

**WATERVILLE CITY COUNCIL
REGULAR MEETING
May 2, 2023, 6:30 p.m.**

There was a regular meeting of the Waterville City Council held in the Council Chambers at 6:30 p.m. on May 2, 2023.

Present: Acting Mayor Tim Smith, Council members Dave Wollin, Jennifer Grobe, and Roy McIntyre

Absent:

Also Present Administrator/Clerk Hill, City Attorney Jason Moran, City Engineer Jason Femrite, Street Supervisor Allan Hiller, Water & Wastewater Supervisor Mark Krenik, Park Board Valerie Vail, and County Commissioner Preisler

Call to Order / Roll Call/Pledge of Allegiance

Mayor Smith called the meeting order at 6:30 p.m. Pledge of allegiance was recited.

Approval of Agenda/Additional Items to Agenda

Motion by Wollin, Seconded by McIntyre to approve the Agenda with the revision of adding Item 8 C. Resolution 2023R-016 Authorizing the Sale of Real Estate and removing 10 G. Liquor License Requests. Motion Carried 4-0

Resolution 2023R-011 A Resolution Appointing William Conlin to the Waterville City Council

Motion by Grobe, Seconded by McIntyre accept Resolution 2023R-011. Motion Carried 4-0

Oath of Office William Conlin

William Conlin recited the oath of office and accepted the seat as the City of Waterville's Mayor. **Mayor Conlin** took his seat at the Council table. The Council welcomed William.

Consent Agenda

A. Approval of Minutes- April 4, 2023, April 12, 2023, **B.** Approval of Disbursements **1.** Electronic Fund Transfers (35356E- 35380E) \$30,020.50 **2.** Payroll Check Numbers (2023123-2023164) \$44,459.473. **3.** Computer Generated Checks and Overtime (37677-37740) \$289,608.57 **4.** Total Disbursements \$364,088.54 **C.** Impress Cash Fund – \$15.50 **D.** Split of Property- Staska-Miller to Delaske **E.** Split of Property-Brad Connors **F.** Resolution 2023R-012 Approval of Exempt Gambling Permit for Holy Trinity Catholic Church **G.** Approval of Financial Advisor and Depositories of City Funds- D.A. Davidson & Co. **Motion by McIntyre, to approve the consent agenda. Council Member Smith** noted changes within the agenda of the past meeting minutes the line after roll call and the Pledge of Allegiance change all council members were present to say, Mayor Bauer, Tim Smith, and Jennifer Grobe were present. **Council Member Grobe** asked for an explanation of letter G. **Administrator Hill** answered by stating Paul Danna is our financial advisor and he has switched companies to D.A. Davidson & Company. We keeping the same representative just with a different company. **Seconded by Smith to accept the consent agenda with the changes to the April 4th minutes. Motion Carried 5-0**

Reports

A. Streets Supervisor Allan Hiller stated that he would present to the council on Agenda Item 10. **B. B. Parks Valerie Vail** brought forward to council: **1.** The Pickleball court is still in a continuous phase. **2.** There are plans for the City Beach. **3.** The Rain Garden clean-up with Park clean-up will be held on May 20, 2023. **4.** The trail banners have arrived and will be getting placed soon. **5.** Also the Park Clean-up Day we are looking for volunteers for May 20th. The clean-up will start at the Senior Center at 9:00 am. **6.** The Park Board is also looking for people to adopt a park. **C. Water and Wastewater Supervisor Mark Krenik** presented to the council: **1.** Annual maintenance on the city generators was completed last month. We have 4 permanent generators and one portable generator. Everything has checked out fine. **2.** The new computer/SCADA system was installed last week. Should be good for another 5 years or so. **3.** Received a quote from M & W Blacktopping for the replacement of the water treatment plant driveway. The quote came in at 5,200.00. A discussion was had between the Water-Wastewater Supervisor and Council Member Smith about the current condition of the driveway, and possible tie-ins with other projects, along with the accessibility to the plant. **4.** An update on the new pickup truck purchase for the water/wastewater department. We are still waiting for the state bid pricing quote, with being told it will be coming in May. Hopefully, we will have the final numbers soon. **5.** We just completed flushing the hydrants in town, and all 145 hydrants are in good working condition. **6.** The dehumidifier that the council approved was

