

**WATERVILLE CITY COUNCIL
REGULAR MEETING
November 7, 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 November 7, 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 and City Attorney Jason Moran

Absent: City Engineer Jason Femrite

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

Approval of Agenda/Additional Items to Agenda

Administrator Hill requested to add 8 F. City Hall Building Report-Bolton and Menk and 8 G. Emergency Management Director. **Motion by Smith Seconded by Wollin** to approve the agenda as requested with the additions. **Motion Carried 4-0.**

Consent Agenda

A. Approval of Minutes- October 1, 2024 Regular Meeting. **B.** Approval of Disbursements. **1.** Electronic Fund Transfers (35880E-35910E) \$46,469.93. **2.** Payroll Check Numbers (2024398-2024439) \$47,591.79. **3.** Computer Generated Checks and Overtime (38917-39013) \$498,555.28. **4.** Total Disbursements \$592,617.00. **C.** Impress Cash Fund-\$66.94. **D.** 2024R-036 Accepting Donation-DTS Saloon. **E.** 2024R-037 Accepting Donation-Kamp Dels, Inc. **F.** 2024R-038 Accepting Donation -Tina's Overnight Transport. **Motion by Wollin Seconded by Smith** to approve the Consent Agenda. **Motion Carried 4-0.**

Public Hearings

Ordinance 39 Authorizing And Regulating The Conduct of Lawful Gambling Within The City of Waterville.

Attorney Moran relayed the proposed ordinance for charitable gambling. The current archaic Ordinance was in need of updating and revision. Due to the conversation at the last Council Meeting direction was given advice to take out the investigation fee of applicants and permits. There is a carve-out in the Ordinance pertaining to the Waterville Lions Club. This is with the exception of the expenditures due to this being an international organization. All net proceeds are spent within the City of Waterville. The Gambling division needs to be rooted in Waterville. The 10% will stay in place. There will be no changes in financial reporting or operations. One charity per location will be permitted. There are multiple sites in town, and once the permit is granted it can only be revoked or suspended by the City Council.

Public Hearing

Mayor Conlin opened the floor to Citizens at 6:05 pm. Paul Nesenson 36616 149th St Waseca from the Waseca County Gambling and Trail Association approached the Council with some personal input towards the ordinance. Investigating this has helped me to try and understand the contribution percentage, and it being set high. Lawful purpose of expenditures for gambling is 50% in Mankato, St. Peter, Fairmont, and Eagle Lake. Some cities do not have this ordinance at all, those being Morristown, Janesville, and Elysian. Then Waseca is set at 70% due to it being its own County. If Council would be willing to take into consideration to possibly lowering the percentage with hearing what other cities do within the trade area. Also, to possibly extending the boundaries, not keeping this specific only to the City of Waterville. Thoughts are it is detrimental to businesses in town that wish to support our cause and passions here in Waterville. We are not trying to take away from the Waterville area. This Waseca organization is trying to provide additional dollars to upkeep the trails across town. If Council is willing to lower the percentage to 50% it is quite possibly that the contribution to the City of Waterville from our charitable organization would be comparable to the Lions Club. There was a discussion between the Council and the Public on the trails that are assisting with the maintenance by the Waseca Gambling Association. **Motion by Smith Seconded by Wollin** to close the public hearing. **Motion Carried 4-0.** **Council Smith** stated that he was open to reduce the percentage if all Council is comfortable with that idea. With it being no less than 50%, but would like to see it higher than that. **Council Wollin** stated he would like to hear from the Waterville Snow Cruisers to see if there is any value in this for them. **Attorney Moran** stated that expanding the trade area setup would have to change to incorporate them. Currently, it is in the City limits. We would simply expand to Waterville and Elysian townships and give definitions to the use of all fund to still only being used within the townships surrounding the City of Waterville. Obviously, none of the funds would be able to be spent in Waseca County. **Council Grobe**

stated the Lions Club would be reduced by the competition and the Lions give 100% of the proceeds. **Mayor Conlin** stated that he would like to see this stay within City limits.

Second Reading and Adoption

Motion by Grobe Seconded by Wollin to adopt the Ordinance 39 as the second reading and accept it as written. **Motion Carried 4-0.**

Motion by Grobe Seconded by Smith to open this part of the Public Hearing for delinquent utility assessments **Motion Carried 4-0.**

Delinquent Utility Assessments, Resolution 20024R-039 Adopting 2024 Delinquent Utility Assessment Roll

Delinquent Refuse and Recycling, Resolution 2024R-040 Adopting 2024 Delinquent Refuse and Recycling Roll.

