

**WATERVILLE CITY COUNCIL  
REGULAR MEETING  
November 7, 2023, 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, 2023.

**Call to Order / Roll Call/Pledge of Allegiance**

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

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

**Special Guest from Minnesota Department of Transportation:** Forrest Hasty and Barbra Schrieber

**Absent:** None

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

**Approval of Agenda**

**Motion by Wollin, Seconded by McIntyre to approve the Agenda Motion Carried 5-0.**

**Additional Items to Agenda**

**Motion by Wollin, Seconded by Smith move 3F to New Business I, adding J to the Agenda Winter Business and Parking Rules. Motion Carried 5-0.**

**Consent Agenda**

These items are routine and will be approved by one motion. There will be no separate discussion of these items unless a Council member or citizen so requests, in which event, the item will be removed from the Consent Agenda and placed elsewhere on the agenda. A. Approval of Minutes- October 3, 2023, October 17, 2023, and October 26, 2023 B. Approval of Disbursements 1. Electronic Fund Transfers (35529E- 35568E) \$43,035.36 2. Payroll Check Numbers (2023374-2023414) \$47,777.35 3. Computer Generated Checks and Overtime (38070-38142) \$445,590.03. 4. Total Disbursements \$ 536,402.74 C. Impress Cash Fund-\$34.72 D. Magic On Main Street Closure Request (Main Street from 3<sup>rd</sup> to 1<sup>st</sup>) E. Employee Resignations F. Approval of New Hires and Temporary Appointments G. Part-time Officer Pay Increase to Follow 0–1 year step of the Union Contract H. Resolution 2023R-032 Accepting Donation I. Tort Limits -Not Waiving Limits Established by MINN Stat. 466.04 J. Resolution 2023R-033 Designating Polling Places for 2024 K. Resolution 2023R-034 Accepting Donation.

**Motion by Wollin Seconded by Smith to approve the Consent Agenda Motion Carried 5-0.**

**Public Hearing**

**Motion by Grobe, Seconded by McIntyre to open the Public Hearing. Motion Carried 5-0.**

**A. Public Hearing on Assessments.** No persons present or by written submission wished to address the Council. **Motion by Grobe, Seconded by McIntyre to close the Public Hearing. Motion Carried 5-0.**

**B. Resolution 2023R-035 Adopting Delinquent Utilities. Motion by Grobe, Seconded by Wollin to approve Resolution 2023R-035 Adopting Delinquent Utilities. Motion Carried 5-0.**

**C. Resolution 2023R-036 Adopting Delinquent Refuse and Recycling. Motion by McIntyre, Seconded by Smith to approve Resolution 2023R-036 Adopting Delinquent Refuse and Recycling. Motion Carried 5-0.**

**D. Resolution 2023R-037 Adopting Delinquent Charges for Services. Motion by Smith, Seconded by Wollin to approve Resolution 2023R-037. Motion Carried 5-0.**

**Unfinished Business**

**Rate Study Approval**

**Motion by Smith, Seconded by Wollin to approve the rate study done by Abdo Solutions. Motion Carried 5-0.**

**Citizen Time**

**Commissioner Priesler** relayed to Council the happenings on the County level. 1. The County was at the commissioner meeting and the County highway engineer was approved to go out for bids for the replacement of the bridge on 3<sup>rd</sup> Street in town. Tree removal will take place this winter along with going out for bids. The bridge project will take place in the spring. 2. The County is sending out reimbursement for the upkeep of the County Roads that go through Towns and Cities. The City of Waterville will be on the upside of \$31,295.00. 3. There will be a similar Bonding Tour with the Capital Investing Committee touring with the State Senate in Mankato. Mike Schultz and Holly Bushman will be along on the tour and will be presenting to them. This is a great opportunity to have both the House and Senate interested, and a Chairman of the Environment Committee said he would like to try and help.

