

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

The Waterville City Council held a meeting in Council Chambers at 5:00 p.m. on April 5, 2022.

Present: Smith, McIntyre, Grobe, and Acting Mayor David Wollin. Absent: Mayor Schmidtke Also Present: Administrator/Clerk Teresa Hill, City Attorney Jason Moran and City Engineer Jason Femrite.

Call to Order / Roll Call/Pledge of Allegiance.

Acting Mayor Wollin called the meeting to order noting that all members were present except Mayor Schmidtke. Also, Present Attorney Moran and City Engineer Jason Femrite. Pledge of Allegiance was recited.

Approval of Agenda/Additional Items to Agenda

Motion by: McIntyre, ***Seconded by:*** Grobe to approve the agenda. ***Motion Carried 4-0.***

Consent Agenda

A. Approval of Minutes- March 1, 2022. B. Approval of Disbursements: 1. Electronic Fund Transfers (35125E-35150E) \$29,369.53. 2. Payroll Check Numbers (2022081-2022123) \$41,958.31. 3. Computer Generated Checks and Overtime (36580-36672) \$194,010.21, Total Disbursements \$265,338.05. C. Employment Recommendations. D. Memorial Service Request-Don and Brenda Novack. E. Resolution 2022R-010 Granting Waterville Sportsman's Club Gambling Request. F. Resolution 2022R-011 Appointing election Judges for May 24th Special primary election. G. Resolution 2022R-012 Adopting Le Sueur county hazard mitigation Plan. H. Delegation agreement-Boat inspection Program. ***Motion by Smith, Seconded by McIntyre to approve the consent agenda items. Motion carried 4-0.***

Written Petitions and Request

Waterville Lions Club Request to place Logo on Entrance Signs. Administrator Hill informed the Council that the Lions Club would like to place their logo on the 3 Entrance Signs. The Lion's Club has contributed financially to these signs. ***Motion by Wollin, Seconded by McIntyre to approve the Lions Request to put the logos on the entrance signs. Motion carried 4-0.***

Trunk or Treat Street Closure Request-Betty Deno. A request was made to move Trunk-or-Treat to the down town and to allow for street closures. ***Motion by McIntyre, Seconded by Smith to approve the Trunk-or-Treat street closure for their request for Trick or treating. Motion Carried 4-0.***

Out Door Band Request Dillions Double D's Bar and Grill. ***Motion by Smith, Seconded by McIntyre to approve request for outdoor band on April 30th for Dillions Double D's Bar. Motion Carried 4-0.***

Liquor License Renewal (Dillions Double D's Bar and Grill LLC). ***Motion by McIntyre, Seconded by Smith that we approve the renewal of their liquor license. Motion carried 4-0.***

City Hall Vinyl Wraps-Jeff Jarvis. Jeff Jarvis prepared 2 renderings for the historical Vinyl wraps to be placed at City Hall. Councilmember Smith said he liked the antique version but maybe try to incorporate some of the blue Mr. Jarvis did the research on the individuals selected to be on the wrap. Commissioner Smith said we should plan for future expansion. Acting Mayor Wollin commented that it is a good thing for this town and its history. Councilmember McIntyre agreed that we have a lot of history in this town and we need to start moving forward and showing it. ***Motion by McIntyre, Seconded by Smith to move forward with the project not to exceed \$7,820. Motion Carried 4-0.***

Marik Le Sueur County Solar Garden Request . The Planning and zoning met and discussed the solar Garden request and had Voted 2 for, 2 against and 1 abstention therefore it was presented to Council with no recommendation. Councilmember Smith indicated that he was at the meeting and P&Z this would be within 2 miles of the city limits and was mixed and it would be next to another Solar garden. This would be smaller station on 5 acres and would max out the capacity at the Waterville substation. Administrator Hill informed council that they would not be granting the application, only supplying a letter of support, or non support or conditions to be considered. The applicants would still need to go through the county process. Councilmember McIntyre advised council that money is sometimes provided and the city should see if it could be shared with the city. Councilmember Wollin commented that an addition to the existing garden would be more palatable. Attorney Moran explain they could ask for money but there would be no legal obligation. Councilmember Smith shared that the location is far enough out of town that it would not interfere with development and it will not be an eyesore because it is around the other one. Councilmember Grobe asked if the County would set the stipulations about planting trees or other things at their meeting. Attorney Moran said that would be all part of the permitting process. ***Motion by Wollin, Seconded by Grobe to send an approval letter for the Marik Garden Solar Request. Motion carried 4-0.***

