

**WATERVILLE CITY COUNCIL
REGULAR MEETING
March 7, 2023, 6:30 p.m.**

There was a meeting of the Waterville City Council held in the Council Chambers at 6:30 p.m. on March 7, 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 and City Engineer Jason Femrite, Street Supervisor Allan Hiller, Water / Waste Water Supervisor Mark Krenik, Valerie Vail Parks Board member

Call to Order / Roll Call/Pledge of Allegiance

Mayor Bauer called the meeting order at 6:30 p.m. Pledge of allegiance was recited. Mayor Bauer added that all Council members were present.

Approval of Agenda/Additional Items to Agenda.

The request was made to remove Item 7E under new business. **Motion by Wollin, Seconded by Smith to approve the consent agenda with the removal of 7E under new business. Motion Carried 5-0.**

Consent Agenda

A. Approval of Minutes- February 7, 2023, February 16, 2023, February 28, 2023, **B.** Approval of Disbursements: Electronic Fund Transfers (35322E- 35345) \$40,789.57, Payroll Check Numbers (2023039-2023079) \$43,227.85, Computer Generated Checks and Overtime (37518-37595) \$78,693.51, Total Disbursements \$162,710.93 **C.** Impress Cash Fund – \$95.70 **D.** Chamber Requests for Hot Summer Nights and Bullhead Days **E.** Sakatah Challenge Request. **F.** Liquor License Approvals **Motion by Wollin, Seconded by McCaslin to approve the consent agenda. Motion Carried 5-0.**

Reports

A. Attorney Report Jason Moran noted things that are coming down the pike right now that may affect the city
1. Be aware of the bill that was passed to allow illegal immigrants to obtain a driver's license. 2. The state is trying to pass a 12-week family-paid grievance leave. This will need to be something to budget for. 3. The THC bill will need to be addressed. Currently this is about ¾ through the committee process. The state will have the majority of the power of governance. The final language of this bill is in process and may be ready as early as this fall or in 2025. 4. Sunset Lane meet is in rescheduling due to weather. 5. The Alley clean-up with Jason Femrite is in process to draft descriptions of the parcels to be done next month. 6. The Nytes transfer; for a potential parking lot will be on the following agenda after the Alley is cleaned up for better access. 7. The changing of the meeting time to 6:30 PM for Council Meetings to be held. 8. The groundwater connections ordinance. 9. The lift assist for Fire Charges for Civil Service calls at professional facilities. 10. The discussion of the Police Civil Service Commission. **Council Member Grobe** questioned the allowance of driver's licenses to immigrants and how it can be distinguished between an actual driver's license from citizens. **Attorney Moran** replied to his understanding it was going to be a regular license but was not 100% sure. **B. Engineer's Report.** Jason Femrite reported he would be discussing Herbert St. within the agenda, and Vail was going to touch on the pickleball court and how it is in the beginning stages of the design process, and the parking on Third Street. **C. Administrator's Report.** Teresa Hill reported on three items: the new employee has started and has adjusted greatly in the role, the administration team is in full preparation for the audit, and Jeff Jarvis has left the printed drafts of the historical art for viewing - these will be posted on the outside of the City Hall Building. **D. Street Department.** Alan Hiller reported **1.** The new plow truck, it's been over at TBEI waiting to be completed. It was noted that Brandon from TBEI stated it would be ready by the end of March and the delay was due to the inability to obtain the product needed. Brandon from TBEI also stated they are going to be sticking with the original quote. **2.** The loader, Nuss Trucking will be delivering this equipment in July, this is still on time and nothing has changed with this. **3.** 4th Street needs repairs. There was not enough time to complete this at the end of the season last year when this was brought to attention. So, a request to obtain bids to grind down the street and apply 3" of blacktop and dust coating to make it a more permanent street instead of

