

**WATERVILLE CITY COUNCIL  
REGULAR MEETING  
March 12, 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 March 12, 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 and City Attorney Jason Moran

**Absent:** City Engineer Jason Femrite

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** requested to replace 8H Budget Amendments with the M.N. BASS Nation– The Use of Beach for a Tournament. **Motion by, Smith Seconded by McIntyre to accept the agenda with the amendments Motion Carried 5-0 .**

**Consent Agenda**

**A.** Approval of Minutes- February 6, 2024 and February 12, 2024 **B.** Approval of Disbursements **1.** Electronic Fund Transfers (35655E-35692E) \$54,264.86 **2.** Payroll Check Numbers (2024039-2024080) \$53,130.36 **3.** Computer Generated Checks and Overtime (38351-38406) \$76,231.53 **4.** Total Disbursements \$ 183,626.75 **C.** Impress Cash Fund-\$6.43 **D.** Hot Summer Nights Request **E.** Resolution 2024R-005 Accepting Donation **F.** Clean Up Day -May 18<sup>th</sup>. **Motion by McIntyre, Seconded by Grobe to approve the Consent Agenda Motion Carried 5-0 .**

**Certificates of Appreciation-James Hennan, Sandra Hennan, and Susan Mariska**

**Mayor Conlin** introduced James Hennan, Sandra Hennan, and Susan Mariska. **Parks Board Chairperson Vail** gave great recognition to James and Sandra for all their years of dedication and countless hours of volunteering for the parks. Some of those projects were establishing the Lagoons Park, putting the ropes and buoys out and in at the City Beach, painting the City Beach House, painting a mural on the City Beach House, planting in the Rain Gardens, helped with multiple treatments at Sakatah Bay and created signs for the Fire Hall and the Boat Landing. **Mayor Conlin** presented a Certificate of Appreciation for: James Hennan for his 17 years of service on the Park Board and his 10 years of service on the Planning and Zoning Commission, Sandra Hennan for her 6 years of service on the Park Board, and Susan Mariska for her 8 months of service on the Planning and Zoning Commission.

**Public Hearing on Ordinance 510.02 Franchise Fee**

**Attorney Moran** expressed to the Council that this Ordinance is to encompass all telecommunication supplied within the City corporate limits to impose a 5% franchise fee. The City of Waterville already has a Franchise Agreement with Midcontinent with this current amount. There was discussion pertaining to the Ordinance will need to have Frontier Communications added as well as any other similar in nature provider that will come to Waterville. **Administrator Hill** stated that MIDCO and Metro Net had reached out to her to obtain the newly proposed ordinance.

**Public Comment**

**Mayor Conlin** opened the floor for public comment. **Brian Carter** from Metro Net stated that Franchise Fees have become more common. Asked if internet and cable TV were also going to be encompassed for the 5% Franchise Fee? **Attorney Moran** replied yes, those would also apply and will be added to the Ordinance. **Brian Carter** asked if the Council had any questions from him, he would be willing to answer them. The council did not have questions at this time. **The Public Comment closed at 6:12 pm**

**2<sup>nd</sup> Reading and Adoption**

**Motion by Smith, Seconded by McIntyre to approve the Second Reading an adoption for Ordinance 510.02 Franchise Fee Motion Carried 5-0 .**

**Old Business**

**Public Hearing date for Flood Plain Ordinance. Administrator Hill** suggested having the public hearing at the April Meeting so it can be recorded by the end of April. There were comments back from the State wanting to see the section of notifications for public buildings to be added back into the Ordinance. **Motion by Smith, Seconded by Wollin to set the Public Hearing for the Flood Plain Ordinance for the regular April meeting, April 2<sup>nd</sup> at 6:00 PM Motion Carried 5-0 .**

#### **Citizen Time**

**Commissioner Priesler** approached the Council with updates from the County level. **1.** Mike Schultz will be doing some lobbying for the bond request with Senator Jasinski tomorrow. With this being one of the last things done, we probably will not see any results with this until closer to the end of May. **2.** The County has requested from Congressional directive funding; monies to be used to update and build out the broadband network. Also requested funds for records management. This request was passed by the House last week, and it will be going to the Senate. The Broadband was awarded 1 million dollars and the Records retention was 500 thousand dollars. If this is funded the Broadband will be funded by the USDA and the Records Management will be funded by the Department of Justice. **3.** The League of Minnesota Cities has requested that all cities take on State Building Codes 42.41 and Senate file 42.03 be sent to file within the current language there is an acceptance to exempt cities of 2,500 population or less by 2030. **4.** There has been a work session taking place with the County Engineer to upgrade the safety at various dangerous intersections. These intersections have been evaluated by accidents that have been reported. Of the 20 evaluated intersections 3 are County intersections that will be upgrade the rest are State Highways. The upgrades to the intersection will possibly be flashing stop lights with reflective tape added to the post of the sign and or even possible overhead lighting. **5.** The bridge bid was approved and it came in 10% under the County Engineers estimate.

