

**WATERVILLE CITY COUNCIL
REGULAR MEETING
September 3, 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 September 3, 2024.

Call to Order / Roll Call/Pledge of Allegiance

Present: Council members: Tim Smith, Dave Wollin, and Jennifer Grobe

Also Present: Administrator Teresa Hill, City Attorney Jason Moran,

Absent: Mayor Bill Conlin, and City Engineer Jason Femrite

Council member Smith 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

Council/Mayor Smith stated amendments to the agenda with removal of the August 26th 2024 meeting minutes from the consent agenda, and alter 3. D by adding September 26th Street closures for Hot Summer Nights, Trunk or Treat held on October 26th from 3 pm to 7 pm, and Holiday Magic from 4 pm to 7 pm as listed. **Motion by Council Grobe Seconded by Council Wollin** to accept the agenda as amended. **Motion Carried 3-0.**

Consent Agenda

Consent Agenda- A. Approval of Minutes- August 5, 24, August 26, 2024 B. Approval of Disbursements 1. Electronic Fund Transfers (35828E-35853E) \$53,641.46. 2. Payroll Check Numbers (2024308-2024354) \$50,655.84. 3. Computer Generated Checks and Overtime (38766-38842) \$177,248.02. 4. Total Disbursements \$ 281,545.32. C. Impress Cash Fund-\$21.62. D. Chamber Road Closure Request on Main Street from 3rd to 1st for Trunk or Treat October 26 and Holiday Magic on Main November 30th. E. Resolution 2024-029 Accepting Donation. **Motion by Council Wollin Seconded by Council Grobe** to approve the additional items. **Motion Carried 3-0.**

Old Business

Proposed Ordinances amendments allowing for Lower-Potency Hemp Edible Sales as an Accessory Use to Retails Stores in the City of Waterville.

1. 150.10.2024 B-1 Limited Business District. **2.** 150.11.2024 B-2 Commercial Recreational Shoreland District. **3.** 150.12.2024 B-3 General Business District. **4.** 150.13.2024 B-4 Central Business District. **5.** 150.15.2024 I-2 General Industry District. **6.** 150.14.2024 I-L Limited Industry. **Attorney Moran** informed the Council of the Planning and Zoning Commission suggested to allow these ordinances. These six purposed amendments allow our current businesses to sell these items as accessories that they are already selling.

Proposed Ordinance No. 116 Regulating Cannabinoid and Hemp-Derived Products

Attorney Moran conveyed to Council this allows for allocation of an ordinance for recreational marijuana. This will be given its own chapter. This is extremely similar to the alcohol ordinance with some differences. As a City, we will only allow one dispensary within the industrial district. This also caps the number of low-potency THC licenses. The Planning and Zoning suggest that the low-level distribution cap should be at 10 allowed establishments. This will give the opportunity for some establishments that do not sell alcohol to be able to sell some of those low-level beverages and edibles. **Council Grobe** asked if a liquor license would be required to sell the low-level THC beverages and products. **Attorney Moran** replied yes, anyone that is going to be selling these items needs to apply for distribution for their store or establishment. This ordinance has encompassed the State radius restrictions that are listed in the Statutes. Some examples are not within 1,000 feet of a School, 500 feet of a daycare, or a public park. The hours of operation can be from 8:00 am to 2:00 am. The City will not be supplying these licenses this will all be done by the State. **Motion by Council Wollin Seconded by Council Grobe** to accept the first reading for 4 A and to set the Public Hearing date for the October 1st meeting at 6:00 pm. **Motion Carried 3-0. Motion by Council Wollin Seconded by Council Grobe** to accept the first reading for 4 B the proposed ordinance No. 116 and to set the Public Hearing date for the October 1st meeting at 6:00 pm. **Motion Carried 3-0.**

Citizen Time.

Commissioner Priesler approached the Council with updates from the County level. **1.** The bridge is being replaced. **2.** Construction is finishing up at the Government Center within the next 30 days. This will allow visitor parking and deliveries on the West side of the building. **3.** In 2025 the County is looking at different road projects that will be close to Waterville; One mile east of County Road 6 North and South, Hwy 60 to 14 with a complete reconstruction. Along with looking at an overlay on County Road 151. **4.** There are still invoices coming in for the debris site. The cost is currently running north of \$400,000.00 for the sandbagging and the debris operations. These costs will be submitted to FEMA and the State for reimbursement. The County did not receive much

negative feedback from the debris site. **5.** The 2025 budget preliminary Levy will be held on September 17th. With all of the department's requests and payables; The preliminary budget saw an increase of 9.2%. After our first work session, this was reduced to 6.5% - 6.9%. There will be more to trim off before the final Levy that will be set on December 3rd, 2024. There will be approximately 42 million contributed to new construction that will be added to the 2025 Tax Roll. Farmland is still the leading contributor to the Levy. One thing that is notable of change will be the homestead exemption, along with agricultural land. This will allow these residents for lower taxes. **Council Smith** asked Priesler if any of the affected homes by the flood would be able to get an adjustment on the tax value of the property. **Commissioner Priesler** replied that this process is like abatement. The homeowner would apply for the abatement; still paying the second ½ of the 2024 taxes. If this is a need the County would address this with Council and apply for the needed approval for this at the State level. The State would then kick back funds to those approved for the refund. The refund would take place in 2025. The County Assessors are under a lot of pressure right now to determine what and how much damage has taken place. The County is actively working with the Townships for FEMA buyouts. One property visited thus far; a buyout has been deemed the best route.

