

PUBLIC NOTICES

PUBLIC NOTICE WATERVILLE CITY COUNCIL REGULAR MEETING June 4, 2019, 5:00 p.m.

There was a regular meeting of the Waterville City Council held in Council Chambers at 5:00 p.m. on June 4, 2019. Present: McIntyre, Grobe, Smith, Acting Mayor Wollin; Absent: Mayor Schmidtke; Also Present: Administrator / Clerk Teresa Hill, City Attorney Jason Moran, Jason Femrite of Bolton & Menk; Also Absent: None

1. Call to Order / Roll Call/Pledge of Allegiance. Acting Mayor Wollin called the meeting to order noting that all Council was present, except Mayor Schmidtke. Also present Administrator / Clerk Teresa Hill, City Attorney Jason Moran and City Engineer Jason Femrite of Bolton & Menk. Pledge of Allegiance was recited.

2. Approval of Agenda/Additional Items to Agenda. Motion by Grobe, seconded by McIntyre to approve the agenda with the addition of Item 7J Resolution 2019R-033 Ordering Abatement of Nuisance Conditions; and item 7K Active Living Contract Approval. Unanimous vote. Motion carried

3. Consent Agenda - These items are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless a Council member or citizen so requests, in which event, the item will be removed from the Consent Agenda and placed elsewhere on the agenda. A. Approval of Minutes- May 7, 2019; B. Approval of Disbursements; 1. Payroll Check Numbers (5421-5463) \$35,790.35; 2. Computer Generated Check Numbers (33885-33991) \$178,570.79; 3. Electronic Fund Transfers (1163E-1182E) \$21,743.32; 4. Overtime Payroll Checks (33992 - 33995) \$396.73; 5. Total Disbursements \$236,501.19; C. Impress Cash Fund - \$140.73; D. Employment Approval - 1. Clayton Cowdin - Part-time Police Officer; 2. Alex Schmidt - Part-time Police Officer (rehire); 3. Lyle Sutter - Seasonal Help \$12.00 per hour; E. Employment Resignations - 1. Don Jacobson - Zoning Inspector, effective August 1, 2019. He will continue on the Planning and Zoning Board. 2. Donald Jensen - effective May 21, 2019.

Motion by McIntyre, seconded by Smith to approve the consent agenda items A-E. Unanimous vote. Motion carried.

4. Written Petitions, Request etc.

A. Resolution 2019R-027 Granting conditional use permit to Delbert & Gail Point. Motion by Smith, seconded by McIntyre to adopt Resolution 2019R-027 granting Conditional Use Permit to Delbert & Gail Point. Unanimous vote. Motion carried.

B. Resolution 2019R-028 Granting Variance to Jacob & Melissa Caron. Motion by Wollin, seconded by McIntyre to adopt Resolution 2019R-028 granting variance to Jacob & Melissa Caron. Unanimous vote. Motion carried. Motion by Smith, seconded by McIntyre to waive the variance fee for variance for Jacob & Melissa Caron. Unanimous vote. Motion carried.

C. Resolution 2019R-029 Granting Conditional Use permit to Brenda and Donald Novack. Motion by McIntyre, seconded by Grobe to adopt Resolution 2019R-029 granting conditional use permit to Brenda and Donald Novack. Unanimous vote. Motion carried.

D. Kilkenny Fire ATV Run Street Closure Request. Motion by Smith, seconded by McIntyre to table the Kilkenny

Fire ATV run street closure request until we have further information. Unanimous vote. Motion carried.

E. Veteran Memorial - Waterville Lions Club. 1. Project Approval. Motion by Smith, seconded by McIntyre to approve the Lions Club Veterans Memorial Park project. Unanimous vote. Motion carried. **2. Waterville Bill insert Approval.** Motion by McIntyre, seconded by Smith to approve the water bill inserts for the Waterville Lions Veterans Memorial and the Waterville Lions Pancake Breakfast. Unanimous vote. Motion carried.

5. Unfinished Business

A. Property Donation Update (316 Paquin Street East) - Attorney Moran. Motion by McIntyre, seconded by Smith to accept the donation of the property located at 316 Paquin Street East. Unanimous vote. Motion carried. Motion by McIntyre, seconded by Wollin that we do not exceed \$9,000 on the demolition and removal of the building. Unanimous vote. Motion carried.

B. Crack Filling Quote. Motion by McIntyre, seconded by Smith to approve the crack filling quote of \$14,895 to Bergen Incorporated. Unanimous vote. Motion carried.

