

# PUBLIC NOTICES

## PUBLIC NOTICE WATERVILLE CITY COUNCIL PUBLIC HEARINGS AND REGULAR COUNCIL MEETING

June 5, 2018, 6:00 P.M.

There were Public Hearings and a regular Council meeting of the Waterville City Council held in Council Chambers at 6:00 p.m. on June 5, 2018. Present: McIntyre, Grobe, Smith, and Mayor Schmidtke; Absent: Wollin; Also Present: Administrator/Clerk Teresa Hill, Jason Femrite of Bolton & Menk and Jason Moran City Attorney; Absent: None

**1. Call to Order / Roll Call / Pledge of Allegiance.** Mayor Schmidtke called the meeting to order at 6:00 p.m., noting that all Council members were present, except Dave Wollin. Also present was Teresa Hill, Administrator/Clerk, Jason Femrite of Bolton & Menk and Jason Moran City Attorney. Pledge of Allegiance was recited.

**2. Approval of Minutes-May 1, 2018 Regular Council Meeting and May 22, 2018 Special Council and EDA meeting.** Motion by McIntyre, seconded by Smith to approve the minutes of May 1, 2018 Regular Council Meeting and May 22, 2018 Special Council and EDA meeting. Unanimous vote. Motion carried.

**3. Approval of Agenda/Additional Items to Agenda.** Motion by McIntyre, seconded by Smith to approve the agenda with the changes made on 8B, C, J and U. Unanimous vote. Motion carried.

**4. Public Hearings**  
**A. Assessment Hearing for 2018 Buchannon Street and Drainage Improvements.** Jason Femrite of Bolton & Menk presented the final assessment for the Buchannon Street improvements. The assessments under the actual bid numbers for each individual assessment is \$4,692.77. Sandy Labs, Timothy Labs, Jim Hiller and Nicole Volk, addressed Council and Mr. Femrite regarding their concerns of the 2018 Buchannon Street and Drainage Improvements.

**B. 6th Street Loading Zone.** Curtis Couch, Nicole Volk and Joe Schakelton addressed Council regarding their concerns for the 6th Street Loading Zone. Council discussion. Motion by Schmidtke, seconded by Grobe to continue the public hearing to the July meeting. Unanimous vote. Motion carried.

**5. Written Petitions, Request etc.**

**A. Split of Property request - Hebel/Hansen.** Motion by McIntyre, seconded by Smith to table the split of property request and that Mr. Hebel and Mr. Hansen get a proper survey done so that we know exactly where the property lines are for doing a split. Unanimous vote. Motion carried.

**6. Unfinished Business**

**A. Bids for Sale of Generators.** Motion by McIntyre, seconded by Smith to accept the bid from Don LaCanne for the generator in the amount of \$1,430. Unanimous vote. Motion carried.

**B. Resolution 2018R-023 Designating a Portion of 6th Street South as a Pick Up and Drop Off Zone.** Matter Tabled. No action - City Council will hold another public Hearing at the July meeting.

**7. Citizen Time (Comments, Information from those present).** No one wished to address Council.

**8. New Business**

**A. Employee Resignation.** Motion by Smith, seconded by McIntyre to approve the resignation of Alex Schmidt with thanks for his work. Unanimous vote. Motion carried.

**B. Request to Hire Full-Time Police Officer - Police Civil Service Commission.** Matter stricken from agenda.

**C. Full-Time Police Officer Hire Recommendation - Police Civil Service Commission.** Matter stricken from the agenda.

**D. Resolution 2018R-024 Budget Amendments to allow for 2018 Improvements.** Ms. Hill presented Council with some line item transfers adjustments in order to allow for the 2018 improvement projects to occur. Motion by McIntyre, seconded by Smith to adopt Resolution 2018R-024 for the budget Amendments to allow for the 2018 Improvements. Unanimous vote. Motion carried.

**E. Seal Coating Quote.** Motion by Schmidtke, seconded by Grobe to approve the Pearson Bros., Inc.'s seal coating quote for \$24,916.32. Unanimous

vote. Motion carried.

