

UNAPPROVED MINUTES
WATKINS CITY COUNCIL
THURSDAY, JUNE 14, 2018

Mayor Eder called the regular meeting to order at 7 p.m. at City Hall.

MEMBERS PRESENT: Mayor Frank Eder, Tootz Tschumperlin, Sue Unterberger, Marc Wirz, Brenda Carlson

MEMBERS ABSENT: None

Mayor Eder added to the agenda a request from the Watkins Lions Club for an off-site gambling permit.

MOTION BY TSCHUMPERLIN TO APPROVE THE AGENDA WITH THE ADDITION, SECONDED BY CARLSON.
MOTION CARRIED.

MOTION BY WIRZ TO APPROVE THE CONSENT AGENDA, SECONDED BY UNTERBERGER. MOTION CARRIED.

Items on the Consent Agenda were minutes of the May 10, 2018 regular meeting and May 16, 2018 special meeting, May financial report, Resolution #2018-13, Resolution Accepting Donations, Resolution #2018-14, Resolution Appointing Election Judges and delinquent water bills for shut off.

An administrative hearing was held for liquor ordinance violations for three establishments that failed a compliance check and served an underage individual. In 2017, the Red Goat Bar & Grill, Gordies Bar and Watkins Liquor Warehouse failed a compliance check. The city's ordinance states that the license shall be suspended by the council if the licensee has failed to comply with any applicable statute, rule or provision of the ordinance. For a first violation within any three-year period, at least a one-day suspension shall be imposed in addition to any criminal or civil penalties which may be imposed. The civil penalty for a first violation within any three-year period is \$500. The ordinance does have a provision to impose the fine in addition to the suspension or in lieu of any suspension. Chris Lease from the Red Goat Bar & Grill stated all their servers and bartenders have gone through the server training. Chris noted he was taking out the garbage when the check was being done. The individual caught one of the kitchen staff 's attention and, just trying to help out, the staff person served the individual. Chris stated the kitchen staff knows they are not allowed to serve. Chris stated the employee who served the individual has gone through the court system and has complied with all requirements. Chris asked the council to work with them if they need to close for a day. John Kramer from Gordies Bar stated underage serving is not a huge problem in town. He stated his bar had a comedian that night and they had a backup bartender that was inexperienced. He checked the video recording from that evening. John stated it was a busy night and the individual waited for an opportune time to approach that bartender. Mayor Eder asked if they would prefer to pay the fine or close for a day. The fines would go to the city [not the county or state]. John noted this bartender has gone through server training. Les Loff from Watkins Liquor Warehouse stated their employee did card the individual. The individual told the employee that he forgot his ID. The individual talked for a minute and then appeared to be getting shaky and she did end up serving the individual. All their employees have gone through server training except that employee and she is no longer with them. Carlson asked if another check has been done since. Deputy Defries stated he doesn't get the information as to when the checks will be done. Carlson

noted that the city has to follow policy unfortunately. Chris Lease asked if the bars could let City Hall know what they choose to do. Wirz suggested a window of time be allowed.

MOTION BY WIRZ TO ALLOW THE ESTABLISHMENTS TO PICK A DAY TO CLOSE OR PAY THE FINE, ONE OR THE OTHER, AND THEY CAN PICK WHICH DAY THAT THEY WOULD NORMALLY BE OPEN TO BE CLOSED, EITHER WOULD BE DUE WITHIN THE NEXT THIRTY DAYS AND TO LET THE CITY KNOW IF GOING TO CLOSE, WHAT DAY IT IS OR PAY THE FINE TO THE CITY, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Public Forum – Chris Lease from the Red Goat Bar & Grill stated they are doing a bike run with Mies Outland the first Thursday of each month and requested permission to block off Central Avenue in front of the bar. This would go through September.

MOTION BY TSCHUMPERLIN TO ALLOW THE RED GOAT BAR & GRILL TO BLOCK OFF CENTRAL AVENUE IN FRONT OF THE BAR, SECONDED BY CARLSON. MOTION CARRIED.

Rebecca Berg received a letter from the city stating they need to remove the chickens from the property as they are not allowed by ordinance. She noted they have had chickens for about ten years. She noted this hasn't been an issue with the neighbors and no complaints have been made but the ordinance does prohibit it. She asked the city to amend the ordinance to allow for them. She noted there are other cities that do allow chickens provided they meet the city's requirements. She asked if they could have an extension to keep until the council takes action. Council will research and discuss the issue further at the July meeting.

MOTION BY TSCHUMPERLIN TO ALLOW BERG'S TO KEEP THE CHICKENS UNTIL COUNCIL MAKES A FINAL DECISION, SECONDED BY UNTERBERGER. MOTION CARRIED.

MOTION BY CARLSON TO PURSUE RE-EVALUATING THE CURRENT ANIMAL ORDINANCE, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

MOTION BY UNTERBERGER TO APPROVE PAYMENT OF THE AMBULANCE BILLS AS PRESENTED, SECONDED BY CARLSON. MOTION CARRIED.