purchased and installed at the water plant. **7.** A request was made to start the process of putting together quotes for the cleaning of the exterior of the water tower; with hopes of completion this summer. If approval is given, the numbers can be supplied at the next council meeting. **Council Member Smith** asked that those quotes be brought forth to the next Council Meeting. **Motion by Smith, Seconded by Wollin to allow Mark to obtain quotes to get the water tower cleaned. Motion Carried 5-0** **Council Member McIntyre** inquired about the amount of lead piping within the city. **Water and Wastewater Supervisor Mark Krenik** responded that this process needs to be completed by October of 2024 so we are currently in the process of sending out a mailer to start this part of the process to obtain data. **D. Commissioner Preisler 1.** Expressed to the Council some happenings with the State Legislation that will be directly affecting the County and City that will be adjourned by May 22, 2023. The odds of a special session is most likely zero. The House and Senate committees are trying to work out the differences within the Cannabis Regulations. **2.** Also to be noted, is the Public Safety Funding Aid, this will have additional money for both Counties and Cities. This is not the final number but this is the most recent, this will be 1-time money proposed amount of \$76,000 for the City and \$620,000 for the County. **3.** The Family Medical Leave Act, with the new acceptance of birthing, adoption along with medical leave for family members. There is a discussion happening on how it will be extended anywhere from 18-24 weeks. This is going to be happening within a year. This will be affecting the payroll taxes for the employee and employer. Stating it would be beneficial for Cities to get familiar with a possible temp agency to fill this type of leave to ensure the ability work getting accomplished and staff has a position when the leave is over. There will be a clearer vision of what this will be at the next City Council Meeting. **4.** There is a proposed increase in local Government Aid. At first from the county's standpoint, it was a really good number and now it has been whittled down from \$750,000 to \$150,000, this is also still in process with conference committees of the House and Senate. **Council Member Grobe** inquired about the E-gambling tax bill. **Commissioner Preisler** replied this is going to affect everybody, especially the rural communities that depend on this money to finance fire departments in rural areas. The Tribes have been very vocal about this said issue with this type of gambling due to the decline in slot machine gambling. **Council Member Grobe** Stated, the amount of taxes that were paid by the local Lion Club every month, and mentioned the number of organizations that are already paying a tax, again questioning, why do they need to do that. The Casinos do not pay tax monies; the organizations that supply the E-gambling pay this. **Commissioner Preisler** Stated, the best thing to do as I did, pass the concerns along to the State Senators and Representatives. A discussion was had on this tax bill between Council Members and Commission Preisler. **Council Member Smith** Mentioned, at the recent Lake Association meeting there was discussion on the compost site that had been disbanded from the City lot for misuse, but there was an ask to inquire if there was anyone on the county level that would have more insight on an area that may be accessible for lake weeds? **Commissioner Preisler** replied, Amy Battie at the County Solid Waste is also working in the Planning and Zoning and would be the person suggested for contact. Preisler was not aware of anything at City levels, or our County, but had heard that there were more within other Counties. **Council Member Wollin** made mention he had also contacted 10 different committees pertaining to the E-gamming and, noted if anyone was wanting to contact the State in regards to the E-gamming, he is willing to provide contact information. **Council Member McIntyre** commented how the Coalition of Small Cities are also lobbying against the additional tax on the E-gamming. **E. Attorney Moran** welcomed Mayor Conlin and mentioned **1.** The parking ordinance will be later discussed. **2.** The Alley is in its final stages of being resolved. **3.** There will be discussions on Therapeutic Massage Ordinance which will be an annual permit fee. **4.** The biggest thing happening within the next 30 days is the Cannabis Legislation. It appears that the City will be able to exert a little more control over Cannabis in Waterville, but don't get your hopes up, this will be largely regulated by the State. The State will have applications for dispensaries and farming which will have a fee for these types of businesses. With very little of this trickling down to the municipalities. There will not be a lot to say or do on the restriction of zoning these, it will largely be in the States' hands. One thing that the City might have control over, is when it takes effect within Waterville. This is a 300-plus-page bill, and once it is signed by the Governor, there will be a final version that we can go through and discuss at the next meeting. **Council Member Grobe** asked how infractions would be handled in the City limits. **Attorney Moran** replied this would more than likely be handled with the local police department on a criminal side, as for licenses these types of issues would be dealt with by the State. **Motion by Smith, Seconded by Wollin to close the current Council Meeting and open up the Public Hearing at this time. Motion Carried 5-0**

Public Hearings-7:00 p.m.