Unpaid Service Fee Assessments, Resolution 2024R-041 Adopting 2024 Unpaid Service Fee Assessments Roll

Council Grobe asked if this is a yearly process. **Administrator Hill** replied yes, they will be placed onto the 2025 tax roll for collection with a 0% interest. **Mayor Conlin** opened this portion of the meeting for public comment at 6:18 pm. No Citizens approached the Council at this time. **Motion by Smith Seconded by Wollin** to close the Public Hearing for delinquent utility assessments **Motion Carried 4-0. Motion Carried 4-0. Motion by Grobe Seconded by Smith** to adopt and approve 20024R-039, 2024R-040, and 2024R-041. **Motion Carried 4-0.**

Petitions and Requests

Resolution 2024R-042 Declaring Sufficiency of Petition and Setting a Public Hearing on the Proposed Vacation of an Alley in Everetts Tetonka Lake Addition block 8, lots 1-10.

Attorney Moran stated that the vacation of this alley is as documented. The Council should use discretion if you are to accept this, as is there any need for the alley, or does the City have any water or sewer lines that will need to be accessed in the future? If the Council accepts this request a public hearing will need to be set up. **Council Grobe** asked if there were any structures in this alley already. **Administrator Hill** replied, yes, if there are any structures the property owner would have the right to keep what they have established. If there are any utilities that have an existing easement this would also stay in effect. The north end of the alley is being requested for the vacation. The South end of the alley has already been vacated. **Attorney Moran** stated that the general rule is to split evenly between the property owners. If this is not applicable the County will tell us where the property lines will need to be split or where they originated from. **Motion by Wollin Seconded by Smith** to pass Resolution 2024R-042. **Motion Carried 4-0.**

Resolution 2024R-043 Granting Conditional Use to Kathy and Dana Schnepf

Mayor Conlin inquired if this was going to be additional storage units. **Council Grobe** asked if there was still room for the additional units. **Administrator Hill** relayed to the Council that there was plenty of land for this addition. The MN Department of Transportation did however weigh in after the Planning and Zoning meeting that there were no issues with the addition, but any more additions the MN Department of Transportation suggested that they will possibly need a different in and out access from the Highway. **Kathy Schnepf** stated that if or when we do an addition, we would work with and comply with the MN Department of Transportation. **Motion by Smith Seconded by Wollin** to approve Resolution 2024R-043 Granting Conditional Use. **Motion Carried 4-0.**

Old Business

Tree Removal Abatement

Attorney Moran relayed to Council that he had not heard anything from Mrs. Burns until the fax that was submitted to City Hall at the end of business day today to provide a progress update. This is basically showing the energy line to be moved which will proceed to the tree maintenance. I will suggest to allow Mrs. Burns one more month to complete this task. If this is not started or completed to satisfy the council's request, I would recommend moving forward with criminal charges of a public nuisance. With a public nuisance side of things, there has yet to be a resolution to the nuisance. There has been more than enough time between notifications and to get this nuisance taken care of. This will be charged as a public nuisance crime with a timeline set by a judge to comply. If her intentions are to pay for it, than she should. **Council Grobe** asked if the trees were just going to be trimmed or taken down. **Attorney Moran** replied that he is not completely sure of her plans with the trees, but she is working on relocating the power line prior to fixing the tree nuisance. Suggesting if any further damage taken on by the roof from her trees; accountability should be up held for the cost of the insurance deductible to repair the roof. **Motion by Smith Seconded by Wollin** to follow Jason's advice and let this go until November

30th of 2024, and if there are no appreciable changes in the condition or remedy of the situation then we will follow through with criminal charges and let the courts decide. **Motion Carried 4-0.**

Citizen Time

Chief Manning thanked Council member Grobe for her years of diligent service and all the help she provided during the flooding this spring. I am very thankful for all of the teamwork from all of the City employees, Council and volunteers. We could not have done it without the team and support we have. This was a terrible situation that brought our community together. I hope you are not done with your City endeavors. The City is lucky to have an asset like yourself.

