

**WATERVILLE CITY COUNCIL
REGULAR MEETING**

October 1, 2024, 6:00 p.m.

There was a regular meeting that the Waterville City Council held in the Council Chambers at 6:00 p.m. on October 1, 2024.

Call to Order / Roll Call/Pledge of Allegiance

Present: Council members: Tim Smith, Dave Wollin, Jennifer Grobe and Mayor Bill Conlin

Also Present: Administrator Teresa Hill, City Attorney Jason Moran, City Engineer Jason Femrite

Absent: No members were absent.

Acting Mayor Smith called the meeting to order at 6:00 p.m. Announced present members of Staff and Council with Mayor Conlin in route and then led the Pledge of Allegiance.

Approval of Agenda/Additional Items to Agenda

Acting Mayor Smith requested to amend the agenda: with the addition of 7F. Resolution 2024R-035 Appointing Election Judges, add item 7G Abatement of Sewer Charges for the Service Month of August and September, move 7A up to 5A.

Motion by Wollin Seconded by Grobe approval the agenda with the amendments. **Motion Carried 3-0.**

Consent Agenda

A. Approval of Minutes- August 26, 2024, September 3, 2024, September 12, 2024, September 24, 2024. B. Approval of Disbursements. **1.** Electronic Fund Transfers (35854E-35879E) \$47,874.56. **2.** Payroll Check Numbers (2024355-2024397) \$48,761.56. **3.** Computer Generated Checks and Overtime (38843-38916) \$207,541.34. **4.** Total Disbursements \$ 304,177.46. **C.** Impress Cash Fund-\$49.55. **Motion by Wollin Seconded by Grobe** to approve the Consent Agenda.

Motion Carried 3-0. Mayor Conlin arrived at 6:02 pm.

Public Hearings:

Proposed Ordinances Amendments Allowing for Lower-Potency Hemp Edible Sales as an Accessory Use to Retail Stores in the City of Waterville.

Motion by Smith Seconded by Wollin to open the public hearing for the proposed ordinances for the lower potency Hemp Edible sales. **Motion Carried 4-0.** **1.** 150.10.2024 B-1 Limited Business District. **2.** 150.11.2024 B-2 Commercial Recreational Shoreland District. **3.** 150.12.2024 B-3 General Business District. **4.** 150.13.2024 B-4 Central Business District. **5.** 150.15.2024 I-2 General Industry District. **6.** 150.14.2024 I-L Limited Industry. **Attorney Moran** conveyed to Council that there are several ordinances in chapter 150 pertaining to the lower-level THC with where and how many licenses will be distributed. These locations are in Business Districts 1,2,3 and 4. This allows an accessory sale for other businesses that are not bars or pubs. Then there is one master Ordinance 116 pertaining to the high potency level THC. This will be allowed in the Limited Industry I2 zoning located off Reed Street over by the City Shop. Ordinance 116 was taken to mirror the State Law. As the State will refine this over time, the City will have to do the same. As for the hours of operation for a dispensary would be 8:00 am to 2:00 am. For off-sale accessory items can be sold till 10:00 pm. This being seven days a week. There was a discussion between the Council and Staff pertaining to the registration fee for the low & high-potency THC. **Administrator Hill** stated that if we kept it the same as off-sale for the fee schedule this would be best. That way it can be revisited on an annual basis. **Attorney Moran** mentioned that this registration fee will allow the City to know who is selling these items and compliance checks can be performed, along with only allowing the sales within the proper zoning. The State will be issuing licenses for both low and high-potency THC sales. **Council Member Smith** asked if the City had to form a regulatory committee to perform inspections? **Attorney Moran** responded the City will have minimal interaction with these. The City will need to make sure they are in compliance with zoning, or if an establishment is selling that they have acquired a license from the State. If you see or hear of a business that is not in compliance it can start on a Municipal level for rectification or it can be sent to the State to have revocation with the licenses. **Mayor Conlin** opened the floor to any citizens who wished to approach the Council at 6:16 pm. No citizens approached Council at this time. **Motion by Council Smith Seconded by Council Grobe** to close the Public Hearing on the proposed ordinances. **Motion Carried 4-0.** **Motion by Council Smith Seconded by Council Wollin** to accept the second reading and adoption of Ordinance 150.10.2024 B-1 Limited District. **Motion Carried 4-0.** **Motion by Council Wollin Seconded by Council Smith** to accept the second reading and adoption of Ordinance 150.11.2024 B-2 Commercial Recreational Shoreland District **Motion Carried 4-0.** **Motion by Council Grobe Seconded by Council Wollin** to consider this the second reading and adoption of Ordinance 150.12.2024 B-3 General Business District **Motion Carried 4-0.** **Motion by Council Smith Seconded by Council Wollin** to accept the second reading and adoption of Ordinance 150.13.2024 B-4 Central Business District. **Motion Carried 4-0.** **Motion by Council Wollin Seconded by Council Smith** to accept the second reading and adoption of Ordinance 150.15.2024 I-2 General Industry District. **Motion Carried 4-0.** **Motion by Council Grobe Seconded by Council Smith** to accept the second reading and adoption of Ordinance 150.14.2024 I-L Limited Industry. **Motion Carried 4-0.**