**New Business**

## **Hwy 13 Road Construction-MN DOT Project Manager, Barbara Schrieber**

**Forrest Hasty** Project Management Group Lead introduced himself and Barbara Schrieber, the Project Manager of the Trunk Hwy 13 Projects. Three of these projects will be from Waseca to Waterville, Waterville to Montgomery, and Montgomery to New Prague. Two of these three projects will be scoped at the same time. The two southern projects will take place in 2028 and the third in 2030. This is not set in stone. This may change based on the needs. MnDOT has a large array of specialized engineers who collect data and make their assessment of needs for the project. MnDOT also does the same with Cities, by listening to any problems or issues. Then the opportunities are discussed. MnDOT is extremely flexible on how the Council would like to hold these meetings. The meetings' purpose is to discuss what are some of the main issues on Hwy 13. Then to conclude is getting the information out to the public with MnDOT giving multiple examples of how this can be accomplished. The council discussed how they would like to hold an initial workshop. Then host Council Meetings open to the public. Then finally have MnDOT host an open house public event to let citizens be aware of the projects that will be happening in the Community. Some issues were expressed by the Council: The traffic on 13 and 60 is too fast, unsafe and needs a roundabout put in, Hwy 13 and how it goes around the lake, a proper bike trail crossing or crosswalk for students, and a reconstruction of the Hwy 60 Bridge. **Forrest Hasty** stated that MnDOT starts with hearing the issues and concerns, and then looks at what type of projects are at task. Pavement repairs are huge issues that normally kick off projects. A reservation project would take precedence over reconstruction. This will take at least a dozen meetings to get to the point of hosting an open house. To start the work session meetings sooner than later would be beneficial and having those meetings back-to-back. Strongly noting that if Council has any questions at any time to not hesitate and wait to ask the question. Reach out at any time, this does not have to be only at the work sessions. It was concluded that the Administrator would network a date for the initial work session.

### **Approval of Revised Right-Of-Way Permit**

**Attorney Moran** conveyed to the Council that the current application that is being used for the Right-Of-Way Permit has outdated language. The new language states that a timeline has been established for the completion of filling the trenches within seven days. All work authorized must be completed within thirty days of the issuance of the permit. The City has the right to fill in any trench left open or any other restoration of property disturbed after the completion deadline. At this time the City can bill/assess for any costs associated with filling the trench or maintenance of disturbed property. Also, if in violation of this permit all other permits or other governmental approvals could be suspended until compliance has been met. **Motion by Smith, Seconded by Grobe to approve the changes of the Right-Of-Way Permit process. Motion Carried 5-0.**

### **Data Practices Public Access Policy Update**

**Administrator Hill** conveyed to the Council that the current language being used for the Data Practice Policy needed better clarification. The updated language lays out costs if it is applicable and a reasonable time frame to obtain the requests to relay a response. This gives the requester, clearer information to know what is expected for the process. **Motion by McIntyre, Seconded by Grobe to approve the revised Data Practices Public Access Policy. Motion Carried 5-0.**

### **Ordinance 51.125.2-2023 Water and Sewer Rates**

**Motion by Wollin, Seconded by McIntyre to approve the first read of Ordinance 51.125.2-2023 Motion Carried 5-0. Motion by Wollin, Seconded by Smith to set the Public Hearing Date to December 5<sup>th</sup>, 2023. Motion Carried 5-0.**

### **Department Expense Requests**

**Administrator Hill** relayed the expenses that were submitted by the Department Leads. **Motion by Smith, Seconded by Wollin to approve the Department Expense Requests as presented. Motion Carried 5-0.**

### **Bike Sculpture**

**Mayor Conlin** expressed concern about funding before the sculpture had a place to be placed. **Pattie Salmon and Brenda Langerud** expressed that they have various donors: Lectric eBikes out of Lakeville \$30,000.00 for the sculpture, State Health Improvement Program \$5,000.00 for a bike charging station, tool crib, possible sidewalk, and possible funding for porta-potty rentals, Chamber of Commerce received a \$9,000.00 Grant from MN initiative for a marketing video for the City. Brady Taylor from Dirty Lakes Fabricating has presented an estimate for landscaping, to the EDA. **Council Grobe** had expressed possible concern of accidents relating to people climbing on the sculpture and falling off with it being placed on City Property the City would be liable. **Langerud** replied that this has been in consideration. The council discussed the possibility of the current Police Station moving in the future, this sculpture would have to be moved as well to sell this property. **Council Wollin** had mentioned that sculptures get moved all the time. Mentioning he would look more into this process of moving

sculptures. This Bike Sculpture would benefit the City to have more local art, that highlights the bike trail. **Langerud** mentioned the possible expansion of the bike trail from Montgomery to Waterville. This could give other possible locations for this Bike Sculpture. **Langerud** made a suggested to ask for a flashing crossing light by the school from the MnDOT.