Unfinished Businesses

2022 Street Projects: Seal Coating, Crack Filing, and Mill and Overlay. Street supervisor Hiller informed the Council that there was a slight uptick on the overlay costs from last year due to product cost, more cracks and a section that would need to be cut out and replaced. He recommended awarding the work to the low quote of WW Blacktopping for 72,741.00. Seal coating for the City shop and boat landing doubled from the fall estimates. He recommended that this not be completed this year. Funding for the projects in 2023 was discussed and the need to set aside the budget money for next year. This should be done by resolution at the time we are looking at the budget in June. A quote for crack filling in the amount of \$24,895 was received and reviewed. Mr. Hill informed the council that the crack filling price went up due to cost of product and more cracks developed over the winter. Mr. Hiller suggest that the council get the streets on the list done or it will create more problems. Council member Wollin verified the price of \$24,895. **Motion by McIntyre, Seconded by Smith to approve the Mill and over and Crack filing. Motion by Smith, Seconded by Wollin to amend the previous motion to approve the quote of WW Blacktopping for \$ 72,741.00 and crack filing to Bargaen for \$ 24,895.00. Motion carried 4-0.**

Fire Department Floor Repair. Chief Meskan obtained 1 estimate for approximately \$18,000 to do the entire floor not including and floor drain work. If renovations are not planned, then a smaller portion could possibly be done. Council member Smith recommended the entire slab be removed and fixed and we should get our money back out of the floor.

Motion by McIntyre, Seconded by Smith to request Chief Meskan get quotes for the floor and bring it to the next council meeting. Motion carried 4-0.

Citizen Time.

No Citizens present wished to address the Council.

New Business

American Rescue Fund Economic Development Request-Waterville Chamber. Administrator Hill requested the Council consider using American rescue fund money to help support tourism and marketing the down town area is an allowable use. The request was for Radio advertisement and Web page development and hosting. **Motion by McIntyre, Seconded by Smith to approve the chamber request for total of \$3,450. Motion Carried 4-0.**

Mosquito Control. A proposal was submitted for 7 application of mosquito control in the amount of \$6,384.00. **Motion by McIntyre, Seconded by Grobe to approve the mosquito control. Motion carried 4-0.**

Short Term Rental Ordinance 118 Review and Setting Public Hearing. The Planning and Zoning Commission recommending the passing of a Short-Term Rental Ordinance. Council member Smith requested updated language for campfires per state fire code and specifications. Language will up be updated by Attorney Moran for the public hearing. **Motion by Wollin, Seconded by that we approve the 1st reading of Ordinance 118 with the addition that campfires need to comply with the State Fire Code, Motion Carried 4-0. Motion by Smith Seconded by McIntyre to set the public hearing and 2nd reading for the regular May meeting at 5:15 p.m. Motion carried 4-0.**

Approval to sell ATV & Trailer. Chief Meskan requested the City sell the old ATV and Trailer. **Motion by Smith, Seconded by McIntyre to approve the sale of the Fire Departments old ATV and trailer. Motion Carried 4-0.**

Resolution 2022R-013 Approving Budget Amendments. Administrator Hill presented Council with a list of proposed budget amendment for year 2021 effective December 1, 2021. **Motion by McIntyre, Seconded by Grobe to approve Resolution 2022R-013 Approving Budget Amendments. Motion Carried 4-0**

Seasonal Residential Refuse Service. Administrator Hill presented information provided by West Central Sanitation of the number of residents contracting for service went from 38 or 39 in the first year down to 1 or 2 in. The Dumpster is being used for other things other than just the seasonal residents. West Central would provide 6 months of service same as the dumpster. Discission was held on illegal dumping and monitoring the former dumpster location. **Motion by Smith, Seconded by McIntyre that West Central Sanitation contact seasonal residents and have them join cart service and get rid of the bin and go strictly cart service. Motion Carried 4-0.**

Resolution 2022R-015 TIF Redevelopment Districts. Administrator Hill and Attorney Moran presented information to preserve opportunities for the building that burned on Main Street. To do so, the city would need to pass a resolution to formulate, or intent to formulate a redevelopment district within 3 years to help fund development and clean up. Attorney Moran explain that the developer would front the money then the City would rebate the money back by the taxes to recaptured on the improvement of the parcel. **Motion by McIntyre, Seconded by Smith to approve Resolution 2022R-015. Motion carried 4-0.**

Council called a recess at 2-minute recess. Motion by Smith, Seconded by McIntyre to reconvene. Motion carried 4-0. Meeting reconvened at 6:00 p.m.

Public Hearings

Cedar Circle Improvement Continuation Hearing.

