

**WATERVILLE CITY COUNCIL
REGULAR MEETING**

January 3, 2023, 5:00 p.m.

There was a meeting of the Waterville City Council held in the Council Chambers at 5:00 p.m. on January 3, 2023.

Present: Mayor Daryl Bauer, Council members Tim Smith, Dave Wollin, Jennifer Grobe and Sean McCaslin

Absent: None

Also Present: Administrator/Clerk Hill, City Attorney Jason Moran (via phone)

Also Absent: City Engineer Jason Femrite

Oath of Office was administered for Mayor Daryl Bauer and Council Member Sean McCaslin.

Call to Order / Roll Call/Pledge of Allegiance

Mayor Bauer called the meeting order at 5:01 p.m. Pledge of allegiance was recited. Mayor Bauer added that all Council members are in attendance along with present along with Teresa Hill, Administrator and Jason Moran Via telecom.

Approval of Agenda/Additional Items to Agenda.

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

Consent Agenda

A. Depositories of City Funds: Frandsen Bank–Waterville Branch; Elysian Bank; AIM; 4M Fund; Northland Securities/Northland Trust Services; Robert W. Baird & Co.; US Bank. B. Official Newspaper – Lake Enterprise New Paper. C. Treasurer Appointment-Linda Nelson. D. City Engineer-Bolton & Menk/Jason Femrite. E. Financial Auditors- Abdo. F. City Attorney-Jason Moran. G. Employment and Labor Legal Services-Kennedy & Graven. H. Department and Commission Yearly Reports. 1. Planning and Zoning Commission Report. 2. Economic Development Authority Report. 3. Fire Department Report. 1. Approval of Minutes- December 6, 2022. J. Approval of Disbursements. 1. Electronic Fund Transfers (35297E- 35311E) \$28,809.94. 2. Payroll Check Numbers (2022488-2022545) \$86,994.41. 3. Computer Generated Checks and Overtime (37310-37419) \$113,046.69. 4. Total Disbursements \$228,851.04. K. Impress Cash Fund – \$43.12. L. Resolution 2023R-001 Accepting Anonymous Donation. M. Fire Department Training Officer-Luke Duhme effective 1/1/23. **Motion by Smith, Seconded by Wollin to approve the consent agenda as written. Motion Carried 5-0.**

Old Business

Herbert Street Drainage Ditch. City Engineer Jason Femrite submitted a written update that Bolton and Menk staff will be working on this in January.

Citizen Time

Jay Schnieder informed the council that the name is now Life Enterprise News Paper instead of Lake Region Life.

New Business

2023 Appointments. Discussion was held on the proposed 2023 appointments. Council member Grobe advised the council that she would be interested in the EDA position. Council member Smith introduced discussion on the Acting Mayor position. Councilmember Smith commented that in the past it was one of the most senior officers. He felt that it would be best filled with someone with experience that knows the ins and out of the city pretty well. If something were to happen and the mayor was gone on vacation or for an extended period of time, it would be best served by someone who knew all of the contacts and know what is going on in the city. Mayor Bauer responded with a couple new people on council there has been some wonderful things that have happened with past councils. He commented that he was injecting an intentional change, not that he disagrees with any thing in the past he is just putting some intentional change in the mix. This nothing against anyone else, he just wanted to put that out as his reasoning. Mayor Bauer also commented that with him being new to the council and new to the city within the last 3 years that Sean would probably have some of the same resources that he has available to him with City staff. Councilmember Wollin stated that he wanted to make sure Sean was comfortable with that. Council member McCaslin indicated that he was. Council member Wollin then commented that he was fine with that. Park Board commissioner at large appointment and the

elimination of the 11th grader and possible addition of an extra community member will be discussed at the February Meeting. Brenda Langerud addressed the council on recruitment of a youth member. Tim Smith and Jennifer Grobe both expressed a willingness to fill the position as Sunset Lane Council representative. A show of hands vote was taken for appointment for Sunset Lane Council Representative. Voting for Smith: Bauer, Wollin, McCaslin and Smith. Voting for Grobe: Grobe. Smith was appointed as Sunset Lane Council Representative. A show of hands vote was taken for the positions of Acting Mayor: Voting for Smith: Smith and Wollin, Voting for McCaslin: Grobe, McCaslin and Bauer. McCaslin was appointed as Acting Mayor.

Motion by Wollin, Seconded by Grobe to approve the 2023 appointments as revised. Motion Carried 5-0.