A. Ordinance §71.05-2023 An Ordinance Amending Ordinance No §71.05 Titled “Vehicles Left Unattended” and Repealing §71.04 Titled “Parking Limits”. Attorney Moran stated that he had gone with the Council's request to clean up the language between the two existing ordinances to one cohesive Ordinance. This makes it uniform and consistent. The Ordinance was summed up by Attorney Moran, city-wide on streets and allies 48-hour parking, 24-hours in private parking lots and, also noted that the Snow Emergency is going to stay and in full effect. **1. Public Hearing** The podium was opened by Council for Public comment. **No Citizens approached the Council at this time.** **2. Second Reading and Adoption of Ordinance §71.05-2023 And Ordinance Amending §71.05 Titled” Vehicles Left Unattended” and Repealing §71.04 Titled “Parking Limits”. Motion by Smith, Seconded by Wollin to approve the second reading and adoption of Ordinance §71.05-2023. Motion Carried 5-0** **Attorney Moran** asked if it was preferred in a summary or a complete copy of the ordinance be published. **Administrator Hill** replied with a preference for the whole document to be published. **Motion by Smith, Seconded by McIntyre to close the Public Hearing and re-open the Regular Meeting. Motion Carried 5-0**

Reports

F. Engineer’s Femrite Report stated he would address Cedar Circle later in the agenda. **1.** The data collection of lead services lines is currently taking place, and we have been tracking them very well. Stating he had obtained some updated information that will help the City of Waterville with the possibility of Grant monies. This will help with this endeavor and this information will be passed along to Teresa and Mark as things become available. This is in adjunction with the State mandating the compliance of removing all lead pipes. **Council Member Grobe** asked if the monies from this hypothetical Grant could be used by private homeowners to comply with asked compliance. **Engineer Femrite** replied to my knowledge, yes, but it has not passed yet, so there is no guarantee until it passes, but it sounds like yes there will be funding. **Council Member Wollin** made mention of this type of piping being aged and is no longer being used. **Engineer Femrite** stated the R&D study that was done in or around 2010 – 2011 that could have good data to refer to for lead-type connections. **2.** The pickleball court, there has been surveying done for that, and have obtained some quotes for the soil boring stages to test. We are making progress working with the Park Board. **G. Administrator’s Hill Reported 1.** A quote was received for the video equipment and installation for council meetings this was over \$5,000. Currently waiting for at least a second quote to be obtained. **2.** The EDA is in discussion with the Art & Rec committee for installing a bike sculpture rack with a possible charging station. There is a possible donor to cover the cost of the installation and landscaping. As for the sight it would not be placed on EDA property so this would have to be approved by City Council. **3.** The EDA has approached the Council about a bike rack from SHIP, and would need a 10% match from the City to complete this ask for a bike rack. **4.** The Scavenger Hunt that the EDA had set up is ready with the medallions being received if the scavenger can find the 10 Historical and Art sites within the city limits. **5.** The outdoor fitness Grant Application will not be submitted at this time due to: the change in leadership in the City and School, the amount of funds needed from the City that would need to be fundraised, and the site availability. **6.** A combination meeting between City Council and EDA was suggested for all future discussions pertaining to the Fire Hall. This way both entities are on the same page regarding the direction of the New Fire Hall. **7.** Planning and Zoning is working on a comp plan update, and they will be working with COG to set up the timelines. **Council Member Grobe** asked about the placement of these bike racks and whom would be responsible for the insurance for where these are placed. **Administrator Hill** stated anything placed on City property the City would insure. There was a discussion between the council and Patty Salomon about the placement of the bike racks.

Old Business

A. Cedar Circle and Herbert Street Improvements 1. Resolution 2023R-014 Approving Specifications and Ordering Bids **2.** Ordering Bids for Herbert Street Storm Sewer **Engineer Femrite** brought forth to the Council the process that is currently taking place May 31st at 10:00 am we will be open for bids at this time to move forward with the improvements. At the June 6th meeting, we will be preparing for the assessment, and at the July meeting this is where the assessments would be set, and the bid would be awarded. If this does proceed the bituminous portion of this would not take place until after the spring thaw in 2024. **Council Member Smith** asked about the drainage portion of Herbert St. and if there were any issues with that. **Engineer Femrite** stated no. This is also being looked at as being repaved as well. **Motion by Smith, Seconded by McIntyre to approve Resolution 2023R-014 Approving Specifications Ordering bids and Ordering Bids for Herbert Street improvements Motion Carried 5-0** **B. Resolution 2023R-015 Authorizing the Exchange of Real Estate C. Resolution 2023R-016 Authorizing the Sale of Real Estate** **Attorney Moran** stated to Mayor and Council these

pertain to the Alley clean up, essentially, we are exchanging land for land, this states who owns the alley. **Motion by Wollin, Seconded by Smith to approve Resolution 2023R-015. Motion Carried 5-0 Motion by McIntyre, Seconded by Wollin to accept Resolution 2023R-016 Authorizing the Sale of Real Estate Motion Carried 5-0**

Citizen Time

No citizens approached to speak at this time.

