

UNAPPROVED MINUTES
WATKINS CITY COUNCIL
THURSDAY, MAY 10, 2018

Mayor Eder called the regular meeting to order at 7:02 p.m. at City Hall.

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

MEMBERS ABSENT: None

MOTION BY TSCHUMPERLIN TO APPROVE THE AGENDA, SECONDED BY WIRZ. MOTION CARRIED.

MOTION BY CARLSON TO APPROVE THE CONSENT AGENDA, SECONDED BY UNTERBERBER. MOTION CARRIED.

Items on the Consent Agenda were minutes of April 11, 2018 Board of Appeal and Equalization meeting, April 12, 2018 regular council meeting, April financial report, Resolution #2018-11, Resolution Accepting Donations, delinquent water bills for shut off.

Public Forum – none

MOTION BY CARLSON TO APPROVE AMBULANCE SERVICE BILLS FOR PAYMENT AS PRESENTED, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Jody Bauer noted the ambulance service was going to the Eden Valley Elementary for EMS week. In the past the service has given each student a free one-day swim pass. The service then pays the city for all passes turned in at the end of the season at a reduced price, which has been \$2 prior years. The service is requesting 67 passes.

MOTION BY WIRZ TO APPROVE THE POOL PASSES AT \$2 EACH, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

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

Dave Hokanson was present to ask about installing a drainage swale. Dave noted the water sets on the property he owns behind his house and requested to install a swale that would run south into the storm sewer on 4th Street North. This would run along the east line of Randy Berg's property. Randy and Becky Berg were also present at the meeting and stated they did not have a problem with this. Councilor Wirz noted he talked to the Public Works Director and there is a natural waterway there already. It was recommended that Dave check with the owner of the property to the south of him. Dave also noted he would like to erect a fence and asked to enclose 25' of the city's alley that lies just south of his vacant lot. He would remove the fence if the city ever needed to get in there. Council approved both requests and will get written agreements on both the swale and fence.

MOTION BY WIRZ TO APPROVE THE FENCE REQUEST, SECONDED BY CARLSON. MOTION CARRIED.

MOTION BY CARLSON TO APPROVE THE ADJUSTMENT TO THE SWALE AS DESCRIBED WITH BERG, HOKANSON AND LINDBERG SIGNING OFF ON A STATEMENT, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Council reviewed a letter from Meeker County Sheriff's Office regarding alcohol compliance check failures. Last summer the Red Goat Bar and Grill, Gordies Bar and Watkins Liquor Warehouse failed compliance checks. The City's Liquor Ordinance does provide for penalties for violation of MN Statute Chapter 340A. For the first violation within any 3-year period, the license shall be suspended for at least one-day in addition to any criminal or civil penalties which may be imposed. Per the Ordinance, an administrative penalty may be imposed in addition to or in lieu of any suspension. For the first violation within any 3-year period the civil penalty is \$500. The three establishments have been contacted to attend the June 14th council meeting. A hearing will be held during the meeting to allow anyone who would like to speak an opportunity. Council would then decide what action to take. Sheriff Cruze recommended the city impose responsible beverage server training requirements on the licensees that failed the check along with requiring them to establish an age verification policy for their employees and provide a copy to the City and Sheriff's Office.

MOTION BY TSCHUMERLIN TO APPROVE ON-SALE, OFF-SALE AND SUNDAY LIQUOR LICENSES TO BUD'S BAR, GORDIES BAR AND RED GOAT BAR & GRILL; CLUB ON-SALE AND SUNDAY LIQUOR LICENSES TO WATKINS LEGION CLUB ROOM; OFF-SALE LIQUOR LICENSE TO WATKINS LIQUOR WAREHOUSE; 3.2 ON-SALE, WINE ON-SALE, SUNDAY ON-SALE AND STRONG BEER LIQUOR LICENSES TO KEEKS, SECONDED BY WIRZ. MOTION CARRIED.