The following appointments were approved: Acting Mayor-Sean McCaslin, Audit Committee-Tim Smith, Sean McCaslin and Jennifer Grobe, Treasurer-Linda Nelson, Assistant Weed Inspector-Chief of Police, Zoning Inspector/Code Compliance Officer-Brad Meister, Community Education- David Wollin, Authorized Check Signers-Mayor Daryl Bauer, Acting Mayor Sean McCaslin, Council Member Jennifer Grobe, Treasurer Linda Nelson, Administrator-Clerk Teresa Hill, Personnel Committee-Daryl Bauer, Sean McCaslin, Nick Bongers, Trina Waugh, Attorney Jason Moran, Administrator-Clerk Teresa Hill, Planning and Zoning Commission-Brad Ferch, Rick Gregor, Howard Mack, Economic Development Commission-Daryl Bauer and Jennifer Grobe, Park Board-Council Member David Wollin, School Board Member-June Rezac, MN Council of Governments-Tim Smith, Night to Unite Coordinator-Sean McCaslin, Sunset Lane Council representative-Tim Smith.

Council Meeting Start Time Change to 6:30 p.m. Mayor Bauer proposed a meeting start time changer from 5:00 to 6:30. Discussion was held on public hearing start times. It was proposed to start public hearings at 6:45. **Motion by Smith, Seconded by McCaslin to change Council meeting start time for the coming year to 6:30 p.m. Voting for: Bauer, Smith McCaslin and Grobe. Voting against: Wollin. Motion carried 4-1.**

Committee Meeting Start Times to 6:30 p.m. Mayor Bauer proposed committee meetings start at 6:30 for the uniformity of the community. Discussion was held on the current meeting times and why they were established. Councilmember Grobe inquired if the council can direct the other committees when to meet? Attorney Moran was asked if the Police Commission sets their own time and if the Council can request or dictate that the Police Commission to change their meeting times. Attorney Moran advised the council that they can recommend but they cannot direct them in setting, or the operation of their meeting. From a legal standpoint, we cannot force them to meet at 2:00, or 6:30 pm or whenever, we really can't. We can strongly encourage it. **Motion by Grobe, Seconded by Wollin to try to recommend that they want to meet at the 6:30 time period if possible.** Councilmember Smith inquired if the Police Civil Service Commission is a public meeting? Attorney Moran confirmed that it was a public meeting except when they needed to go into closed session for allegations or misconduct. All commissions need to follow the open meeting law. **Motion carried 5-0.**

July Council Meeting Date. Motion by Smith Seconded by Wollin to move the July meeting to July 11th at 6:30 p.m. Motion Carried 5-0.

Live Stream of Council Meetings. Mayor Bauer requested the Council consider streaming of meetings something similar to what WEM does. This would provide another opportunity for the community to get involved. Mayor Bauer commented that we have many tools available to us. He requested we open discussions on checking into options weather it is live stream, that could be put up on different platforms such as you tube, Facebook. Mayor Bauer stated that it would add another layer of transparency. Councilmember Grobe commented that her pastor does this on Facebook but she doesn't know what the cost would be to initiate it or get the equipment. Mayor Bauer advised that his research indicated that we could get a very capable system for just under \$1,500.00. Councilmember Smith commented that as a appoint of discussion we need to consider the idea of records retention, who it would get broadcast through and legal ramifications. He would like to look into it much deeper before we make a decision. Mayor commented that plugging our community in as many ways as possible is going to engage our community in the government system. Attorney Moran

informed the Council that we would just need to create a policy. Discussion was held on retention of the video. Councilmember McCaslin commented that it is a great idea, people would be able to see what is going on. Mayor Bauer commented that a lot of other cities will have their Planning and Zoning do the same. Planning and Zoning is a very large part of city government. He stated that it is a great way to get information out to the community. **Motion by Smith, Seconded by McCaslin that we direct Teresa and or Jason to look into what can be done from the legal stand point and report back to us on that. Then we will look into equipment and what it takes to do it. Motion carried 5-0.**

Request to Appoint Unpaid Personnel Committee Advisor. Administrator Hill requested the council consider appointing Mr. McIntyre as an advisor to the Human Resources Committee. He could help out with contracts, contract negotiations and things of that nature. He would not be able to assist on anything of a disciplinary action. Administrator Hill advised the council that she did not want to change the current makeup of the committee. This would be an unpaid position. Mayor Bauer commented that he would like to guard against this becoming a permanent position. **Motion by Smith, Seconded by Grobe to appoint Roy McIntyre as an unpaid advisor to the HR Committee. Motion Carried 5-0**

Flooring Quote for Entry, Office and Storage Areas. A quote was received for the purchase of materials to carpet the entry way, storage area an office next to the Senior Center in the amount of **\$3,245.00** from Faribault Interiors. **Motion by Smith, Seconded by Wollin to approve the floor quote and getting an estimate for installation. Motion Carried 5-0.**