City Engineer Jason Femrite presented updated information on the project and the televising that was conducted. The East West Southerly line was in relatively good condition but there is need for a spot repair in location and the last 70 ft had some sages and replacement of connections due to blockages and new main. The Assessment roll war rerun and presented. Preliminary estimates run from \$12,000 up to \$28,700. The Feasibility reports was updated with the new information.

Rick Meyer, 443 Cedar Circle questioned why the sewer was not divided up to all lots? Mr. Femrite explain that the cost was on the lots that were getting new sewer. Meyer questioned about lot number 1? Mr. Femrite explained that it was just street and it would get sewer and water off Herbert Street. Mr. Meyer suggested the fairest way would be water and sewer as presented and the street by the foot. It would knock about \$7,000 off his cost. He did not feel it was right for someone with 900 feet to pay the same as him. He would be happy if it was divided equally among the 18 or 19 original lots. He also inquired about the period of repayment time to spread the assessment out. Administrator Hill commented that it is usually a 10-year term to run in line with the bond or at the discretion of the council. Sue Mariska, 453 Cedar Circle requested to know what the interest rate would be. Administrator Hill commented that it is 3% over the bonding rate. Discussion was held on the ability to prepay the assessment balance. Mr. Femrite reviewed the project time line of June 7 for plans and Specification approval, July for bid opening and assessment hearing in August. In August the cost and interest rate would be available. Ms. Mariska questioned when they would know when it would be a for sure deal. Council member Smith and Mr. Femrite explained it would be after bids have been received and the final assessment hearing is held. Ms. Mariska sought information on vacant lot deferments. Administrator Hill provided information was provided on Green Acres and Hardship deferments. Council member Smith ask for clarification that the current 2-inch water main is a possible fire hazard. Sue Mariska commented that we do not need a tarred street. Mr. Femrite discussed the frost boils and timing for the placement and ease of maintenance of bituminous. Ms. Mariska stated that this was brought about because of a developer. Administrator Hill explained that it was brought up because of development long with the fact that the current service is not adequate to service the existing properties. That is why this was brought up for rediscussing. Councilmember Smith stated from his understanding that the existing water service is 2 in and it in no where near what is needed for firefighting. This would not allow for sufficient pressure or flow rates and they would struggle to put out a fire. You could not hook up a fire hose to that 2-inch line. It would have to be hooked up from Herbert Street about 500-700 feet and it would take a while to string out that much hose and you would have a significant loss. Ms. Mariska said the soils and it has always been an issue in the area that the sewer is sagging. Mr. Femrite shared information that the sewer is sagging and is about $\frac{3}{4}$ full of water. Ms. Mariska state that they don't need a tarred street and it isa bout $\frac{1}{3}$ to $\frac{1}{2}$ of the cost, look at water and sewer if we have to but the street is not a necessary thing. Mr. Femrite advised that taking off the black top would reduce the cost by about \$45,000 or about \$4,500 per parcel. Administrator Hill advised that the council has the ability to order alternate bids if there were concerns over the elevated cost of bituminous. Mr. Femrite stated that with the soils, we may want to wait a year or two to allow the road to settle until it is paved. Public hearing portion of the meeting closed.

Resolution 2022R-009 Ordering Improvement and Directing Preparation of Final Plans and Specification. Motion by McIntyre, Seconded by Smith to approve Resolution 2022R-009 ordering improvement and directing preparation of plans and specification. Motion Carried 4-0.

Hwy 13 Phase 2 Public Hearing. Motion by Wollin, Seconded by Grobe to start the Hwy 13 phase 2 hearing. Motion Carried 4-0.

City Engineer Femrite reviewed the Phase 1 project and previous phase 2 project going out to about North Shore Drive. This project has been paired back to stop at the end of the residential properties and the feasibility report was prepared accordingly. Total estimated cost of the project is \$186,000 for Water,\$176,000 for sewer with 10 Accessible properties with an individual assessment of \$18,000 for Water and \$17,000 for sewer for approximately \$36,000 per lot. The Project could be built this fall if the Council was ready to move forward. The meeting was opened for public comment. Another letter was letter was read into record from Eugene Morris in nonsupport of the project due to const and his property already has water and sewer. A letter was also received from Jeff Karels in nonsupport of the project. He will be fixing his septic system at a lesser cost than the assessment and does not need city water. LeAnn Wessbecker, 1290 Hwy 13, Stated that there is quite a run from the Cummiskey Property to their property and they are paying for that. She questioned if Cummiskey was being assessed. Mr. Femrite advised that he was not included. Ms. Wessbecker also questioned the duplication of cost associated with the Water and the Sewer . Mr. Femrite advised they would be run at the same time and the cost was prorated to water and sewer. Ms. Wessbecker questioned the pro[posed 10" pipe for sewer and if that was normal. Mr. Femrite explained it was for