Council reviewed the final version of the agricultural lease with Steven Landwehr. The right of first refusal language was modified to what the city and tenant agreed to as follows: RIGHT OF FIRST REFUSAL. Landlord grants to Tenant a right of first refusal to extend this Lease after the expiration of the lease term. In the event that Landlord receives an offer to rent the property described herein from any other party, Landlord shall provide the terms of such offer to Tenant in writing and Tenant shall have thirty (30) days to notify Landlord of its intent to exercise its right of first refusal and rent under terms identical to the offer. If no such offer is received, Tenant shall have the right to extend this Lease by written notice delivered to Landlord by March 1 of the then existing term, upon the terms and conditions of this Lease, except for the rental fee, which shall be subject to the agreement of the parties. Said Right given hereunder shall be for one (1), but only one (1), successive five (5)-year term.

The dates were changed to run on a calendar year. The term of the lease shall be January 1, 2018 to December 31, 2023.

MOTION BY CARLSON TO APPROVE THE FINAL VERSION OF THE AGRICULTURAL LEASE WITH STEVEN LANDWEHR, SECONDED BY UNTERBERGER. MOTION CARRIED.

The city received a letter from IPS Solar about leasing land at the wastewater treatment site for a solar array. The request was for 8 acres. They would pay rent of \$1,000/acre/year. This would be the same area that the city just entered into a lease agreement on with Landwehr. The program requires the land to be in Xcel Energy's territory and there is a portion right along County Road 2 that is in Xcel's territory. Due to just entering into a lease with Landwehr, council agreed not to pursue the solar panel project.

Council reviewed two quotes for dispersing sediment at the primary wastewater pond. Aquatic Restoration Service would provide all equipment, labor and all necessary equipment to move the

sediment from the area around the inlet pipe at a cost of \$34,000. Fergus Power Pump quoted \$17,400; however, the city is to supply the crane for unloading and loading the dredge into the pond along with anchors to support the dredge. This work should be done in June when the water is still high enough in the pond. After discussion, council agreed to have Public Works Director Geislinger get a price on the crane for the Fergus Power Pump quote and go with the least expensive quote factoring in that cost.

MOTION BY UNTERBERGER TO AUTHORIZE PUBLIC WORKS DIRECTOR STEVE GEISLINGER TO CHECK PRICE OF CRANE AND GO WITH WHATEVER QUOTE IS CHEAPER, FACTORING IN THE COST OF THE CRANE, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

National Night Out update – The Lions Club was the only organization to respond to the request for volunteers to help. The event will be held at McCarthy Park, Tuesday, August 7th. Per a new law passed last year, cities are allowed to spend money on an event that the council determines will foster positive relationships between law enforcement and the community. The law also authorizes fundraising for these events if the council clearly gives that direction by resolution. Councilor Carlson read Resolution #2018-12, A Resolution Authorizing Solicitation of Contributions to Fund Events That Foster Positive Relationships Between Law Enforcement and the Community.

MOTION BY CARLSON TO ADOPT RESOLUTION 2018-12, A RESOLUTION AUTHORIZING SOLICITATION OF CONTRIBUTIONS TO FUND EVENTS THAT FOSTER POSITIVE RELATIONSHIPS BETWEEN LAW ENFORCEMENT AND THE COMMUNITY, SECONDED BY UNTERBERGER. MOTION CARRIED.

Carlson will update on National Night Out at the next meeting, after meeting with the Lions Club.

Council agreed to hold a city cleanup day Saturday, June 9th from 8 to 10 a.m. Details will be advertised in the paper and on the city website and a notice will be put on the marquee.

Watkins House update – Kramer noted that Northstar Behavioral Health has submitted a new conditional use permit application to operate a state licensed residential facility licensed and registered under MN Statute Chapter 144D at 341 4th Street North, however the proposed facility would be licensed under MN Statue 245G. The city's Zoning Ordinance does not allow for this. The city attorney is researching the matter.

Mini biff update – A regular unit, with damage waiver, is \$89.76 per billing period. An ADA compliant unit, with damage waiver, is \$179.52 per billing period. The damage waiver (a form of insurance for the city) is \$8 and \$16 per billing period, respectively. Wirz suggested an ADA unit at McCarthy Park since there is sidewalk there and a standard unit at VFW Park due to not having sidewalk there. The units are usually delivered in May and removed in the fall sometime, depending on weather.