6. Citizen Time (Comments, Information from Those Present) - no one addressed Council.

A) Chip Beadell provided Council with information regarding his sewer back-up that he had at 216 East Main Street. Acting Mayor Wollin said because of time constraints with Mr. Femrite we will go down to Resolution 2019R-030 Accepting 2019 Mill and Overlay Bid

7. New Business

C. Resolution 2019R-030 Accepting 2019 Mill and Overlay Bid. Motion by Wollin, seconded by McIntyre adopting Resolution 2019R-030 accepting the 2019 Mill and Overlay bid to M & W Blacktopping in the amount of \$98,115.74. Unanimous vote. Motion carried.

8. Engineer's Report. Mr. Femrite said the trunk Highway 13 utility extension we are still on a holding pattern obviously with the water levels and stuff. They are hoping for the lake to go down some before they start. Once they get closer and know when they are going to start he will let Council know. They are out a few weeks if not a month. It is a two week project and the completion date is out into September. If they ask for an extension we can talk about it, but there is nothing at this point right now.

Acting Mayor said we will continue with Citizen Time:

B) Janet Geyer, presented Council with information that she received regarding a nuisance violation.

C) Chris Meskan, advised Council that he thinks it might be in the City's best interest to look at their own properties before they start sending issues out to people. Ms. Caron spoke about a nuisance property on Hillcrest Drive. Ms. Hill said we are dealing with that one already.

D) Denise Beadell addressed Council about when she received a nuisance property letter. Acting Mayor Wollin said thank you for bringing these things to our attention. We do want to do what we can to make this place clean and we also want to be fair about it. We will look into this further.

7. New Business

A. LTD Broadband Water Tower Lease - Mitch Grove. Mr. Mitch Grove addressed Council regarding their proposal regarding placing 90 degree horn sector on our water tower. Discussion regarding how far out their service would go out.

Mr. Moran will look at the contract that Mr. Grove will provide and will get back to Council.

B. Rental License Violations. Mr. Moran discussed a rental license violation at 201 Paquin Street East. Motion by McIntyre, seconded by Smith to give Mr. Wingert until July 8th to have everything completed and in compliance and our inspector does the inspection and if there is anything that is not in compliance and still in violation that we revoke his rental license. Unanimous vote. Motion carried.

D. Resolution 2019R-031 Accepting Donation for Vicki and Bob Gleason Memorial. Motion by McIntyre, seconded by Smith to adopt Resolution 2019R-031 accepting donation for Vicki and Bob Gleason memorial. Unanimous vote. Motion carried.

E. Resolution 2019R-032 Granting Exempt Gambling Permit to Holy Trinity Catholic Church. Motion by McIntyre, seconded by Wollin to adopt Resolution 2019R-032 Granting Exempt Gambling Permit to Holy Trinity Catholic Church. Unanimous vote. Motion carried.

F. 1-4 Day Temporary on-sale Liquor License for Holy Trinity Catholic Church. Motion by McIntyre, seconded by Smith to approve the 1-4 day temporary on-sale Liquor License for Holy Trinity Catholic Church. Unanimous vote. Motion carried.

G. Budget Work Session - August 20th - 5:00 p.m. Motion by Wollin, seconded by Smith to schedule the budget work session on August 22, 2019 at 5:00 p.m. Unanimous vote. Motion carried.

H. Storm Damage Forestry Grant. Motion by Smith, seconded by McIntyre to have Ms. Hill proceed with public notification and apply for the grant and come back to the City Council at such time more information is received. Unanimous vote. Motion carried.

I. Zoning Inspector Vacancy. Ms. Hill said previously Council approved the retirement or resignation of Don Jacobson as the Zoning Inspector. He will remain on the Planning and Zoning Commission. We need to fill that vacancy. Discussion regarding the vacancy. Motion by McIntyre, seconded by Smith to send that back to the HR committee for development of a new job description and advertisement for the position for a code compliance officer. Unanimous vote. Motion carried.

J. Resolution 2019R-033 ordering Abatement of Nuisance Conditions. Motion by Smith, seconded by McIntyre. Motion by Smith, seconded by McIntyre to adopt Resolution 2019R-033 ordering the abatement of nuisance conditions at 916 Marian Street to include mowing the grass and cleaning up the boards that are shown in the pictures on the fence line. Unanimous vote. Motion carried.

