

**WATERVILLE CITY COUNCIL
REGULAR MEETING
February 6, 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 February 6, 2024.

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: Bruce Schwartzman with BKV

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/Additional Items to Agenda

Administrator Hill noted the additional items: to the Consent Agenda item 3 G Resolution 2024R-004 Approving Exempt Permit, under 6. New Business letter I American Rescue Plan Expense Allocation, and J. Flood Plain Ordinance Revisions. **Motion by Wollin, Seconded by McIntyre to accept the agenda with the amendments Motion Carried 5-0 .**

Consent Agenda

A. Approval of Minutes- January 2, 2024 and January 24, 2024. **B.** Approval of Disbursements. **1.** Electronic Fund Transfers (35624E-35654E) \$50,407.09. **2.** Payroll Check Numbers (2024001-2024038) \$45,529.43. **3.** Computer Generated Checks and Overtime (38279-38350) \$208,724.12. **4.** Total Disbursements \$ 304,660.64 **C.** Impress Cash Fund-\$14.06. **D.** Chamber Event Requests. **E.** Drug Task Force Membership. **F.** AWAIR Policy Review and Approval. **G.** Resolution 2024R-004 Approving Exempt Permit. **Motion by McIntyre, Seconded by Wollin to approve the Consent Agenda Motion Carried 5-0 .**

Old Business

B.K.V. Contract Revision. **Attorney Moran** recapped the facilitation of the Fire Hall build-out. Noting the different stop gaps that were entered in Section 11. The new project budget was at 5 million dollars with the anticipated construction cost being 4 million dollars. Section 1.1.4 denotes the revisions to the anticipated design and construction milestones. **Motion by Wollin, Seconded by Smith to approve the B.K.V. contract revision. Motion Carried 5-0 .** There was further discussion between Council and Staff about the addendums that were made in the contract with the different stop gaps. Starting back at the schematic phase of the project. The breakdown of costs will be funded out of the coffers until financing is obtained, then at that time, the costs can be rolled into a Bond. Costs as of now will be \$244,000.00 split within the different phases of the project that is denoted in section 11; The Compensation revision of the contract. **Council Member Smith** asked if this was allowed in the budget for the current year. **Administrator Hill replied** that the costs were taken into consideration but this would need to be revisited. This project cost is considered at 5 million dollars. **Council Member Grobe** asked how much of this cost would be levied, **Administrator Hill** replied this is dependent on how the payments are staggered into a Bond. The principal and interest will increase the levied amount due to the current debt schedule. **Council Member Grobe** asked were these schematic fees paid before when this was in the process last. **Bruce Schwartzman** stated yes, with the previous project, but now this is a new project so the cost is still applicable. **Attorney Moran** asked if the administration fee would waver from the 20% if a construction manager was not used. **Bruce Schwartzman** stated the administration cost would not waver in this contract with or without a contract manager.

Construction Manager

Motion by Wollin, Seconded by Smith to allow Teresa to put out for request for proposals for a construction manager. Motion Carried 5-0 .

Park Board Vacancy

Mayor Conlin thanked the applicants for applying for the vacancies on the Park Board. Applicants consist of: Joe Christenson, Milayna Wetzel, Chrissy Christenson, and Sue Myers. It was noted that this is a 3-year term. **Motion by Conlin, Seconded by Wollin to accept an applicant for the Park Board Vacancy Milayna Wetzel Motion Carried 5-0 . Motion by Conlin, Seconded by Smith to accept Joe Christenson for the Park Board Vacancy. Motion Carried 5-0 .**

Planning and Zoning Vacancies.

Mayor Conlin noted the applicants for the Planning and Zoning Vacancy: Bernie Akemann, Nicolas Bongers, Phill Langerud, and Sue Mariska. It was noted that there are two vacancies and the term being 3-years. **Motion**

by Smith, **Seconded by Wollin to nominate Bernie Akemann Motion Carried 5-0 . Motion by McIntyre, Seconded by Wollin to nominate Phil Langerud on the Planning and Zoning Board Motion Carried 4-1 . Mayor Conlin nay**

Franchise Fee.