Watkins Baseball Club requested temporary on-sale liquor licenses for the region tournament to be held in Watkins August 3-5 and 10-12.

MOTION BY TSCHUMPERLIN TO GRANT THE TEMPORARY ON-SALE LIQUOR LICENSES TO WATKINS BASEBALL CLUB FOR AUGUST 3-5 AND AUGUST 10-12, SECONDED BY UNTERBERGER. MOTION CARRIED.

The Watkins Baseball Club has also requested to have a fund set up with the city to accept charitable gambling donations to build a hitting facility at the Clipper Field. The club has submitted a variance application to go before the planning commission on July 11th. They are requesting a variance from the 9 ft. sidewall and peak height maximums. The proposed location for the facility is on the north side of the field. Mayor Eder noted the school district owns this property and the city leases it for park purposes.

MOTION BY TSCHUMPERLIN TO SET UP A FUND FOR BUILDING THE FACILITY, SECONDED BY UNTERBERGER. MOTION CARRIED.

MOTION BY CARLSON TO ACCEPT THE SHERIFF'S REPORT, SECONDED BY WIRZ. MOTION CARRIED.

Wirz left the meeting at 7:47 p.m. for a fire call.

The golf cart amended ordinance was reviewed.

MOTION BY UNTERBERGER TO ADOPT ORDINANCE #2018-1, AN ORDINANCE AMENDING CHAPTER 70 OF THE MUNICIPAL CODE OF WATKINS PERTAINING TO MOTORIZED GOLF CARTS, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

MOTION BY UNTERBERGER TO APPROVE THE GOLF CART PERMIT APPLICATION AS PRESENTED, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Deputy Defries will check state statute on age regulations for golf carts.

There have been complaints of an individual at the softball park screaming at the top of his lungs during the middle of the night and disturbing neighbors. An ordinance was drafted regulating city park hours, etc. for the council to review. If approved, the Sheriff's Department would be able to cite him for the violation. Discussion was held on hours and the special events and athletic events that are held at the parks. Kramer will check with the League of MN Cities for some language to address these events.

MOTION BY CARLSON TO TABLE THE ORDINANCE UNTIL MORE SPECIFIC VERBAGE IS RECEIVED, SECONDED BY UNTERBERGER. MOTION CARRIED.

There are three properties connected to city sewer that are out of city limits. When they were connected in 2008, council based the monthly fee on what Clear Lake Subordinate Service District was charging its residents, which was \$31.50 at the time. Clear Lake properties are now at \$38.50 per month. Council agreed to increase the three properties to \$38.50 effective August 1, 2018 and make them aware that future increases may be coming.

MOTION BY CARLSON TO SEND LETTERS TO THE PROPERTY OWNERS OF THE INTENT TO INCREASE THE RATE TO \$38.50 PER MONTH EFFECTIVE AUGUST 1, 2018 AND TO ATTEND THE JULY 12TH COUNCIL MEETING IF ANY QUESTIONS, SECONDED BY UNTERBERGER. MOTION CARRIED.

MOTION BY TSCHUMPERLIN TO APPROVE THE WATKINS FIRE RELIEF ASSOCIATION MEMBERSHIP LIQUOR LICENSE REQUEST FOR A TEMPORARY ON-SALE LIQUOR LICENSE FOR KRAUT N' WURST AUGUST 3, 4 & 5TH, SECONDED BY CARLSON. MOTION CARRIED.

Carlson noted she intends to proceed with National Night Out to be held Tuesday, August 7th and will have an update at the July meeting. The Lions Club has offered volunteers and a financial donation. Carlson will have information for flyers at the July meeting so they can be made up and handed out at the parade on August 4th. It was suggested to have a fire truck and ambulance at McCarthy Park that night as well.

EDA update – There is a business interested in the property on Highway 55 east that the EDA owns. The business is looking for tax abatement assistance. This could bring ten new jobs to the city.

Planning commission update – A discussion was held with the possible tenants of the Watkins House property and one of the owners via phone conference at the last meeting. They were advised the ordinance doesn't provide for the use they are proposing and were advised they would need to petition to amend the ordinance.

Election judge wage is currently at \$9.50 per hour. Effective January 1, state minimum wage increased to \$9.65 per hour. Council agreed to increase to \$10 per hour.

MOTION BY UNTERBERGER TO INCREASE THE ELECTION JUDGE WAGE TO \$10 PER HOUR, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

151 First Street update - Kramer reported that the administrative search warrant request went before a judge on May 11th. An agreement was reached allowing the defendants six weeks from the date of the hearing on May 11th to schedule an inspection and agree to allow Mr. Kardell to bring in a construction expert as will be chosen by Mr. Kardell. The Meeker County Sheriff's Office shall be present during said inspection on the scheduled date/time and Petitioner shall confirm the availability of law enforcement. After the inspection, Defendants agree to work with the city to develop an abatement/repair plan on any noted violations. The application for the administrative search warrant is continued for 90 days from the date of the order, which is May 22, 2018. If a hearing is required, Petitioner will request the hearing within the 90 days. The city attorney did send the defendants a letter dated June 7, 2018 asking the defendants to contact him at their earliest convenience to discuss scheduling the inspection. As of today, the city hasn't heard anything that they have replied to the attorney.