K. Active Living Contract Approval. Motion by McIntyre, seconded by Smith to approve the Active Living Contract with the changes and additions. Unanimous vote. Motion carried.

9. Attorney's Report. Mr. Moran said there is a real push for trying to clean the town. He has seen a lot of nuisance properties issued. Mr. Moran said that Chief Manning and he wrapped up one today that has been ongoing for two and half years. It is finally cleaned up. He understands that some of the residents can be unhappy with receiving those notices but the bottom line is we can either enforce it or we cannot enforce it. Same thing with the rental code. We have it there for a reason, we either enforce it or we don't en-

force it. Sometimes it can be an unpleasant experience for a resident to receive those kind of notifications but we are either going to enforce it or we are not going to clean this town up. Mr. Moran said he does applaud Council tonight for approving the Zoning Inspector vacancy and he thinks it would be a good idea to combine that with a Code Compliance that way you have an expert witness ready at hand that if the matter does go into litigation you have somebody that is competent to testify and is a point contact. Mr. Moran said we are making some progress on some of the nuisance properties.

10. Administrator's Report

A) Ms. Hill said that Ms. Deno had approached City Council approximately two months ago, she had Mr. Hiller take a look at her complaint. She furnished a memo to the Council on that. We will entertain any types of repairs that may be needed in the future at our budget work sessions to look at when that might be done. Right now there was nothing that was not functioning properly or causing any safety concerns. They did televise it, so that is something that we will discuss at a later time for budget purposes.

B) The Third Street property, the EDA has approved a contract for improvements of that. You should see those repairs being done shortly. The contractor was trying to possibly get those done by Bullhead Days but it doesn't look like that will happen. Ms. Hill said the contract has been awarded and the work has been ordered. Mr. Wollin said that was his one question, he knows we were hoping to get it done before Bullhead Days. That is a frustration for everybody that these things just take so long, but that is just the way it is.

11. Council Discussion.

A) Mr. McIntyre said Chief Meskan can make accusations but this property over here across the street has been a nightmare for us for a year. First of all we had to make sure we got the guy and then we had to go through a lot of court hearings and put everything together to try and make this work. It is still an ongoing thing. Is it an eyesore for the City, yes it is. He hates driving by that place, but the thing is, it is not something that we can just take a hammer and knock down and say it is over with. It takes time to do that, plus you see other things going on, we are limited in staff and limited in budget and we can only do so much, but we are working at it and it is not something that is being neglected. Mr. Wollin said the Court deal was the biggest thing that took forever. Mr. Smith said that if we do have other City properties that have easy clean-up mowing issues or stuff sitting around it should be cleaned up. That is something that we should be addressing. Because he does agree with the idea that you have to watch out, you shouldn't be throwing stones if your house isn't in order also. Acting Mayor Wollin said he was going to make the same statement about the grass. Mr. Smith said to a certain extent at least. The County building is the County building, we need to approach them and have them clean that up but if we have mowing issues or trash sitting around or something like that that is something the City should look at addressing. Acting Mayor Wollin said the mowing is the one that he was going to address because there are a few City properties that probably need to be mowed. Ms. Grobe said they are still short-handed on that aren't they? Ms. Hill said we just got up to speed with seasonal and lawn mowing we had some resign after the first week. We are getting them all on board and they should be

pretty much to full staff next week.

B) Acting Mayor Wollin said that grass clippings onto the street going into the sewer is one of the main pollutants in our lakes. Mr. Smith said that is actually against ordinance if he recalls. Acting Mayor said it is, but it is going on. You hate to fine everybody for everything. Mr. Smith said it is a simple matter of saying if you are going to put it in the street, at least clean it up. It happens, grass clippings go on the street, but at that point they need to be cleaned up. Acting Mayor Wollin said he does walk around and he sees it all over that people are doing it. Mr. McIntyre said you see it in the river all the time from the storm sewer. Acting Mayor Wollin said he doesn't know if we need to do a little bit more education on it or what we need to do. It is one of the things that causes the lakes to get algae. That is proven that is one of the things that will make our lakes green. Mr. Smith said is there a way we can repost that information? Ms. Hill said she always has a standard spring clean-up letter that always contains information about grass clippings on it. We can try to put something out on the bills again just to bring it forward again. Mr. Smith said that would be great, thank you. Ms. Hill said that is one of the things that she never changes in the newsletter. It always goes out in that. Mr. Smith said the information is out there at least. Acting Mayor Wollin said it is one of those that he is not sure people realize it does any damage. Mr. Moran said that he thinks that there is a certain population out there that if you tell them don't blow clipping in the street, ten minutes later they are blowing clippings. Mr. Smith said if you do put them in the street at least clean them up. You are not supposed to but if you do at least clean it up.