New Business

Abatement Request-Jennie & Derek Johnson

Council discussed the request, and it was stated due to the nature of accessibility to water and sewer services this will still be charged. This base fee is set to protect infrastructure with any current or future costs. **Motion by Wollin Seconded by Smith to deny the Abatement Request. Motion Carried 4-0.**

Request To Use City Property-Sakatah Trail Snow Cruisers

Megan Lamont 50052 175th Ave. Waterville requested the use of City property behind Lakes Gas for the annual Snow Cruisers snowmobile training. This currently has a tentative date of December 14th, 2024. Running from approximately 8:00 am to 1:00 pm. Also, with the allowance to change the date if there is no snow or weather is not permitting. The event is insured by Minnesota DNR. **Administrator Hill** conveyed to the Council that the City approved the use of the old Weaver property. This is clarifying the Snow Cruisers would need to ask annually for use of City property due to the unknowing of possible City developments. **Motion by Smith Seconded by to approve the annual request for the use of the trail of the Weaver property. Motion Carried 4-0.**

Resolution 2024R-044 Bad Debt Expense

Motion by Smith Seconded by Wollin to approve Resolution 2024R-044. Motion Carried 4-0.

Administrator Hill requested from Council to discuss City Hall Building Report first. **Mayor Conlin** stated that they would move to 8. F.

Requests for City Property or Equipment Flood Mitigation

Administrator Hill conveyed to the Council that the City will have until November 15, 2024, to submit projects for the possibility of obtaining grant funding. Projects being; **1.** To erect flood walls for Hamilton and Tetonka Bay lift stations. Also to put a pump in the Tetonka Bay station to keep it dry and running effectively if another flood were to arise. Both the City Engineer and a FEMA mitigation representative were in agreeance of these two projects. **2.** Water/Wastewater Supervisor Krenik would like to add gate valves to the sewer on all of the campgrounds. This gives the City the ability to shut off when necessary or needed and will stop flood waters from infiltrating the City sewer. This would cost approximately \$3,000.00 for each so approximately \$15,000.00 for all five campgrounds. **3.** The 6th Street Bridge is a pinch point. This is a City bridge and will be at our cost. When thinking about this correction there are options. We could build a pedestrian bridge, or incorporate an increased culvert to allow free flow or to be controlled, or even up sizing the bridge. At this point no additional research has been done to see what the cost would be to replace the bridge. The Department of Transportation has talked about up-sizing the culvert on Hwy 13. They were looking at doing this as a special project due to the conversation of requesting Council to do something with the 6th Street Bridge. I would not be able to apply by the 15th due to not knowing Councils direction they want to take as of this time. I would apply for a climatology grant or applying formally for an environmental grant. If the mitigation grant is accepted for the bridge it would pay for 50-75% of the cost if awarded. If the request is denied mitigation, the bridge is an ongoing grant that could be queued for analysis. **Council Wollin** stated now that Waterville is on the radar of the State due to the current flooding situation he feels as though it is a great time to apply for this process. **Administrator Hill** replied that the 6th Street pedestrian bridge would still need to go through a design phase. An installation of a new bridge or a larger culvert would need to go through the whole process. David Tiegs could help out with this process of replacement if that is the direction Council wants to take. **Council Grobe** asked if anything was being done for erosion control. Even if the bridge is replaced and has a larger culvert, the water that comes through will still erode the land. **Council Smith** stated he would be interested in applying for all of the possible grants to see what can be received. Requesting a guesstimation of the 6th Street Bridge to find out what our best course of action is. We should maintain some type of access with all the foot traffic that generates from the school. **Administrator Hill** stated she would like to explore all options for the bridge and bring the information back, so the Council can decide on a direction. The other requests will be submitted by November 15, 2024. Then I will continue with the possibilities for the bridge. After the floods, Jason Femrite and Roberta Conquest gave options for the lagoons area for possible funded projects for mitigation. This is merely just a concept; this would be to install 3 lift pumps at approx.

\$200,000.00 for each. Adding 2,000 feet of fill to raise it 3 feet, putting in a lift gate, and dredging out the canal where the water would come in. This project would cost millions of dollars to do anything on this scale. The upland water storage will be extremely crucial for Waterville. **Council Smith** mentioned this type of project seems applicable for the One watershed One Plan going hand in hand with the hydrology study. **Administrator Hill** also relayed there are property owners who are requesting property buyouts and mitigations. Current requests are 4 buy-out, 5 demolition/rebuild, 1 relocation/elevation and 19 elevation projects. A notice of interest will also need to be in by November 15th. The Council will need to decide if they want to participate in any of the buyouts or an elevation project if they were awarded. There is nothing that binds us or the property owners if they do not want to follow through with their requests. **Council Grobe** asked if the home is being relocated would that then be deemed as a green space only? **Administrator Hill** replied yes, only if they are moving the home to a different property, and no, if they are staying on the same parcel but moving the home away from the water. With the buyout process, 75% of this would come from federal dollars. At this time the state has not secured funding for this, it would be 25% at the homeowner's cost. If the state does kick in funds, then it would be 12.5 % of the owner's responsibility and 12.5% from the state. There is only so much funding that is held for mitigation. If the Council decides to take on any of these types of projects a notice of intent will need to be posted. If Federally approved; then a formal application will be requested to go through the State process again. The property-owner and the City would have up until the time of passing the Resolution to accept those funds.