gravel. These would be recycled and regular black top bids. **Council Member Smith** asked for a time frame and Alan replied with hopefully by the April meeting we can obtain bids. Depending on the moisture in the ground will depend on the length of the process, maybe May or June before it is dried up. **Mayor Bauer** asked if this was part of a long-term solution would it be possible to get the City Engineer involved in the process of this plan? Alan replied that it is a possibility but he would like to take a look at this first. There are a few driveways that would need to be matched up as well. **4.** This has been a very busy season with the snow and getting a new employee trained. **5.** The start of obtaining quotes for overlays, seal coats, crack filling, and dust coating the gravel roads and alleys. **6.** Street sweeping and hanging of the new banners for the bike trail will be placed after received. **7.** The department is also dealing with regular maintenance that comes up that is needed day to day. **8.** Trash cans in the road have become an issue. Trash pick-up is on Monday and some homes leave them out for days. Some homeowners are even using the trash and recycling bins as barricades to block their driveways from the plow pushing snow into the driveway when clearing the city streets. Hiller questioned the council and attorney if they knew of any ordinance on the duration of trash bins being left outside on the city street. Also stated was the regular occurrence of trash bins being left out in all seasons. **Council Member Smith** stated it seems that if it were in the right-of-way, there can be something done. **Council Member Smith** asked Police Chief Manning, an attendee of the meeting, if he knew of anything that could be done with the obstruction of the right-of-way. **Chief Manning** replied that obviously if it is becoming a traffic hazard then action can be taken. It might be a good reminder to citizens about trash bins on the Utility Billing or in the spring mail-out. **Council Member Wollin** suggested a warning may be necessary for habitual offenders. **Attorney Moran** stated, if it is on the road right-of-way there is no doubt that it is a road obstruction and a traffic hazard. Alan asked that the responsibility of bringing in trash bins be put on the spring clean-up mail-out letter to remind the citizens of what is expected. **Mayor Bauer** acknowledged that the Street Department did a nice job this winter with the plowing and thanked them. **E. Parks Department.** Valorie Vail, thanked the committee for the invite to be a part of the meeting and welcomed the new council members. **1.** The beach pavilion will be completed this summer. This is being coordinated with the Bob and Vicky Gleason family, and they would like to hold a dedication for that. It was also noted that it would be great if the council could be present for this. **2.** There is a memorial bench that will be getting put in at the City Beach. **3.** The park's spring clean-up will be hosted on May 20, 2023, working in City Park, Lions Park, Oak Park, Beach Landing, and Sakatah Bay Gardens. When the parks are finished or the time has come to an end, there will be chips, hot dogs, and refreshments for all volunteers. There is a need for volunteer groups or individuals - are all welcome. There is also the need for groups to adopt a park to help with the basic cleanup of trash and weeding of the flower gardens. The Lions Club did state that they would be taking care of Lions Park. **4.** Memorial Day the buoys are set to be put in place down at the City Beach. **5.** Pickleball Court, the surveying is in the process and will have more to share at the next meeting. On the DNR Trail that is close to Lions Park, there is talk of putting in a permanent restroom that will be assessable all seasons. There were positive discussions with the DNR and possible funding that may be available. **6.** Hwy 13 crossing safety for the DNR Trail is being addressed. This is still a concern for the park board. **7.** Banners are getting supplied and cost 5,000 dollars and Vail is asking for approval to order those this evening. **Mayor Bauer** asked if this is to help with the navigation of bicyclists through town? Vail replied, yes, and they will be more noticeable. **Motion made by Council Member Smith, Seconded by Wollin, to move forward with the park board request with the banners that they have planned, Motion carried 5-0.** **Council Member Grobe** asked about the bathrooms and whether were they going to be heated and how is that going to work? Vail replied, this is all still in the discussions phase and there has been discussion on putting in floor heating. **Mayor Bauer** asked if the beach house was going to be opening. Vail responded, yes. **F. Water & Wastewater Department.** Mark Krenik introduced himself and reported to the council the happenings within the department. Starting with the completed projects to the ones that are still being worked on. **1.** Completed the Valve exercise with employees to verify all were in good working order. **2.** Completed the hydrant flush in town which consists of 142 hydrants. **3.** Kamp Dells 2022 was about 417,000 gallons of wastewater which is similar to previous years. **4.** The jetting program for all sewers in the city is about 4/5 of the way completed. This means that it is all clean and televised. This summer will complete this project. **Council Member Smith** asked if all the sewer mapping is being corrected when you find it needs to be. Krenik replied, yes at the end of the process it would be nice to get together with the City