Department Head In-Person Reports. Mayor Bauer requested that department heads provide in person reports to the council at their regular meetings. The Council would then be able to interact with the various department heads. Mr. Bauer commented that with his research, most cities have their department heads at the meetings. They come to the meetings so there can be some interaction between city staff and the Council, and to build relationships and trust and have that communication with them. He felt that there is a lack of communication between some departments. Mayor Bauer would like to see the department heads at the meeting possibly in the beginning of the meet so staff would not be tied up for a long time. He would like to see this in person so they could ask questions and the Council could ask questions. They would have more transparency and accountability as well, since they do report to City Council. Discussion was held on the financial impact, burden on staff and possible monthly written reports and rotation of department heads to lessen the financial burden. Mayor Bauer suggested having 3 department heads at the meeting and rotate every other. Council Member McCaslin concurred with the idea. **Motion by McCaslin, Seconded by Smith to have 3 department heads available a month and flip flop them. Council member Smith requested an amendment to include groupings of public safety in one group and other department in a second group. Amendment was accepted. Motion Carried 5-0.**

Attorney Report. Attorney Moran reported that he has 2 major things. One being the alley clean up by the old Roger Building the burned down. This should be completed by February or March. A meeting is being scheduled with LCS and the Nytes to work on some parking issues. The second is Sunset Lane. Some property owners have petitioned the city for annexation to have services ran to their properties. There is some engineering work is in the process of being done. The big question is how much land is needed to get that road brought up to city standard and get infrastructure in. There will need to be some acquisition of some property to make that happen. Mayor Bauer inquired if that agreement would be put together in a developer's agreement? Attorney Moran advised It would be an agreement in some fashion. It could be a developer's agreement or a standalone agreement.

Engineer's Report-None

Administrator's Report. A. LMC Dividend. The city received a dividend of \$10,662.00. This will go into a safety equipment fund. B. Small City Grant Update. Administrator Hill shared a memo from Judd Schultz, Program Coordinator. The received a grant to 10 owner occupied rehab projects. 4 have been proceeded. Of

those 4, 1 is complete, 1 is about half complete and 2 have not yet started. We also have a couple of applications in process. They are in a good place to complete the 10 projects. If property owners are interested in the project, they should contact Judd Schultz at MN Valley Action Council.

Council Discussion.

Councilmember Wollin discussed sidewalk snow removal. The sidewalks that are not being shoveled are a hazard. What can be done to educate. Council member Smith commented that this is more of an issue than tall grass. It is a safety hazard. Mayor Bauer that it is a safety issue. People need to be made more aware to keep the hydrants clean. Council Member Smith commented that there was a study done and it took 2 minutes for 2 members shovel out a hydrant. That extra 2 minutes is about 10-20% of the time it takes for a house to collapse from fire. If you watch the studies, it takes 17 minutes from the time of ignition to imminent collapse on a lot of newer homes. Two minutes is a huge amount of time, by the time you discover the fire, call the fire department, have them respond. It is a big deal if you can't hook up a line. Mayor Bauer commented just awareness of that maybe leads to a larger discussion down the road on who is enforcing this stuff and who is delivering the tickets on this. It's junk in the yard, it's shoveling sidewalks, it's long grass and stuff like that. Those are all kind of big issues that he hears regularly within our city. Part of that is just pride, let's take pride in our property, pride in our city and get that stuff done. Council member Wollin commented that if people need help shoveling, they should contact Teresa. There are people out there that would be able to help. Councilmember McCaslin commented about the house on Sakatah Blvd with the trailer that the city has plowed around. Attorney Moran stated that they should be given 24 hours to move it or it will be towed and simultaneously issue a nuisance property citation. Councilmember McCaslin inquired who would be something law enforcement would issue. Attorney Moran responded "correct". Administrator Hill will relay that to law enforcement and if they have questions, they could contact Jason. Mayor Bauer addressed the council. He commented that he was glad to be here working alongside of you. He considers himself standing on the shoulder of those that came before. There has been great groundwork laid within the city. It is an honor to be here. If there is anything he would like to accomplish in the next 2 years is for Waterville to be come more visionary instead of reactionary. I think may times we have become reactionary and we do things suddenly because we have to, instead of being visionary. I know staff in particular have worked on creating vision over the past. Councils have worked to create visions over the past and I would like to honor those visions down the road and become more and more visionary instead of reactionary.

Adjourn. Motion by Wollin, Seconded by Smith to Adjourn. Motion Carried 5-0. Meeting adjourned at 6:28 p.m.

Daryl Bauer, Mayor

Teresa Hill, Administrator-Clerk