Attorney Moran went over the proposed ordinance 510.02 to impose a 5% franchise fee to all telecommunication companies that provide telecommunication services within the City's corporate limits. This ordinance is a way for the city to generate additional revenue. Also mentioning there is a franchise fee already in place with Midcontinent. This would not be effective until 90 days after passage. **Motion by Wollin, Seconded by Smith to accept the first reading and take this to a public hearing for the franchise fees. Motion Carried 5-0 . Motion by Smith Seconded by Wollin to set the public hearing for ordinance 510.02 at the regular Council Meeting on March 12th at 6:00 PM. Motion Carried 5-0 .**

Gauge Installation Fee Approval.

Administrator Hill conveyed to the Council this request is held under the funding for the hydrology study. The D.N.R. would be doing the install. The installation is quoted at \$5,200.00 along with four monitoring visits of 3-hour data collection sessions quoted at \$3,800.00. This would be held at City cost. This was previously agreed upon by the Council to do the hydrology study. This helps with Emergency Management by being able to see what is coming at us and how to react. Currently, the monitoring system is checking different locations that are marked with yardsticks. This also helps with the modeling purposes down the road with future water-related improvement projects. **Motion by Smith, Seconded by Wollin to approve the Gauge Installation Fee up to the amount of \$10,000.00. Motion Carried 5-0 .**

Citizen Time

Commissioner Priesler approached the Council to update them on what is happening at the County level that will be directly affecting Waterville. 1) The bridge replacement that will be taking place this summer. Bids for this project will be opening on February 28, 2024, at 1:00 pm in the County Board room. This is planned to break ground after Bullhead Days with a five-to-six-week allotment for working days to complete the project. This project should be completed no later than mid-September with no specific end date set. 2) The County Road estimated funds for State Aid is up about 10% from the previous year. The County's main concern is roads and bridges. 3) Mike Schultz and Holly Bushman were able to present to the Senate Capital Investment Committee for water mitigation. 4) The County has had discussion on the possible construction of a bike trail. When researching these preliminary costs, it has been estimated to be a half million dollars for construction along with annual maintenance. With high costs, this is not the right time to be investing in this type of project. 5) The final mention was of the savings for snow removal this year which is nice to offset the costs that were accrued last year. The Street Department is keeping busy with maintaining the road right away by trimming back trees and brush.

New Business

MN Youth Fishing Tournament Request-June 24, 2024. Administrator Hill reminded the Council how this event is for the youth, 7th and 8th graders. This tournament took place last year at the Swimming Beach and years prior at the Water Tower Boat Landing. The request is to use the Swimming Beach on June 24th. This is where they would launch from, come in to have the weigh-in, and prize distribution. **Council Member Smith** stated his concern about the tournament taking place at the Swimming Beach. The ropes and buoys were put in for public swimmers' safety. Not for fishing tournaments and they need to stay in place once they are put out for the year. **Motion by Smith Seconded by Wollin to allow the use of the Swimming Beach area outside of the normal roped placement and they will stay in place. Motion Carried 5-0**

Board of Equalization (April 10 at 6:30 P.M.).

Motion by Wollin, Seconded by McIntyre to approve the Board of Equalization on April 10th at 6:30 PM. Motion Carried 5-0

Earned Safe and Sick Leave Policy Revision.

Attorney Moran addressed the Council with the current changes that have been made to the Earned Safe and Sick Leave Minnesota Statute about Volunteer Fire Fighters. The change simply stated that accumulation for Earned Sick and Safe Time will be earned only for any scheduled meeting, assigned shifts, truck check, or training. This is also a time that the Earned Sick and Safe time can be used. **Motion by Wollin, Seconded by Smith to with the proposal on the Earned Sick and Safe Leave revision Motion Carried 5-0**

Memorandum of Understanding for Lateral Entry

Administrator Hill conveyed to the Council this clarifies the language of lateral entry. The current language states up to the 2-3 years step for experience. This is now stating they cannot exceed the 3-year step. Also, to modifying the effective date of hire to reflect this time. This will put them on the lateral step for 2-3 years through

December 31st, 2024. The pay will go retroactive to the officer's date of hire. **Motion by Smith, Seconded by McIntyre to approve the Memorandum of Understanding for Lateral Entry. Motion Carried 5-0.**

Water Treatment Plant Building Maintenance.