**F. Crack Filling Quote.** Motion by McIntyre, seconded by Smith to approve Legacy Sealcoat's quote for \$12,880 for crack filling. Unanimous vote. Motion carried.

**G. Lake Street Improvements.** Motion by Smith, seconded by McIntyre to approve M & W Blacktopping for the Lake Street Improvements for the sum of \$22,210.00. Unanimous vote. Motion carried.

**H. Resolution 2018R-025 Awarding Bids for 2018 Improvements.** Motion by Smith, seconded by McIntyre that we approve Resolution 2018R-025 awarding the Bids for the 2018 Street Improvements and North Buchannon Street Drainage Improvements. Unanimous vote. Motion carried.

**I. Resolution 2018R-026 Adopting Final Assessment Roll for 2018 Buchannon Street and Drainage Improvements.** Motion by McIntyre, seconded by Smith to approve adopting the Final Assessment Roll for the 2018 North Buchannon Street Drainage Improvements. Unanimous vote. Motion carried.

**J. Beach House Attendants and Emergency Management Team Member Hire Recommendation.** Motion by McIntyre, seconded by Smith to accept the recommendation of the Personnel Committee of the following persons to be hired: Emergency Management Team Member: Dan Guerrero @ \$12.70 per hour; Beach House Attendants @ \$9.50 per hour: Garrett Cyr - returning; Jaden Peach - returning; Jonah LaCroix - new; Gabriel Lemcke - new; Megan Schmitz - new; Maintenance and lawn mowing at \$12.00 per hour - Bruce Baumgarten. Unanimous vote. Motion Carried.

**K. Sewer Televising Quote.** Matter taken off agenda.

**L. Sale of Fire Department Radios.** Ms. Hill advised that Fire Chief Meskan requested that the box of old radios be donated to MN Fire Engine Club. Motion by Smith, seconded by McIntyre that we donate the radios. Unanimous vote. Motion carried.

**M. Street Sweeping Policy.** Motion by McIntyre, seconded by Grobe to approve the Street Sweeping Policy. Unanimous vote. Motion carried.

**N. Resolution 2018R-027 Accepting Donations.** Motion by Smith, seconded by McIntyre to adopt resolution 2018R-027 accepting the donations to the Fire Department. Unanimous vote. Motion carried.

**O. 2019 Budget and Sewer Extension Work Session Date.** Motion by Smith, seconded by McIntyre to hold the budget and sewer extension work session July 18, 2018 tentatively at 5:00 p.m. depending on schedules. Unanimous vote. Motion carried.

**P. Lind Street Flood Repair.** Motion by Schmidtke, seconded by McIntyre to approve WW Blacktopping, Inc. for the Lind Street flood repair at \$17,091.04. Unanimous vote. Motion carried.

**Q. Resolution 2018R-027 Appointing Election Judges.** Motion by McIntyre, seconded by Smith to adopt Resolution 2018R-027 Appointing Election Judges. Unanimous vote. Motion carried.

**R. Employee Work Schedule Change.** Motion by McIntyre, seconded by Smith to accept the HR Committee's recommendation to change the work schedule for trial in 2018 and if there are any problems then the HR Committee can bring it back to Council. Unanimous vote. Motion carried.

**S. July 3rd Council Meeting Date Change.** Motion by Smith, seconded by McIntyre to reschedule the July 3rd meeting to July 12, 2018 at 6:00 p.m. Unanimous vote. Motion carried.

**T. Police Civil Service Commission Meetings.** Mayor Schmidtke said he was wondering how the Police Civil Service Commission schedules their meetings. He would like it to be passed on to the Police Civil Service Commission to schedule their meetings so that all members can attend.

**U. Flood Mitigation.** Motion by Smith, seconded by McIntyre to approve the flood mitigation bid from R J's Contracting in the amount of \$77,976.00. Unanimous vote. Motion carried.