A Notice of Intent to LGU's and Workplan (amendment) was presented to the council. Kramer informed council of the Wellhead Protection Plan amendment that is due in 2020. The original plan was approved May 11, 2010. This is an on-going process and the plan needs to be amended every ten years. A consultant will be needed to amend the plan. This will be budgeted for in the joint water treatment fund.

Kramer got a couple quotes for a new stove at Village Hall. One quote was for \$4,754.98. The other quote was for \$10,456.00. Kramer will attempt to get a couple more quotes.

MOTION BY UNTERBERGER TO APPROVE RESOLUTION #2018-15, RESOLUTION APPROVING OFF-SITE GAMBLING, SECONDED BY CARLSON. MOTION CARRIED.

Pool manager Ashlee Lundberg noted accepting credit cards using the Square is going well. Offering lap swim was discussed. A post went on the Facebook page and there were nine to ten people that expressed interest. It would have to be done either before lessons or after the pool closes at 8 p.m. Ashlee felt if it's going to be offered, it would be better at night and a fee would need to be determined. Carlson mentioned there are people interested in water aerobics also. Wirz returned to meeting at this time (8:38 p.m.). Ashlee felt there needed to be a lifeguard present during aerobics and lap swim. Discussion followed.

MOTION BY CARLSON TO APPROVE AN AEROBICS INSTRUCTOR UP TO \$11 PER HOUR WITH ONE HOUR MAXIMUM PER NIGHT UP TO THREE NIGHTS PER WEEK, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Ashlee reported 4 students took the lifeguard class and they have all been hired.

Ashlee reported swim lessons had to be canceled one day this week so the makeup day would be Friday, however the weather forecast for Friday is not looking good either. This is the last week of the first session so there are no other makeup days available. She asked about giving a free swim pass to the students if Friday's lessons have to be canceled too. Council approved to issue the free passes if needed.

Kramer noted the city received an anonymous complaint regarding tall grass on a property on the north side of town. The city doesn't act on anonymous complaints and this property is out of city limits. Public Works Director Steve Geislinger noted he looked at it and didn't feel there were any noxious weeds in it, just tall grass.

Louisiana-Pacific Corporation (formerly Barrier Technology) contacted the city about cleaning up the road ditch on 4th Street North by their property and asked if the city had an Adopt-a-Roadway program. Kramer noted some cities do have programs like this. Council agreed to wait and see if they want to pursue it.

Public Works Director Geislinger reported that Fergus Power Pump would be coming Monday to start dredging the pond. With the crane price from Landwehr Construction, Fergus Power Pump's quote was about \$8,000 less than Aquatic Restoration Service.

Geislinger reported that the work on Highway 55 should be starting Monday. The city street improvement project should start mid-July. The contractor is waiting on storm sewer structures. They estimate a week or so from start to finish. When they mobilize, they will do the School Avenue intersection and mobile home park streets all at once.

Geislinger reported the reservoir should be inspected and cleaned. He had a quote from LiquiVision Technology to inspect, clean and remove up to four inches of sediment at a cost of \$3,075.00.

MOTION BY UNTERBERGER TO ACCEPT THE QUOTE FROM LIQUIVISION TECHNOLOGY, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Geislinger had Ideal Electronic Service and Repair perform preventive maintenance on the variable frequency drives (VFD's) at the lift station and reservoir. The report noted the drive on the south pump at the reservoir was obsolete and had corrosion inside and was very dirty. The other VFD's were in good condition. Council advised Geislinger to get quotes for a new drive.

Geislinger also reported the irrigator gun on the irrigator at Dale Rausch's went out and has been repaired.

Carlson and Unterberger noted the city-wide cleanup had a low turnout. Council agreed to offer it every other year instead of every year. The next one would be in 2020.

Unterberger asked about the planters that were placed on Central Avenue last year. It was noted that Keith and Jean Reinert set them last year and removed them in the fall.

Garbage cans for Central Avenue – Public Works has contacted Salzl Welding to see what he would be able to make and need to follow up. Carlson and Unterberger will go back to organizations.

MOTION BY TSCHUMPERLIN TO APPROVE PAYMENT OF BILLS AS PRESENTED, SECONDED BY UNTERBERGER. MOTION CARRIED.

Next meeting is Thursday, July 12, 2018 at 7 p.m.

MOTION TO ADJOURN BY TSCHUMPERLIN, SECONDED BY CARLSON. MOTION CARRIED.

Adjourned at 9:22 p.m.

Submitted by

Deb Kramer
Clerk

ATTEST:

Frank Eder
Mayor