Administrator Hill mentioned that Water Supervisor Krenik had obtained a quote for the maintenance requested for this year. With the estimated costs exceeding \$25,000.00. Quotes would need to be obtained for maintenance of the water plant building to pressure wash, paint, replacement of an exterior wall, and some tuckpointing work. **Motion by Wollin, Seconded by Smith to authorize for Teresa to get quotes for the Water Treatment Plant Building maintenance. Motion Carried 5-0**

Turn Out Gear Purchase Approval.

Chief Meskan stated that the life of turn-out gear is 10 years. The gear is specific and custom fit per individual. This will consist of a coat and pants. **Motion by McIntyre Seconded by Wollin to approve the turn-out gear purchase. Motion Carried 5-0.**

Resolution 2024R-002 DNR Outdoor Grant Application.

Administrator Hill conveyed to the Council this request is to apply for a pickleball court grant application. There will be some costs that the City will need to absorb, to be compliant in order to obtain the grant monies. This entails all sidewalks being ADA accessible. This would be included in the grant. The rough estimated cost for this would be anywhere from 10-20 Thousand dollars. This would be a 50/50 match. If the City is awarded the grant, some of that cost would be covered. At this time the Council can decide if they would like to accept or deny the grant. As for City funding there has been fundraisers being held for this specific project. **Engineer Femrite** mentioned to complete the application process; the City will need the work of an engineer drawing and a survey to be submitted with the grant application. This drawing and survey will cost the City \$3,000.00. **Motion by McIntyre, Seconded by Wollin to approve Resolution 2024R-002 DNR Outdoor Grant Application. Motion Carried 5-0.**

Resolution 2024R-003 Appointing Election Judges for 2024 Presidential Primary.

Motion by Wollin, Seconded by Smith to approve Resolution 2024R-003. Motion Carried 5-0.

American Rescue Plan Expense Allocation.

Administrator Hill conveyed to the Council she is looking for approval of expenses presented. To close out this Fund and to get it reported, the suggestion of using the remaining monies for Public Safety wages paid is an eligible expense for these funds. **Motion by McIntyre, Seconded by Smith to approve American Rescue Plan Expense Allocation Motion Carried 5-0.**

Flood Plain Ordinance Revisions.

Motion by Smith, Seconded by, Wollin to set a Council Work Session for the Flood Plain Ordinance Revisions for February 12, 2024, at 3:00 PM and to set a Public Hearing for the first revision of amendments. Motion Carried 5-0

Reports

Attorney Moran reported the State has yet to supply THC laws, a list of guided ordinances. Moran recommended the City should get the ball rolling in how many establishments of this business type would be allowed along with the zoning of restrictions on where consumption is allowable to takes place within the City. Also, 256 Main Street has not made compliance with payments. There needs to be a discussion on how the City would like to collect on this debt. **Council Member Grobe** asked if there was something that could be done to lower any associated costs with accommodating the new Minnesota State Flag. Is this change required? **Attorney Moran** responded that he did not think that it was required at this time. City Flags are available for all Cities and can have a seal. We can do something with the existing flags and badges to make them solely for Waterville. **Motion by Grobe Seconded by Wollin for Moran to provide a resolution. Motion Carried 5-0.**

Engineer's Report, Engineer Femrite had nothing to report.

Council Discussion

There was no additional discussion.

Adjourn

Motion by Smith, Seconded by McIntyre to Adjourn the meeting at 7:28 PM. Motion Carried 5-0

William Conlin, Mayor

Teresa Hill, Administrator-Clerk