**9. Engineer's Report.** Mr. Femrite had nothing further to report.

**10. Attorney's Report.** Mr. Moran said nuisance property

enforcement is in full force and effect. He has been doing some driving around town and he checked with Chief Manning. As of last week we have 33 nuisance properties actually charged. It should make its way into the record that nuisance property enforcement is well under way and we are attacking some of the blight areas in town, going after tall grass and going after general property maintenance as well as excessive disused equipment, machinery, and things in yards. Mr. Moran said another thing that he wanted to bring up ties in with public nuisance. He has been driving around town a little bit and he is noticing that some of the rental properties, not a huge problem, but there are a couple of rental properties in town, in his opinion, have excessive garbage containers outside in public view. You can drive up and down Main Street for instance and see five or six garbage containers just out in the open. Our nuisance ordinance doesn't specifically address that and what he would encourage Council to do is when you are driving around take notice of it. See if it is something that you think we should be addressing. If it is something we should address we can tailor our nuisance ordinance and tighten that up a little bit so that we don't have large numbers of garbage containers out in the open. It was just something he was thinking about and noticing. Mr. Moran did check with tower rents. We discussed a couple of months ago how we can increase revenue. He does have some feelers out both with Verizon and AT & T. He is pushing them a little bit to come up with a proposal to rent some tower space on our tower. They are going to be conducting a study over the course of the next six months. He has been told that this process can take up to a year to get. With any luck maybe we can start renting out some tower space. Mr. McIntyre said he understands Verizon is going to do a tower at Elysian. Mr. Moran said Verizon already has one on Elysian, they might be expanding that. It is his understanding that they are going to expand in Elysian. T-Mobile in Le Center is expanding. He is working with them on this. They are big companies so this is not anything that is going to happen overnight. We are at least looking into it. Hopefully over the course of the next six to eight months we can enter into some sort of a lease with one of them and start getting some revenue. There may be an opportunity there we will see how that plays out. The other items that he wanted to discuss with Council concern the wastewater treatment plant and some litigation that may or may not be occurring, we can discuss that in closed session. Those are the things that he wanted to touch base with Council tonight. Mayor Schmidtke said the nuisance properties he appreciates what is going on. Mr. Moran said that he and Teresa brought up with Planning and Zoning several months ago about the large number of items such as cars, snowmobiles, trailers, and RV's on properties. There wasn't much of an appetite for Planning and Zoning to take that up. When you are driving around take notice of it. Maybe it is an issue, maybe it is not. What he thinks might be an issue may be an issue to you guys. Ultimately it is your decision that controls. Mr. McIntyre said when you see used car lots sitting on the corner with trucks and cars and trailers and everything it looks terrible. He sees quite a bit of it. Mr. Moran said some people have just too much stuff for their property. Mr. McIntyre said if you want to sell stuff pick a place to sell it. Mr. Smith asked if the garbage containers he was talking about are they the two or three cubic yard rollers or are they the smaller. Mr. Moran said they are the smaller ones. They are not the roll offs or the big dumpsters. Mr. Moran said there are various ways we can attack this. Madison Lake has what is called an overlay district for its downtown area. You can in your Planning and Zoning ordinance dictate in certain zones like your downtown area or maybe in other areas where certain things are allowed and certain things aren't allowed. Maybe you would want to have a particular area where you can't have garbage containers seen from the main driveway. When you are driving by and you see six garbage contain-

ers stuff full of junk and it is right on the main drag and then you get a wind storm the next day and the six garbage containers have now blown off and the contents are now blown into the road, especially on Main Street. Mayor Schmidtke said people notice that, that is one of the things that needs to be cleaned up. Mr. Moran said he doesn't think we want to go crazy with it, we are a very small town, but he thinks that there are some areas in town that could use a little sprucing up. Again this is just me talking, he brings you the option, and Council is the boss. Mr. Moran said this is your town and you make the decision.