12. Adjourn. Motion by McIntyre, Seconded by Smith to adjourn. Unanimous vote. Motion carried. Meeting adjourned at 7:10 p.m.

**David Wollin, Acting 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. Audio of the Council meeting is available on the City's website cityofwaterville.com.

(Published in the Waterville Lake Region Life, Thursday, June 20, 2019; No. W568-6-20)

PUBLIC NOTICE Public Hearing Notice

NOTICE IS HEREBY GIVEN that the City of Kilkenny in Le Sueur County will meet in the Community Building/Library at 6:30 pm on Monday, July 8th, 2019 for the purpose of discussion and input from the public on a Predatory Offender Ordinance.

(Published in the Waterville Lake Region Life, Thursday, June 20, 2019; No. W570-6-20)

PUBLIC NOTICE CITY OF MORRISTOWN SUMMARY OF ADOPTION OF ORDINANCE 2019-3

The City Council of Morristown, Minnesota adopted an Ordinance that adjusted the enforcement policy for zoning issues and zoning permits which is found in Sections §152.295 - §152.335 of the City Code and it is hereby determined that publication of this title and summary will clearly inform the public of the intent and effect of Ordinance No. 2019-3 (Adopted June 3, 2019 by the City Council). A copy of the entire Ordinance can be found at City Hall 402 S. Division Street and on the City's Website www.morristown-mn.org.

It is hereby directed that only the title and summary of Ordinance No 2019-3 be published.

Sheri Gregor, City Clerk
(Published in the Waterville Lake Region Life, Thursday, June 20, 2019; No. W571-6-20)

PUBLIC NOTICE

The City of Kilkenny is seeking to fill a vacant council member seat. Any interested parties can send a letter of intent to the City of Kilkenny, P.O. Box 135, Kilkenny, MN 56052 by July 3rd, 2019 for consideration. The position will be filled by appointment at the July 8th Regular Council Meeting held at the Community / Library building at 7:00 pm.

(Published in the Waterville Lake Region Life, Thursday, June 20, 2019; No. W569-6-20)

PUBLIC NOTICE Public Hearing Waterville City Council July 10, 2019, 6:00 PM CITY OF WATERVILLE COUNTY OF LE SUEUR STATE OF MINNESOTA NOTICE IS HEREBY

GIVEN that a hearing will be held before the City Council on the 10TH day of July, 2019, in the City Hall located at 200 Third Street South, Waterville MN at 6:00 p.m. to consider the proposed vacation of an appor-tion of an undeveloped alley located between Virginia Street West and vacated Lillian Street West, EVERETTS TET LAKE (TETONKA) Block-009.

Dated this 6th day of June, 2019

Teresa Hill,
Administrator-Clerk
(Published in the Waterville Lake Region Life, Thursdays, June 20 and 27, 2019; No. W566-6-27)

PUBLIC NOTICE Le Sueur County Board of County Commissioners 88 South Park Ave Le Center, MN 56057 (507) 357-2251 PUBLIC NOTICE BOARD OF COUNTY COMMISSIONERS

Notice is hereby given that at **9:30 AM, on Tuesday, July 2, 2019** the Le Sueur County Board of County Commissioners will hold a public hearing at the Le Sueur County Courthouse, Commissioner Board Room, located at 88 South Park Ave, Le Center, MN 56057.

The purpose of the public hearing is to hear testimony from interested parties in regards to instating an Interim Zoning Ordinance effecting all land use permits for solar energy production.

Copies of the proposed change is available for review during normal working hours Monday through Thursday 8:00 AM to 4:30 PM, and Fridays 8:00 AM to 4:00 PM at the Le Sueur County Environmental Services building and at the Le Sueur County Auditor's office. The proposed Ordinance revision is also available for review on the Le Sueur County website.

Joshua Mankowski
Le Sueur County Planning & Zoning Administrator
Darrell Pettis
Le Sueur County
Administrator
(Published in The Elysian Enterprise No. E298 and Waterville Lake Region Life No. W567, Thursday, June 20, 2019)

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Sheri Gregor, City Clerk
(Published in the Waterville Lake Region Life, Thursday, June 20, 2019; No. W571-6-20)