#### **Herbert Street Drainage Project Pay Estimate #1**

**Engineer Femrite** informed the Council and stated that all of Herbert Street Drainage has been finished less the seeding and turf next spring. Council mentioned that they were pleased with the outcome of the updated infrastructure. There was discussion on the flow of water that the new drainage could withhold. Council also looked over the pay estimate and retainage that would come due at the time the project is finished in the Spring of 2024. **Motion by Smith, Seconded by McIntyre to approve the Project Pay Estimate #1 for Herbert Street Drainage. Motion Carried 5-0.**

#### **Police Civil Service Commission Vacancy**

**Council Grobe** expressed the Commission vacancy should not be filled at this time. This needs to be readdressed to disband the Commission. As Council, we have no insight on hiring, firing, exit interviews, or overseeing anything that the department does. The only control the Council has is setting the budget. **Attorney Moran** stated that if the Council put this to a vote to disband the Commission; It would need to be a unanimous vote. Council and Staff discussed what the Commission currently does, and how it is being managed, and mentioned no quarterly reports are submitted. If the Commission is disbanded; the direct overseer of the Police Department would be the Administrator and City Council. The Council asked Commissioner Neidick if exit interviews were being done. **Commissioner Neidick** stated the current officers that are leaving, are because of money, and he would write up a report for the Council on the exit interviews. **Council McIntyre** stated that it seemed hard to believe that an officer after 17 years of committed service would leave just because of money. Council discussed the current application that was received and the duration of the time left in the position. Council decided that this needed to be open for any other applicant who would be interested. **Motion by McIntyre, Seconded by Grobe to table the issue until the December Meeting and not fill the vacancy. Motion Carried 5-0. Motion by Grobe, Seconded by McIntyre to put on the December 5th to consider disbanding the Civil Service Commission. Motion Carried 5-0.**

#### **New Hires**

**Administrator Hill** presented the new hires John Kopp, Brett Levin, Samuel Stier, and Dalton Grose for approval. **Motion by Smith, Seconded by Wollin to approve the recommended new hires and temporary appointments for both Fire Department and Police Department as presented. Motion Carried 5-0.**

#### **Winter Parking Regulation**

**Mayor Conlin** expressed his concern for the Winter Parking Regulations in the downtown area. This would affect local businesses and rental properties downtown. It seems like if there is the ability to have snow emergency sent to your phone there is no longer a need for the Winter Parking Regulation starting November 1<sup>st</sup> to April 1<sup>st</sup> for no overnight parking from 2:00 am to 6:00 am. **Street Supervisor Hiller** approached the Council with the concerns that will come if the Winter Parking Regulation is removed. Some of those concerns are that citizens will not get the snow emergency and cars will not be moved. Then when we are in a snow emergency the tow company we use, sometimes cannot make it to Waterville or have other pressing needs that need to be addressed first. This all leads to a longer time to clear the roads and more money that is being spent to have the snow removed. All these issues went away when the Winter Parking Regulation was established. The City of Waterville has no obligation to provide parking for any business or residents outside of City property. Property and Business owners need to have established parking for their renters or employees. As of right now, this is not being enforced and it is hard to even run the street sweeper on Friday which is also a parking ordinance from 2 am to 5 am. These need to be enforced so the Street Department can do its job effectively and efficiently. Council and Staff discussed the expanded businesses that are located downtown with their hours of operation. Making a notation on the fact that there is room for a carve-out for certain areas within the Parking Ordinance. **Motion by McIntyre, Seconded by Wollin to table the removal of the Winter Parking Regulation until more information is gathered and see what other possible alternatives we can come up with for this. Motion Carried 5-0. Motion by Wollin, Seconded by Smith to set a special work session on November 14, 2023, at 6:00pm Motion Carried 5-0.**

#### **Reports**

##### **Attorney Report**

**Attorney Moran** had nothing to report.

##### **Engineer's Report**

**Engineer Femrite** had nothing to report.

**Council Discussion**

No Council Discussion was held at this time.

**Adjourn**

**Motion by McIntyre Seconded by Wollin to adjourn. Motion Carried 5-0.** The meeting adjourned at 7:44 p.m.

---

William Conlin, Mayor

---

Teresa Hill, Administrator-Clerk