**11. Administrator's Report.** Ms. Hill said we recently went through a bond rating through Moody's. The City received a downgrade to an A2 bond rating. What they looked at was our overall debt. We took on a lot of debt this last time. One thing she wanted to point out was the statement that they made in the report was that "The financial position of Waterville is robust and is a notable strength when compared to the assigned rating to A2" One of the things that they cited in here is that the City's cash balance percentages are far superior to the US medians. That is what helped us out was our cash flow because we took on this additional debt which you take on debt and it is automatically going to affect you. They are rated every so often. She wanted to bring that to Council's attention when we think about using our reserves and things like that of how it can impact. Your bond rating is the tool that they give you your interest rate on. Until you are rated again this is what your interest rate or your level would be. It is kind of your credit score. If you are interested she could ask someone to come in and review it more in depth with you if you really want to know the nuts and bolts of what goes into it. That is the overall opinion that she wanted to share with Council. Ms. Grobe asked how does that effect the interest rate. Ms. Hill said when they go into looking at future projects if we were to get something rated like this we would possibly receive a higher interest rate but then it depends on the other factors of who is ever looking at it to so it is not just a given that it is going to be 10% versus 5%, it could be a quarter of a percent. It doesn't necessarily equate it just means that that is the rating. If you have a higher rating you are more credit worthy. That is what they use when they do bond issues.

**12. Council Discussion.**  
**A. Roy McIntyre** said he would like to say with our street striping last Saturday he could find a parking spot on Main Street. It was amazing. People seem to have adapted to it quite well. Mayor Schmidtke said they have but the first day he went down to the bank and there was a vehicle parked right in the middle of them. Mr. McIntyre said it amazes him how quickly they have come to having that striping done. It was really nice on Saturday to drive down Main Street and get a parking spot. He appreciates that being done. There have been some good comments from people on it they say it is about time I can get a parking spot.

**B. Ms. Grobe** said we are going to talk about hiring a full-time police officer. She asked Ms. Hill a few times ago about how many hours the City gets billed for like all the Police Department. Like if you take a 24 hour day times 31 days that is 744 hours, she is just curious how many hours do we actually get billed from the Police Department. How many hours are put in in a month's time? Ms. Grobe said she was also curious how many patrol hours does our Chief actually put in, because it use to be that the Chief position was still a patrol position too, they just got extra pay for being Chief because they had a little bit of extra responsibility. She was just curious, we are talking about extending another position, and will that eliminate the rest of the part-time help by putting another position in. She would like to have those for the next meeting so we can kind of look at that. Ms. Hill said she just wants to clarify to make sure she is getting the right information. Ms. Grobe said yes. Ms. Hill said so you want to know how many paid hours in a month are in the Police Department. Ms. Grobe said yes, and if it is vacation time that somebody is coming you can verify that too

to some extent. Ms. Hill said so you want hours worked, actual leave hours a month, holiday hours. Just the makeup of the hours. Ms. Grobe said yes. Ms. Hill said and you want to know how many hours of patrol the Chief has and she missed the last one she thinks she had a third question. Ms. Grobe said she doesn't remember now. Would it eliminate the part-time officers? Mr. Smith said if we are going to look at the hours we are putting in and question the Chief's position versus patrol he thinks it would be worthwhile to talk to him about what his responsibilities are for keeping the department running and what he feels needs are for hours of patrol versus administrative to keep things going if you can find that out for us too, please. Ms. Grobe said she doesn't know when the actual Chief position went away from patrol because previous Chiefs that we had always patrolled like Arlie and Ross and some of the other ones. When did that position become more managerial versus just being an actual patrol position? She cannot see that we have that much more responsibility in a small town like this that they have so many hours that they have to dedicate other than patrolling to the City too. Mr. Moran asked if he is patrolling because he gets tickets from him. Ms. Hill said it is a mix. Mr. McIntyre said he patrols, he knows because he shows up at his house. Ms. Hill said as far as the number of hours that he is in the car patrolling versus administration she doesn't have. Mr. Moran said it would be nice if we could get a report of that.

**C. Mayor Schmidtke** said he wants to thank the Waterville Town baseball team. He knows there was a sub-section tournament at the field this weekend. They had some rain issues and they really worked hard to get the field going and stuff and a lot of comments were made about the field from people that have never been down at the baseball field. There was a lot of good comments about that. Mr. McIntyre said that is a nice baseball field. Ms. Grobe said they worked hard to get it established.