New Business

A. Capital Improvement Bond 1. Engagement Letter Approval-D.A. Davidson & Co. **2.** G.O. Equipment Certificate **3.** Resolution 2023R-017 Approving the Issuance of General Obligation Equipment Certificates of Indebtedness, Series 2023. **Motion by Grobe, Seconded by McIntyre to approve the Engagement Letter with the D.A. Davidson & Co. Motion Carried 5-0 B Financial Advisor Paul Donna** stated funding the capital equipment certificate by state law has a max term of 10 years. This Equipment Bond Certificate for the City is \$377,000 which funds the purchase of two pieces of equipment. This is to be financed with a debt service levy GO Bond at a total cost of \$391,000. The calculated interest is at 4%, with a \$48,500 annual payment. There was a discussion between the council and staff on the way of handling this bond on the Mack Truck and Loader. **Financial Advisor Donna** suggested looking at local banks for directly placing this Bond. **Motion by Wollin, Seconded by Wollin approving Resolution 2023R-017 with the condition of the maximum amount being at \$400,000. Motion Carried 5-0 B.** 2023 Street Projects **1.** Dust Coating **2.** Seal Coating **3.** Mill and Overlay **Streets Supervisor Allan Hiller** discussed with the council the bids that were received and presented to the council. Allan was asked about his personal preference of companies to work with, by past experiences. **Streets Supervisor Allan Hiller** made mentioned to include the wastewater plant driveway with the blacktopping street project. **Motion by Smith, Seconded by Wollin to approve the dust coating to Quality Propane & Dust Control for \$5,503.00. Motion Carried 5-0 Motion by Wollin, Seconded by McIntyre to approve the seal coating to Person Brothers the Seal Coating Bid Motion Carried 5-0. Motion by Smith, Seconded by Wollin to approve the mill and overlay bids from M&W Blacktopping with 4th Street South, Hillcrest, and 2nd Street S. with the addition of the bidding out the wastewater plant also. Motion Carried 5-0 C.** Council, Commission, and Committee Appointments: **Mayor Conlin** asked the council to be in a voluntary status for the opening of the Slate of officers. There was a discussion with the volunteers for the Slate of officers: Audit Committee volunteered by Dave Wollin, Authorized Check Signers Mayor Conlin, and Acting Mayor Tim Smith, Personnel Committee volunteered by, Jennifer Grobe and Roy McIntyre, EDA Committee Mayor Conlin volunteered, and Night to Unite Coordinator Roy McIntyre volunteered. **Motion by Smith, Seconded by Grobe to approve the new committee positions that were just discussed as stated. Motion Carried 5-0 D. Ordinance No. §118 Regulating and Providing for the Licensing of Therapeutic Message Business in the City of Waterville. 1.** Approval of 1st Reading **2.** Public Hearing Date **Motion by Smith, Seconded by Wollin to approve the first read of Ordinance No. §118 and to set up the Public Hearing for the June 6th Motion Carried 5-0 Administrator Hill** talked with the council about the six-month review of this ordinance and how it allows massage within the city. It was stated how it was presented in the Adult Ordinance and will be removed. Administrator Hill stated she was looking for a motion to set a public hearing and to set a fee within the fee schedule for an annual license for brick & mortar establishments not mobile. **E. Ordinance No. §150.22-2023 An Ordinance Amending Section 150.22 Subd (M)-Adult Establishments Eliminating Reference to Therapeutic Massage Enterprise. 1.** Approval of 1st Reading **2.** Public Hearing Date **Motion by Wollin, Seconded by Wollin to approve the first read of Ordinance No. §150.22-202 and to set up the Public Hearing for the June 6th meeting at 7:00 pm, along with a recommended fee. Motion Carried 5-0 F. Permission to Start Fire Fighter Hiring Process.** A short discussion was held. It was suggested to start in June by opening it up for applications and coming back with recommendations in July at the Council Meeting. **Motion by McIntyre, Seconded by Smith to permit the fire department to start the hiring process to hire 4 Fire Fighters. Motion Carried 5-0**

Council Discussion

Council Member Smith stated he would like more dog waste stations in the Lagoons parking area, and also questioned the status of the fire structure of 110 Mill St. **Administrator Hill** replied to Smith she did not have a status on this at this time.

Adjourn

Motion by Wollin, Seconded by McIntyre to adjourn. Motion Carried 5-0. The meeting adjourned at 7:50 p.m.

William Conlin, Mayor

Teresa Hill, Administrator-Clerk