capacity and expansion and the 10 inch allows for a shallower grade. And the Water to allow for capacity, expansion and fire protection. Ron Morris, 1330 Hwy 13 N. commented that we was strictly against it. He is not in the city limits and he is totally against it. Glen Kelm, 1520 Hwy 13 N., He does not want it period. We have our water and we have our sewer and we are satisfied. Don Wetzel asked if Cummiskey was assessed. He also commented that we are just kicking the can down the road. The City Crossed the highway 4 or 5 years ago and why we didn't keep going is because there was developable b property and they said yes. Mr. Wetzel said he needs it right now. His sewer did not pass inspection and you will not get a septic system for \$18,000. The County will out to inspect the sewer every 3 or 4 years to see if it passes. The city will not go away. Randy Wessbecker, 1290 Hwy 13 N., commented that Cummiskey is not hooked up. Administrator Hill explained that there are certain stipulations that allow for the use of a compliant system to be sunset for 5 years before hook up is required. Administrator Hill also provided information on phase 1 in that the property owners came to the city and agreed to the project, in essence petitioning in the project and agreeing to pay the cost. That process is a different process than what is being looked at now. There was also a failing system and they wanted the services. It was not because of development.

Dana Schnepf, 1400 State Hwy 13, We are not part of the project. How do you charge of the sewer if you are not hooked up to water? Administration informed that you meter the well water. Lyle Morsching, If he has to move his septic to build a garage it is only good for 5 years. Administrator Hill advised that 5 years is the sunset for a compliant system. Mr. Morshing inquired about Cummiskey property and why his 4 lots were not assessed. Administrator Hill explained there is a difference between hooked up and assessed. The property was assessed and if the system is compliant, they have 5 years to hookup. Mr. Morshing said he is against it because he would have 70,000 in water and sewer just so he could have a garage. Randy Miller, no address, What is the benefit of water and sewer to a barn that has no water and sewer and no need for it. He would not build a home so there would no benefit to have this to the barn. Mr. Femrite said his lot was considered a buildable lot. Mr. Miller supplied a map of the lot with the farm land outside the city limits with a 15-year contract for CRP. Mark Rezac, 1310 Hwy 13, stated that is septic was updated in 2018 and does not want it. LeAnn Wessbecker comment that it is still a difficult time to do this. With inflation it is financially hard for everyone.

Elaine Sheehy 1370 Hwy 13, stated she lives on disability and it is not feasible for them to pay that amount she did not feel that if she . sold the property she could not recoup the cost. She added that her septic did pass. Lyle Morsching inquired if there were any grants and if they would get assessed for the Hwy improvements. Administrator Hill said if it was a state highway, she did believe they would. Administrator Hill advised that you need a number of failing or non-compliant systems to obtain funding. Mr. Schnepf commented that he heard other city attorney's advise councils that they should only do a project if the owners are 100 % for it. It is tough for a city to win court. Don Wetzel commented that there will be 2 putting in septic systems and every time you spend that 15 to 20 thousand you still have the city hanging down there waiting to go by you and charge you again.

Councilmember Wollin commented that this project was brought up by the City, it was brought to us by a citizen.

Motion by Wollin, Seconded by Grobe to deny the resolution . Motion Carried 4-0. Motion by Wollin, Seconded by Grobe to end the public hearing. Motion Carried 4-0. Motion by Wollin, Seconded by Grobe to open up the meeting. Motion carried 4-0.

Reports

Attorney. No report

Engineer. City Engineer Femrite provided a written report on the Cannon River Hydrology Study.

City Administrators. Administrator Hill informed Council that Metronet does not want the city to require linear cable. It is not cost effective. Most people are dropping cable TV most people are steaming through cable.

Councilmember Smith wanted more information on the impact on current subscriber. We received a request to meet with a representative of the County and a representative of the Township for a work session on Sunset Lane. Mr. Schmidtke wished to thank the Waterville Township for purchase and use of the Fire Department ATV. A thank you to the Waterville Fire Department employees and other agencies that helped fight the fire. A Thank you to the Waterville and Le Sueur County Emergency Management Teams for their assistance.

Council Discussion

Councilmember McIntyre requested the Eda look at attending the Workshop for downtown renovation.

Councilmember Wollin request we get more dog refuse bags and order a new station for the beach.

Adjourn

Motion by Smith, Seconded By McIntyre to Adjourn. Motion Carried 4-0. Meeting adjourned at 7:10 p.m.

David Wollin, Acting Mayor