Proposed Ordinance No. 116 Regulating Cannabinoid and Hemp-Derived Products

Motion by Council Smith Seconded by Council Wollin to accept the second reading and adoption of Ordinance 116 Regulating Cannabinoid and Hemp Derived Products. **Attorney Moran** with the understated fee schedule to be set at \$100.00 and will be readdressed annually. **Council Smith** and as amended **Attorney Moran.** **Motion Carried 4-0.**

New Business:

Coalition of Greater Mn Cities-Darren Lee

Daren Lee a lobbyist of the Coalition of Greater Minnesota Cities relayed to Council and Staff the Coalition is an organization of over 100 small cities that are outside of the Metro area. The Coalition is a negotiating team for small Cities. The 2024 session for bonding started with low expectations due to the bills that were not satisfied from 2023, and it being an implementation year. This was due to the timing of Holidays, hangovers from the 2023-year, ERA, Uber Lyft, and gun control items taking precedence. **Lee** touched on Lead lines and how grant funding started its availability in 2023. The amount granted is not exactly enough to replace all lead lines. This is going to be addressed again in 2025. **Lee** expressed the need for EMS aid within the rural communities is running in a deficit and \$ 120 million was requested to offset the 2022 year. Recruitment, retention, reimbursement are the three main issues with EMS deficit. Of the requested amount only \$ 24 million was granted. Reimbursements from insurance companies along with Medicare and Medicaid was the biggest contributor to the deficiency. The Coalition has ignited a plan to put in play the 3-phase approach, Phase one was the \$ 120 million requested. Phase two is working on a more sustainable funding option. Then phase three is the Federal level of Government will need to reform its policies to improve. It was mentioned that EMS was going to try out a medic pilot program to see if this would satisfy some of the needs of EMS without having the ambulance service. **Lee** expressed that Zoning preemption is taking place, where there is a shortage of multi-plex homes. The State is looking to potentially allow Accessory Dwelling Units by right on most residentially zoned properties along with allowing them to be built in commercial zoned areas. There was also discussion on parking minimums and design standards. This has been defeated for now but this will come back up in the 2025-year. Other 2024 priorities for the Coalition were Local Sales Tax, TIF, Prevailing Wage, Small City Streets, Greenhouse Gas, and Bonding bill replacement fund. Looking ahead into the 2025 session will have an election taking place. Every House seat is up for reelection. The 94th legislature session will convene on January 14, 2025, with the action day on February 12, 2025. Council thanked Mr. Lee for sharing his time and experiences with them on behalf of the Coalition.

Old Business:

City Hall Roof Quotes.

Administrator Hill referred to the two quotes that were received by Neiman Roofing, Schwikerts and the analysis from Bolton and Menk. Council and Staff talked about the recommendations for replacement or patching of the City Hall/Library roof and what is best for the City. There was further discussion pertaining to the nuisance trees that is primarily the cause of damage to the roof. **Attorney Moran** stated that the proposal from the property owner was to remove all encroachments of branches over the City Hall roof. All branches will be solely on their side of the property. They will have cabling done to the tree that is splitting. **Attorney Moran** suggested the work be completed by October 31st, 2024. If the work is not completed to satisfaction, then it will be deemed the City will have the work done with a collection of the work performed via assessment. **Motion by Council Smith Seconded by Council Wollin** to table the roof quotes and discussion of the City Hall/Library roof repair until the November Council Meeting. At this time have a presentation from Bolton and Menk. **Motion Carried 4-0.** Further discussion pertaining to the work is not completed to satisfaction, then we will allow for the recourse to fix it. **Mayor Conlin** noted that fixing the flashing should help.