#### **New Business**

##### **Police Commission Appointment-(March 7, 2024-March 6, 2027)**

**Motion by McIntyre, Seconded by Grobe to reappoint the same person for the position. Melissa Jaspersen Motion Carried 5-0 .**

**Resolution 2024R-006 Approving State of Mn Joint Powers Agreements with The City of Waterville.** Attorney Moran requested the Council's approval for the MN Joint Powers Agreement. **Motion by McIntyre, Seconded by Smith to approve Resolution 2024R-006 Approving State of Mn Joint Powers Agreements with The City of Waterville. Motion Carried 5-0 .**

##### **Resolution 2024R-007 Adopting Official Badge and Official Patch**

Attorney Moran presented to Council the requested Resolution 2024R-007 containing the designated city officers' official badge and patch. This is exactly what the City is currently using. **Motion by Wollin, Seconded by McIntyre to approve that. Motion Carried 5-0 .**

#### **Liquor License Approvals**

**Mayor Conlin abstained from this portion of the meeting. Motion by Smith Seconded by Wollin we approve the 2024 Liquor License Renewals that are listed here. Motion Carried 4-0 & 1 Abstained**

#### **Lake Treatment**

**Administrator Hill** communicated to the Council that the application for the DNR grant for lake treatment was denied. Asking the Council how they would like to proceed with the lake treatment. There was a discussion between Council and Staff pertaining to the delineation and lake temperatures for treatment. Treatment costs in the past have been around \$5,700.00 for 19-21 acre and the average cost \$314-\$317 p/acre. This does not include the delineation fees. In previous years Adrew Edgcumbe provided this service at a cost of \$750.00. The amount to treat is all dependent on the delineation and what the DNR will permit us to treat. This treatment can be estimated at the upwards of \$7,000.00. This was budgeted for with the anticipation of receiving the grant monies. So, the full amount would not be covered. **Council Smith** expressed his concerns with the continued process of treating the lake and the bay. **Council McIntyre** stated that the Lakes Association is looking to donate to the City to go towards the treatment of the lake. This will be known in about two weeks. **Motion by Smith Seconded by Wollin to approve the treatment and to go out for bids so we can get a price and go forward with the treatment of the Bay. Motion Carried 5-0 . Council Wollin** expressed that if those donations are received

from the Lakes Association and or others then he is for the treatment. But with the tight budget without extra monies, he is not for it.

#### **Re-allocation of Designated Ice Rink Funds**

**Administrator Hill** asked the Council if they would consider using the \$1048.70 in the Ice Rink funds to be applied to the Pickleball court if the grant is permitted and allowed. **Motion by Wollin Seconded by Smith to approve the reallocation of ice rink funds. Motion Carried 5-0.**

#### **Resolution 2024R-008 Writing off Uncollectable Fees**

**Motion by McIntyre Seconded by Grobe to approve Resolution 2024R-008 Writing off Uncollectable Fees. Motion Carried 5-0.**

#### **MN BASS National-Use of Beach for Tournament**

**Administrator Hill** informed the Council Minnesota Bass Nation wanted to hold a tournament this fall in Waterville. MN Bass Nation is open to any suggested location by Council either the City Beach or the Lagoons Park. Staff and Council discussed the possibility of the buoys at the City Beach area and if they will be removed around that time of year. There was further discussion about the Lagoons. It was strongly noted that they would need to clean up after themselves in and out of the water. No messes left behind. It was requested by Council to check to see if the buoys can be removed before the event. **Motion by Wollin Seconded by Smith to approve MN BASS National-Use of the City Beach for Tournament Motion Carried 5-0**

#### **Reports**

**Attorney Report Moran** stated that he was preparing to deal with some THC Zoning Ordinances, the Administrator and myself are waiting for some regulations from the State. Once those are supplied, we will start tailoring them to the City of Waterville's needs. There will be follow-up with updating the language on the Franchise fee and to get those supplied to the other providers in the area. Funds from this should start to come in anywhere from 120-150 days. The Police Department has been busy with domestic assaults, public nuisances and a few DWIs. Jacob Lee is in the process of getting the sewer lines moved. There is a foreclosure in the works for the old 256 Main St. Address. **Council Grobe** asked if we foreclose on this property, how much debt are we getting into? **Attorney Moran** replied that he wasn't entirely sure at the moment. This should be taken as a learning lesson that we are only granting liquor licenses to an establishment with good insurance to cover the cost of the building. If an issue would arise. **Council Grobe** asked if there was still an ownership issue. **Attorney Moran** replied yes, there was a contract for the deed so it makes it more complex. **Administrator Hill** noted Tim Nytes will be starting construction soon on the first unit. Mr. Nytes has been in contact with surrounding businesses and other close by rental locations to notify them of the location of the construction. Mr. Nytes plans on also putting up signage.

**Engineer's Report** There was no report

#### **Council Discussion**

**Mayor Conlin** inquired if there was a schedule set up for mosquito spraying. Council and Staff discussed the possibility of a longer season of treatments, starting sooner and ending later in the year. **Council Wollin** stated that he would like to see a declaration day for Keegan Kuball. He is a one-of-a-kind athlete for Waterville and is a two-time champion. Council and staff were in agreeance. **Council Grobe** mentioned that any donations come into City Hall for the Pickle Ball court there is a private donor that will match up to \$25,000.00. With a deadline of March 31<sup>st</sup>. The Lion's Club has been doing multiple fundraisers for this cause as well. There was a bingo that was held and proceeds of \$2,000.00 was made. **Attorney Moran** stated that Keegan Kuball should be invited to the next meeting so he can have his declaration day at the April meeting.

#### **Adjourn**

**Motion by Smith, Seconded by McIntyre to Adjourn the meeting at 6:59 PM. Motion Carried 5-0**