Meeting to Canvass Votes

There was a discussion between the Council and staff. **Motion by Smith Seconded by Wollin** to set the Special Meeting to Canvass Votes on November 13th at 4:45 pm. **Motion Carried 4-0.**

City Hall Building Report-Bolton and Menk

Jason Gram Structural Engineer from Bolton and Menk presented to the Council the Waterville City Hall Building Condition Assessment that took place in May of this year. Gram described the structure of the building as in good condition for the age. Roof repairs will solve a lot of the current issues with water intrusion. There is brick tuckpointing and flashing on the corner of the building that will also help with the water intrusion. **Mayor Conlin** asked if all City Hall, Sr. Center and the Library were inspected and what the overall assessment would be rated for the building itself. **Gram** replied most time was spent in City Hall and the Library. Little time was spent in the Sr. Center. There was also a little time spent on the roof. **Mayor Conlin** asked where the problematic areas of the building from the flashing by the library. **Gram** replied there is no flashing on the back end of the roof. The steal roof joist looks okay. **Council Smith** asked if putting a peaked roof on the building could be an option. **Gram** replied to his knowledge this would not work. For this is not a common practice. Only a visual inspection was done, so it is hard to say what condition the roof is in under the deteriorating membrane. There were some areas that were squishy upon walking on the roof. **Council Smith** asked if the foundation waterproofing would be done on the outside of the building because of the two challenges: the sidewalk on the North side of the building, and the abutting home on the South side of the building. **Gram** replied ideally this would happen on the outside, but with the challenges there would have to be some mitigation on the inside to create a path for discharge. **Mayor Conlin** asked if the \$200,000.00 is a realistic cost to replace the roof and flashing. **Gram** stated yes, a new roof with installation, and being able to get the water to drain the City Hall building should be in good shape. Along with suggesting to go with an unballasted roof without rocks. The council thanked Jason Gram for the work and time he had given. The council discussed possible outcomes of the current Municipal buildings what different options they may have and how there should be strategic sessions planned.

Emergency Management Director

Administrator Hill conveyed to Council in the time of vacancy for the Emergency Management Director, John Manning our Chief of Police stepped into the role and oversaw Emergency Management. If the Council is content with Manning in this role, he would need to be asked if he would accept being appointed to the position. If you feel you would like to see someone else in this role the City can go out for applications for new candidates. The Council asked Police Chief Manning if he was interested in the position, and Manning acknowledged he was interested in the position. **Motion by Smith Seconded by Grobe** to appoint Chief John Manning as the City of Waterville Emergency Management Director. **Motion Carried 4-0.**

Reports

Attorney Report

Attorney Moran had nothing to report.

Engineer's Report

Engineer Femrite was not present to report.

Administrators Report

Administrator Hill There is a grant out there for \$10,000.00 for unmet needs that was received by UMCOR. This was late getting to the City due to office changes, and trying to access that to benefit the community. Commissioner Priesler had a meeting today and was unable to attend and had nothing to report.

Council Discussion

Council Grobe stated that she was sad and a little offended by a post mentioned on Facebook. Stating that we have one less member of the good old boys club. Myself, I am unaware of a good old boys club. I worked for many years to become a Council Member. For twenty-four years my name has been on the City ballots and finally in 2016 I was elected. When I wasn't apart of Council, I was diligent in being in the Audience watching and listening. I believe I have honorably done the job that I was elected to do. I am sad to leave, but that is the election process. God willing my name will be again on the ballot in two years. **Council Smith** congratulated those whom won during the election and thanked those who had made donations to the flood relief. Jennifer Grobe thank you; you have done a lot for us Council members. **Council Wollin**, also thanked Jennifer stating that her strength was to always ask the right questions to get to the bottom of issues. **Administrator Hill** relayed that work was being done on the instant alert to get out an email or text during an emergency event. Citizens would need to request to be a part of this service by providing an up-to-date email and or phone number. This will be incorporated with the new web page design.

Adjourn

Motion by Wollin, Seconded by Smith to Adjourn the meeting at 7:43 PM. Motion Carried 4-0

William Conlin, Mayor

Teresa Hill, Administrator-Clerk