time what would it cost in fees. Hill replied it would vary. A \$200,000 bond was about \$13,000 but you may also have other projects that you are going to bond for at that time. Councilmember Smith said he agreed with both sides but, I understand with the budget the way it is, I hate to spend that much money on a snowblower now given the fact that we already had to cut out of the budget and are still not quite balanced. Council member Grobe pointed out that it will only be about \$22,000 a year more for everything. Council member Grobe had another question. If there was a \$22,000 increase in payment and you would still have payment to Fessel every year. If you compensate what that would change, renting them versus payment, she didn't feel we were losing there. Wollin questioned if the \$16,000 would be cut or would we still be using their trucks? Hiller commented that we would still be using the trucks. The \$16,000 included the blower rental and the trucks. Wollin requested a breakdown of just the snow blower cost before we could compare the cost and the payment. Discussion was held on Finance issuance.

Box Plow. Councilmember Grobe asked what the box plow was on item C. Mr. Hiller obtained 3 quotes for a box plow: RDO for \$7,250.00, Titan Ma and the lowest was from RDO at \$7,250.00, Titan Machinery for \$8,930.00 and Crysteel for \$9,174.00. Mr. Hiller advised that it is a plow that goes on the front-end loader that has end caps on it that you can push parking lots with it and small wind rows. He was going to get a small plow for the skid loader but the skid loader is not capable of handling it.

Motion by Wollin, Seconded by Grobe that we go ahead and order the front-end loader at \$144,788. Motion Carried 5-0.

Resolution 2022R-035 Establishing Procedures Relating To Compliance With Reimburse Bond Regulations Under The Internal Revenue Code. Motion by Wollin, Seconded by Smith to approve Resolution 2022R-035. Motion Carried 5-0.

Resolution 2022R-036 Approving the Authorization for the Issuance of A General Obligation Equipment Certificate. Series 2022A. Motion by Wollin, Seconded by McIntyre to adopt Resolution 2022R-036. Motion Carried 5-0.

Snow blower for the loader- Item Tabled

Box plow for loader. Motion by Smith, Seconded by Wollin to approve the purchase of the box plow. Motion carried 5-0.

Reports

Attorney. Attorney Moran, had nothing to report

City Administrator. 1. FEMA Map Amendments. FEMA is currently going through the process of updating the Flood Elevation and maps. Maps are available for review. When FEMA notifies the city that the Maps are not final, we will need to update our flood Plain Ordinance. This is projected to happen in 2024. 2. Ordinance 71.04-2018 “Parking Limits”. We are requesting that we do some revisions. In 2018 we changed this to regulate campers and trailers that were parked on the road for extended periods of time. The word vehicles remained in and will need to be revised. Mayor Schmidtke ask Mr. Moran if vehicles need to be moved every 48 hours? Administrator Hill advised that the typo was that vehicles could only be on the street for 2 hours on all street which trumped the 24- and 48-hour parking for vehicles. Mr. Moran suggested that we have an Ordinance for vehicles and a separate ordinance for trailer, recreational vehicles. Discussion was held on the ability of the owner to move the recreational vehicle 1 foot and still be in compliance.

Council Discussion

Items were discussed with parking regulation discussion.

Adjourn

Motion by McIntyre, Seconded by Smith to adjourn. Motion Carried. Meeting adjourned at 6:12 p.m.

Alan Schmidtke, Mayor

Teresa Hill, Administrator-Clerk