MOTION BY WIRZ TO INSTALL AN ADA COMPLIANT UNIT AT MCCARTHY PARK AND A STANDARD UNIT AT VFW PARK, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Pool manager Ashlee Lundberg requested to use a square credit card reader at the pool. This would need to be plugged into a smartphone, IPAD or tablet. Ashlee stated it was free to get the square and she has an option where the first \$1,000 of use would not be charged a fee. This would be for in-bound use only to the city's account. Council approved. Ashlee noted there was some staff that is not returning, one of which is the assistant manager. Ashlee asked she could appoint a new assistant after the season starts. Council approved. Ashlee would also like to hold a lifeguard training course at the

pool. She has a contact that would instruct the class. The fee would be \$130 per person and there would have to be a minimum of 4 students. [The students would need to purchase a pocket mask and lifeguard training textbook through American Red Cross.] The class would run June 3rd-5th. There will be some conflicts with lessons starting up on the 4th but they can do classroom training during some of that time. The minimum age to take the course is 15 years. Council approved. Councilor Wirz will talk to the EV-W and Kimball School Districts about getting something in their daily bulletins to advertise the course. The students would pay for the course up front. If they are hired to work at the Watkins pool, the city would reimburse them over two seasons. There is also a need for water safety instructors. Ashlee will be checking into that.

Council approved to continue posting the unapproved minutes on the website.

Council did not approve getting a deposit before a pool can be filled.

There are concerns/complaints on occasion about the gas smell at Village Hall. The stove has ten (10) standing pilot lights and occasionally some of them go out. Council approved to get some prices on a new stove that would have electronic ignition.

The Programmable Logistics Control (PLC) at the wastewater treatment site needs to be replaced. It is no longer working and it is obsolete and no longer supported. This is needed to run the pumps at the site. The quote for replacement with a current model is \$4,460 for equipment and installation.

MOTION BY CARLSON TO APPROVE THE PLC REPLACEMENT AT A COST OF \$4,460, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

The ordinance on motorized golf carts was reviewed. The current ordinance requires a physical disability to get a permit. Councilor Unterberger felt that requirement should be removed from the ordinance. Kramer noted that per state law, ATV's and utility task vehicles can be approved to operate within the city but are to be permitted as well. The current ordinance regulating ATV use does not require a permit. Council advised to draft an amended ordinance regulating golf carts and remove the requirement to be physically disabled, remove the reference to "operator" in Section D2, the reference to an "individual" in Section E1 and to change the language in Section F to that of the League's model ordinance regarding revocation of permit. The amended draft will be reviewed at the June meeting.

Kramer noted three (3) new drain covers had to be purchased for the pool at a cost \$1,100 per cover.

The property at 640 Meeker Avenue North has a pending sale and during the title work it was discovered there is a platted city utility easement and the house is encroaching on it. Kramer noted she has involved the city attorney for his opinion on how the city should handle this. There is a closing scheduled for May 18th. Kramer noted if a special meeting is called next week to meet with Clear Lake Subordinate Service District to discuss the sewer rate increase that this issue should be included in the purpose of the meeting.

Council agreed to call for a special meeting to meet with the Clear Lake Subordinate Service District to discuss the sewer rate increase that was approved in April and to address the easement issue.

MOTION BY CARLSON TO CALL FOR A SPECIAL MEETING TO BE HELD WEDNESDAY, MAY 16, 2018 AT 7:15 P.M. AT CITY HALL, SECONDED BY UNTERBERGER. MOTION CARRIED.

Councilor Unterberger reported that she and Councilor Carlson attended a Lions meeting requesting a donation for garbage containers on Central Avenue. The Lions Club asked for a proposal with specifics for each organization to contribute or at least have a cost. Cast iron cans were suggested. It was also suggested that the city talk to Salzl Welding as he may be able to design and build something. Carlson will get images of the containers to City Hall. Kramer will ask Public Works to check with Salzl Welding on what he might be able to do.

Councilor Unterberger questioned the status of the vacant property on First Street. Kramer noted it was going before a judge Friday morning for an administrative search warrant.

MOTION BY CARLSON TO APPROVE THE BILLS FOR PAYMENT AS PRESENTED, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Next regular meeting will be Thursday, June 14th at 7 p.m.

Special meeting will be Wednesday, May 16th at 7:15 p.m.

MOTION BY TSCHUMPERLIN TO ADJOURN THE MEETING, SECONDED BY UNTERBERGER. MOTION CARRIED.

Adjourned at 9 p.m.

Submitted by

Deb Kramer, Clerk

ATTEST:

Frank Eder, Mayor