Engineer and be able to recreate those maps. **5.** We have obtained the Annual Certification of Accommodation which is received from the PCA. With that being said, only 10% of cities in Minnesota receive this certification. The City of Waterville has received one for the last 5 years. **6.** The treatment plant treated about 59 million gallons last year. This amount has been decreasing due to the televising that took place. Sealing and fixing any issues that arose with televising has reduced the overall number of gallons treated. **7.** The water treatment plant is up 50 million in usage. **8.** Will be finishing the televising for the city this year, and hope to be on a 5-year cycle of cleaning. **Council Member Smith** asked if there were any problem areas that he had come across. Krenik replied yes there is a problematic area that we will hit every year. This also ties in with the Department of Health and the verification of all inventory of service lines in the city by October 2024. **Council Member Grobe** questioned how this is going to get accomplished. Krenik replied, first with an inquiry to the homeowner then an actual physical inspection if necessary. **Council Member Wollin** is this to get rid of the lead pipes? Krenik stated, yes, it is, and that there were a few still in the city **9.** Jack Mellstrom is testing for his class D wastewater licenses. **10.** As a department lead, Krenik is required to obtain a certain amount of continuing education credits and this will be held at the April Bio Solids course. **11.** Still waiting on a final number for a vehicle purchase from Harry Browns. Apparently it will be available to purchase in May. The plow is available right now and is still at the quoted price. **12.** The wastewater plant is working on updating the computer systems. It was running on windows 7 and this is still in the process of being installed. **13.** Krenik requested the ability to purchase a dehumidifier for the water plant at the cost of \$3,000.00.

Krenik talked about the upcoming projects that he would like to get accomplished, **1.** Tuck Pointing the Water Plant. It is crumbling in some areas and needs some work. **2.** Painting the exterior of the water plant located at Oak Park. **3.** Cleaning the exterior of the water tower. It may have been noticed the amount of mildew out there. **4.** Sliplining inside some of the clay lines are still working, but are crumbling, and would like to perform maintenance in a couple of sections of the main lines. It was noted that he would obtain some pricing for this. **Motion by Wollin, Seconded by Smith to close the current meeting and open to the public hearing portion of the meeting. Motion carried 5-0.**

New Business

Mayor Bauer opened the public hearing at 7:15 p.m.

C. Public Hearing on Ordinance 30.01-2023 Amending Ordinance 30.01 Titled Meetings Attorney Moran talked about the current ordinance and how it was stated and that it has been requested to set the meeting time at 6:30 pm with the addition to the language of ordinance 30.01-2023 **Mayor Bauer**, asked for any public comment, but none was had. **Motion by Smith, Seconded by Wollin to close this portion of the meeting and re-open to Old Business portion of the meeting. Motion carried 5-0. Motion by Wollin, Seconded by McCaslin to pass ordinance 30.01 and approve the second reading. Motion carried 5-0.**

Old Business

A. DNR Grant Update-Brenda Langerud and Patty Salmon, 1. Project Update Langerud talked about the lead-up to where they currently are in the process of completing an application with the MN DNR for funding for playground equipment at Oak Park. Flagship enterprise submitted a cost sheet for equipment; this was supplied to the Administrator. The amount that is being applied for is \$74,000.00 of which ½ needs to be matched. Langerud suggested some of the cost of matching could be the performed duties of the Street department in moving the old equipment, looking for monetary donations, and contacting the local Lions Club. Langerud mentioned that she was going to be a participant at the next Park Board meeting that will later take place to talk about the current pieces of equipment that are currently in Oak Park. Langerud brought up that the horseshoe pits are in the makings to be a dog park, and would be far enough apart that there would be no safety issues. If needed there may be a request to move a bench to incorporate it into the new design to provide optimal use for the area. Langerud requested from the council a resolution be passed and signed for an application to be submitted to the DNR. Langerud described the typical distribution of funds in these types of grant applications. **Council Member Grobe** questioned if you're requesting a certain amount of money and get less would you have to cut things out? Langerud replied, she was unsure but would ask and get an answer. **2. Resolution 2023R-005 Outdoor Recreation Grant Application Motion by, Wollin Seconded McCaslin to approve Resolution 2023R-005. Council Member Grobe asked for clarification if this is just for the**