Nuisance Abatement.

Motion by Council Smith Seconded by Council Wollin to direct Jason Moran to delegate her to fix it by October 31st as provided and described by the memo given on 10/1/2024. With this being revisited at the November meeting. **Motion Carried 4-0.**

Citizen Time:

Mayor Conlin opened the floor for discussion. No Citizens approached the Council at this time. **Administrator Hill** relayed she had a report from Commissioner Priesler. **1.** The blacktopping on the Bridge will be complete at the end of this week. **2.** The County is going to allow the Abatement of the second portion of the property taxes. These will still need to be paid as usual with an abatement application. This application is available and will be submitted for approval or denial by the State. If approved the State will be cutting back checks in 2025. **3.** The County is still working on a buyout for one Township home due to the flooding. **Council Smith** relayed a citizen had questioned him on the cost of the bridge. I corrected them by telling them this was a County Bridge project and County tax dollars were used.

New Business:

Ordinance 39 Authorizing and Regulating the Conduct of Lawful Gambling Within the City of Waterville.

Attorney Moran stated that this Ordinance needed revisions for it being out of date. The new language incorporates the State law with an annual application licensing fee. This would also need to be a brick-and-mortar building having a clean background check. This applicant would need to be in full cooperation. They would have to be located within the trade area of Waterville. 100% of any funds raised needs to stay within the City of Waterville. This application will encompass a fee of \$100.00. There was discussion between Council and Staff pertaining to the fee, along with the monies staying within the City of Waterville. It was requested by the Council to invite the Charitable Bookkeeper to come to the November Council meeting to discuss the % of funding that leaves the City that is raised by the Waterville Lions Club. **Motion by Council Smith Seconded by Council Wollin** to accept this as the first reading with the direction of Jason Moran to look at the language to capture the intent and to get the gambling commission here to be at the Public Hearing. **Motion Carried 4-0.**

Resolution 2024R-033 Variance Request Tim & Sarah Smith.

Council Member Smith Abstained from the agenda item. **Administrator Hill** relayed that Planning and Zoning had met this request and it meets all requirements within a variance. **Motion by Council Wollin Seconded by Council Conlin** to approve Resolution 2024R-033. **Motion Carried 3-0.**

Zoning Classification Request- David Poehler.

Administrator Hill conveyed to the Council that this property is currently zoned as a business district and is requesting to be changed to a Residential-2. The Planning and Zoning has reviewed this request and approved the change. **Motion by Council Wollin Seconded by Council Smith** to allow the zoning classification request for David Poehler. **Motion Carried 4-0.**

Resolution 2024R-034 Split of Property-David Poehler.

Administrator Hill conveyed to the Council that a survey was done into two Parcel IDs. These also meet the zoning requirements for both lots. **Motion by Council Wollin Seconded by Council Smith** to approve Resolution 2024R-34 Split of Property for David Poehler. **Motion Carried 4-0.**

Resolution 2024R-035 Appointment of Election Judge.

Motion by Council Wollin Seconded by Council Grobe to approve the appointment of the Election Judge. **Motion Carried 4-0.**

Abatement of Sewer for Lawn Restoration Watering for August and September.

Administrator Hill requested to allow sewer charge abatement of additional usage of water to reestablish lawns that were damaged due to flooding. This would be a short interim for only the sewer use over the average amount used. **Motion by Council Smith Seconded by Council Grobe** to allow the abatement of sewer charges as discussed for August and September 2024 service months. **Motion Carried 4-0.**

Reports

Attorney Report. There was no additional report.

Engineer's Report. There was no additional report.

Council Discussion

Administrator Hill informed Council on October 10th from 6:00 pm – 7:00 pm she is holding an informational meeting for homeowners to come and ask any unanswered questions and talk about mitigation options. If the Council plans on or needs to be attending this, it will need to be posted. **Council Member Wollin** stated that he had nuisance properties that needed to be addressed and he would supply the Administrator with those complaints.

Adjourn

Motion by Wollin, Seconded by Smith to Adjourn the meeting at 7:40 PM. **Motion Carried 4-0**

William Conlin, Mayor

Teresa Hill, Administrator-Clerk