New Business.

Resolution 2024R-030 Authorizing the Emergency Abatement of Nuisance Conditions at 208 Third Street South, Waterville MN.

Attorney Moran reminded the Council that this current nuisance dates farther back than April. The trees that are adjacent to City Hall are causing damage to the roof. The owner of the trees has done some light tree maintenance. Since the first incident this year the City Hall roof has taken on additional damage from the trees, branches, and animals that reside in those trees. The City Hall roof was inspected by an insurance agent and the inspector clearly states that those trees are damaging the City Hall roof. There is concern that this damage will continue to the roof. One of the trees is not in good health and has been clearly splitting for some time. The Waterville Police Department had served an emergency abatement of trees on September 3, 2024. A fax was received this morning denying that the damage was caused by their tree and did not want to remove the trees. They had suggested setting up a roof maintenance fund. The suggestions from the tree owner are not realistic suggestions. This needs to be addressed. A few quotes will need to be obtained for removal. With this being put on the assessment roll. I am also looking to get a court order to get the right of passage to the property. **Motion by Council Wollin Seconded by Council Grobe** to approve Resolution 2024R-030 with the amendment in wording from Faribault to Le Sueur County. **Motion Carried 3-0.**

Spiral Screen Repair Approval.

Administrator Hill conveyed to the Council that this is a mechanism that removes grit debris in the Waste-Water Treatment Center. The Waste Water Supervisor supplied a quote to have this replaced. The amount of grit that went through the Spiral Screen within 5 days of the flooding was more than the City normally processes in one year. The public works team has been manually processing the grit to get by but this needs replacement. This funding will initially come out to the Sewer funds. It will then be submitted to FEMA for reimbursement, not knowing if this will be fully reimbursable. **Motion by Council Wollin Seconded by Council Grobe** to approve the purchase of the Spiral Screen Repair. **Motion Carried 3-0.**

Classics LLC Liquor License Request for Off Sale and 2 a.m.

Administrator Hill relayed that this was just a formality and this had already taken place at the last meeting. They will still need to comply with the State to receive this licensing. **Motion by Council Wollin Seconded by Council Grobe** to approve Classics LLC Liquor License Request for Off Sale and 2 a.m. **Motion Carried 3-0.**

City Hall Roof Quotes.

Administrator Hill relayed she had reached out to two companies to obtain quotes. One quote has already been submitted and received and we are currently awaiting the second quote. Once those are received, I will ask the Council to set a special meeting to move forward in the process. **Council Grobe** asked if the insurance company is covering any of the costs. **Administrator Hill** replied that yes, they only covered the small puncture holes found at the time. These quotes will obtain a complete tear off and replacement and a membrane replacement. **Attorney Moran** stated that the removal of the nuisance trees would be best before a new roof is put on the building.

Budget Work Sessions (September 12th and September 24th)

Council and Staff talked about the suggested dates. **Motion by Council Grobe Seconded by Council Wollin** to set the Budget Work Session September 12, 2024, at 4:00 pm and September 24, 2024, at 6:00 p.m. **Motion Carried 3-0.** **Council Smith** stated that he could report by phone.

Reports

Attorney Report

Attorney Moran had nothing additional to report.

Engineer's Report

The City Engineer was not present.

Administrator Report

Administrator Hill relayed to Council that the two donations that were donated by Kamp Dells, were obtained by their campers donating into a fund and Kamp Dells matching that amount of donation. The first meeting with FEMA for the public structures will be continuing flood-related issues.

Council Discussion

Council Grobe expressed the concerns of the weeds that were growing at the end of Reed St. S and Hwy 60. It appears that it was attempted to be trimmed back but low-profile vehicles are still unviable. **Administrator Hill** replied that she would ask the Street Supervisor to contact the State Department of Transportation. **Council Wollin** expressed that the flowers located by the Post Office are looking terrible. **Administrator Hill** replied that these gardens are slated for repairs, and will be submitting for coverage from FEMA for maintenance and restorations. **Council Wollin** asked if the weeds still could be taken down or not. **Administrator Hill** replied that the quote for the garden restoration was just received and she would move forward with submitting it to FEMA for reimbursement. **Council Wollin** also expressed that many lawns are not getting mowed and would like to know what is happening to take care of these issues. **Administrator Hill** replied that the City does not canvas the town looking for nuisance properties that they are addressed by citizen complaint. Once a complaint is received then the Police Department will address the situation. **Council Smith** expressed that the fishing pier at the Lagoons Park is floating unstable and in need of repairs. When and will it be repaired? **Administrator Hill** replied that the City does not hold any responsibility for the repairs of the landing and dock. Phone calls have been made by the Park Board and the Street Supervisor.

Adjourn

Motion by Grobe, Seconded by Wollin to Adjourn the meeting at 6:57 PM. Motion Carried 3-0

Tim Smith, Acting Mayor

Teresa Hill, Administrator-Clerk