submission of the application, correct? **Council Member Wollin** replied yes, this is for the application process. **Council Member Smith** recommended that this be worked on directly with the Park Board. Salomon mentioned that there were a ton of talented grant writers that were involved and hoped with the connections made that this would be an easy and smooth transition. Krenik stated with concern, that there was a wellhead there that needs to be assessable. **Council Member Wollin** stated before the final layout of any updates, this needs to be run past Mark Krenik for approval. **Motion carried 5-0. B. Policy Relating to the Recording and Retention of Waterville City Council Meetings. Attorney Moran** it was requested that a policy be drafted for audio and video of City Council Meetings. There were comments on the different avenues available to obtain this goal, and how other surrounding cities post their open meetings. Also stated that the minutes written will be the official document. Mentioned was the ability to close meetings is still an option with due cause. As of June 1st, 2023, this drafted policy can be effective, and per data retention for three months after the adoption of the minutes. This is a policy that you would make by choice. **Council Member Smith** stated the policy draft looks good. Smith mentioned his connection with the City of St. Louis Park and inquired how they do their video recording. They did have good input on equipment, policy, software platforms, broadcast, and live streaming. It was stated that Council Member Smith could put them in contact with this person. Smith also suggested taking a closer look as to what it is that we want as a city and that there is no rush to fix this. Let's do it right the first time. There was a discussion between the council on what the city would like to do, what they already have, what the cost will be, what they would have to budget for, and what they would like to see before moving forward with this. **Administrator Hill** made valid points of what needs to be obtained when doing a video that the audio is still ideally the most important piece of information. This leads to the final discussion, if this is something to proceed with at this point the council would want someone to come in and give suggestions and possible pricing that it would take to obtain proper video and audio, and possibly technical ability for screen interaction. **Motion by Smith, Seconded by Grobe to table this pending further investigation on costs. Motion carried 5-0. C. ARP Fund Update and Allocated Projects. Administrator Hill** stated that radios were already allocated for ARP funds for the Fire Department for the submitted cost estimate for 12 radios to be around \$70,000 of which \$113,000 of ARP funds are available at this time. This would give some monies freed up to look at some of the other items listed in the order of importance that was set. The Fire Chief informed the Administrator that the County was looking into putting in for a radio grant, but is unsure of the awarded amount of money and when it will be awarded. The Administrator stated she would reach out to the grant writer to obtain more details along with the time frame for the allocation of funds. **Council Member Grobe** extra things on this list are for water and wastewater needs. Hill responded, yes, there was discussion on the pecking order list the council created and the current expenditures paid have only gone to the marketing portion of that list created. **D. Police Civil Service Commission. Mayor Bauer** questioned the council if there needed to be any further discussion on this topic that needs to happen. **Attorney Moran** gave a quick overview of the purpose, and how it acts as a wall between City Council and the Police Department. This is a unique department that is typically made up of three citizens for a three-year term. It was mentioned it is not unheard of for departments to have a Civil Commission. Also being referenced was the MN State statute 419.02 Membership, joint police, and fire commission. There was a discussion between the council about what the Civil Commission is, how it performs, and the current relationship that is held with the Council. **E. Police Commission Appointment (3-year term)** There was a discussion between council members of the applicants and the council. **Motion by, Wollin Seconded Smith to approve the application of Tom Nydeck for nomination. Motion carried 4-1. F. Ordinance Establishing Fees for Emergency Protection Fire/Medical Services Attorney Moran** essentially this allows the charge for lift assist to private facilities in the amount of \$400.00. **Motion by, Smith Seconded McCaslin to set a public hearing for the next regular meeting date at 7:00 pm. Motion carried 5-0 Council Member Smith made an amendment to the motion to accept the first reading and set the meeting date for the next regular meeting in April on the fourth at 7:00 pm. Seconded by McCaslin, Motion carried 5-0. G. Herbert Street Drainage Estimates, Engineer Femrite** talked about the two options for drainage in that area. One is immediate to North on the private lot for an estimated \$70,000 or two on the existing lot in the right-of-way northeast direction with \$100,000 in estimated costs. Engineer Femrite suggested this could be added to Circle Drive and be bid out together. Femrite stated he would get back to the council with numbers for the next meeting to bid on both projects together. **Council Member Smith** asked if