**D. Mayor Schmidtke** said we as a Council we want to thank all the properties in town here the people that take pride in their yards and keeping them clean. The people that don't and keep with the garbage and all the trash out there they will be dealt with by the Police Department and the City Attorney. Mr. Moran said we have a large number of very nice properties. Mr. McIntyre said yes there are lots of nice places. Mr. Moran said the ones that don't do really stick out. Mayor Schmidtke said yes they do.

**13. Approval of Disbursements.** Motion by Smith, seconded by Grobe to approve the disbursements in the amount of \$179,386.20. Unanimous vote. Motion carried.

**14. Impress Cash Fund.** Motion by McIntyre seconded by Schmidtke approve impress cash fund for \$68.43. Unanimous vote. Motion carried.

**15. Closed Meeting - Attorney Client Privilege.** Motion by Smith, seconded by McIntyre to close the meeting for attorney client privilege. Unanimous vote. Motion carried. Meeting closed 7:23 p.m.

**16. Reopen Meeting.** Motion by McIntyre, seconded by Grobe to reopen the meeting. Meeting reopened 7:59 p.m. Unanimous vote. Motion carried. Motion by Smith, seconded by McIntyre to approve the Creative Homes LLC's bid of \$330 a month for the protective scaffolding around the building in question. Unanimous vote. Motion carried.

**17. Adjourn.** Motion by McIntyre, seconded by Smith to adjourn. Unanimous vote. Motion carried. Meeting adjourned at 8:00 p.m.

**Alan Schmidtke, Mayor  
Teresa Hill,  
Administrator/Clerk  
Published Without Formal  
Council Approval**

*The full text of this summary is available for public inspection at City Hall. A full version of the Council meeting minutes is available on the City's website [www.cityofwaterville.com](http://www.cityofwaterville.com)*

(Published in the Waterville Lake Region LIFE, Thursday, June 14, 2018; No. W394-6-14)

## PUBLIC NOTICE Waterville City Council Special Meeting

July 18, 2018, 5:00 p.m.

There will be a special meeting of the Waterville City Council on Wednesday, July 18, 2018, at 5:00 p.m. in the Council Chambers to discuss sewer extensions and the budgets for 2018 and 2019.

Teresa Hill,  
Administrator-Clerk  
Dated: June 6, 2018  
(Published in the Waterville Lake Region LIFE, Thursday, June 14, 2018; No. W392-6-14)

## PUBLIC NOTICE Notice to Voters

The Office of the Le Sueur County Election Administrator announces, pursuant to Minnesota Statute 206.58, Subd 1, we will be conducting demonstrations of the new DS200 tabulator voting equipment that will be used in Le Sueur County precincts starting with the August 14, 2018 Primary Election. The demonstrations will be held on the first floor of the Courthouse, 88 South Park Ave, Le Center, MN 56057, during normal working hours commencing July 2, 2018 until August 13, 2018.

Carol Blaschko  
Le Sueur County Election Administrator  
(Published in The Elysian Enterprise No. E224 and Waterville Lake Region LIFE No. W393, Thursday, June 14, 2018)

## PUBLIC NOTICE NOTICE OF IMPROVEMENT HEARING

**NOTICE IS HEREBY GIVEN** that an improvement hearing will be held on the 2nd day of July, 2018 at 7:30 p.m. at the Morrystown City Hall, 402 Division Street S., Morrystown, Minnesota. The purpose of the improvement hearing will be to determine whether the city should proceed with a project to repair a water service line and associated metering infrastructure that services the Morrystown Mobile Home Park. The estimated cost of the project is \$35,000. The area proposed to be assessed for the cost of the project is the Morrystown Mobile Home Park, Rice County Parcel #20.23.3.75.001.

Dated this 14th day of June, 2018

By Order of the City Council  
Brad Potter,  
City Administrator  
(Published in the Waterville Lake Region LIFE, Thursday, June 14 and 21, 2018; No. W391-6-21)