this was an assessable project or if is there alternative funding available since this stormwater is associated with possible lake projects. **Administrator Hill** stated storm sewers come at the cost of the city. Hill asked Femrite for clarification. Would it be beneficial to put in a storm sceptor similar to Lake St., this gives the ability to filter stormwater before it goes into the lake. **Engineer Femrite** stated that it was not in the current plan but it could be added and would be beneficial as a buffer before the stormwaters go into the lake. **Council Member Smith** asked if this would put the city in line for any funding. **Administrator Hill** stated there was grant money, LLC MR, which was the additional funding applied to that storm sceptor. Hill also mentioned the long-term process as in years it takes to obtain LLC MR grant monies, and with the stage that the city is currently at, this type of grant will not be beneficial to us at this time. **Attorney Moran** mentioned to be noted that the city would not need to obtain the right-of-way with option B as with option A they would need to try and obtain the right-of-way and that is normally not an easy task. **Motion by, Smith Seconded McCaslin to move forward with alternative B and to bid this out with the Cedar Circle project. Motion carried 5-0**

Citizen Time

Mayor Bauer noted no citizens wanted to speak at this time.

New Business

A. Request to Purchase Community Patio-Jeff and Laura Hoffman Jeff and Laura Hoffman owners of the snack shack had asked permission to purchase the Community Patio that is located next to their shop, The Snack Shack. The Hoffmans shared their passions and visions they have for the patio and how they wanted to improve its usefulness. There was a discussion between the council, Hoffmans, and the legal counsel of the pros and cons of the potential sale of the property to the Hoffmans as a hypothetical sale, and the council deemed there is a need for improvements, but was not comfortable with the sale at this time, but still willing to possibly work something out. **Motion by Smith, Seconded by Wollin to table and allow Jason Moran to work with Teresa Hill to come up with some alternatives whether selling or city maintaining rights on it and what they can do. Motion carried 5-0** **B. Dehumidifier Purchase Motion by Wollin, Seconded McCaslin to approve the motion as Mark Krenik suggested. Motion carried 5-0** **D. Approval to Sell Fire Department Pressure Washer. Administrator Hill** noted this is a non-functioning piece of equipment and is only good for parts, Darin Hanks has put in an offer for \$200.00. **Motion by Wollin, Seconded McCaslin to sell the equipment to Hanks for \$200.00 Motion carried 5-0** **F. Ordinance Prohibiting Ground Water Connections to the City’s Sewer System. Attorney Moran** explained this ordinance and how it should pass. This ordinance is set to reduce the cost of wastewater for proper sump pump setups and the need for an inspection before the sale of the property. This would protect new homeowners coming in and protect the city from improper disposal of water waste. **Motioned by Wollin, Seconded by Smith, to consider this the first reading of ordinance and we will hold this at the next public hearing and council meeting. Motion carried 5-0**

Council Discussion.

Council Member Smith brought up a discussion on the Fire Hall and made some suggestions pertaining to the foundation. Attorney Moran and Administrator Hill explained the different types of funding that could be available. **Mayor Bauer** mentioned the EDA and talked about sculptures, and bike racks and how they were trying to obtain different types of possible funding.

Adjourn.

Motion by Smith, Seconded by Wollin to adjourn. Motion Carried 5-0. The meeting adjourned at 8:54 p.m.

Daryl Bauer, Mayor

Teresa Hill, Administrator-Clerk