The regular meeting of the City Council of the City of Wabasha was held on Tuesday, May 3, 2011, and was called to order at 7:00 pm by Mayor Roll Hall.

All present stood and recited the Pledge of Allegiance.

Mayor Hall announced all Councilpersons were present.

**Guest Presentation:** Mayor Hall announced Mr. Andrew Roble was hired to be the Head Baseball Coach for the City’s Summer Rec Program and invited Mr. Roble to come forward.

Mr. Roble stated he was presently a Sophomore at RCTC and was playing baseball for the RCTC Baseball Team and in the fall he would be attending Grandview College on a baseball scholarship. He stated he was looking forward to the summer baseball program and felt qualified to coach kids to get better in their sport of baseball and communication would be key this summer. He stated there are already 62 kids signed up ages 5 through 14. The schedule is on the Summer Rec website and would be updated to keep current with the program and also with rain date changes.

Mayor Hall welcomed Mr. Roble and told him the City is here to help.

**Public Comments:** None

**Changes or Additions to Agenda:** None

**Mayor's Presentation:** Mayor Hall announced there would be another Coffee with the Chiefs with himself and City Administrator, David Schmidt, on Saturday, May 7th at 8:00 am at the Eagle’s Nest Coffee House. He invited the public to come for open discussion with questions, concerns or comments.

Mayor Hall reported:
- Attended a Open Meeting Law workshop held in Lake City along with City Administrator, David Schmidt, and Councilperson Hiers.
- Attended the League of MN Cities Mayor’s Association Conference held in Owatonna. The concept of the conference was ‘Rethinking Public Leadership for the 21st Century’.

Mayor Hall stated at the last meeting a Personnel Committee was established and he would like to establish a Finance Committee at this meeting. He recommended having himself, City Administrator, David Schmidt, City Clerk, Sue Schamaun, Councilpersons Schmidt and Friedmeyer and a resident at large serve on this committee.

After discussion, Councilpersons Bricher and Hiers moved to create a Finance Committee as proposed. Adopted unanimously.

**Committee Reports and Wabasha Good News:**

**Councilperson Bricher,** reported the Street Commission approved installing two more Stop signs at the Circle Drive – Pierce Avenue intersection making it a 4-Way Stop. He reported there was input both for and against the stop signs at the meeting.

**Councilperson Hiers,** reported the Park Board has worked on hiring a head baseball coach which was Mr. Andrew Roble and in addition to that, they have worked on a Code of Conduct for coaches, players and parents which has been approved and passed.

**Councilperson Friedmeyer,** reported the Planning Commission recognizes the City doesn’t really have anything that governs outdoor wood burners and will be working on this. He also stated the Subdivision Ordinance is almost finalized and should be brought to Council very soon.

**Councilperson Schmidt,** reported the Utilities Commission discussed the original City Well located in the bike shop. He stated it was dug in the early 1900’s and is 12 feet wide by 40 feet deep. It has never been sealed properly and the Minnesota Dept. of Health is mandating it be sealed in accordance with the Wellhead protection Plan. He further explained the right material needs to be used so it is impermeable to any surface water running into it and contaminating ground water. It has been partially filled with debris and per the MN Dept of Health, that debris must be removed and filled with the impermeable substance. He stated the City has been quoted $25,000 to seal the well by a local contractor and the work is very labor intensive. The City has received a $10,000 matching grant for this project. He also reported the City received a $10,000 grant for Stormwater mapping that will be used for staff time as well as engineering costs. He reported bids will be back soon for recoating the inside of the water tower up by the golf course.
Councilperson Gallenberger, reported that on Saturday morning she saw about 50 cars with fishing trailers and she said it was great to see people coming again to Wabasha.

Molly Patterson-Lundgren, City Planner, reported the City was awarded two grants from the Minnesota Dept. of Health and the City was eligible for these grants due to the adoption of the Wellhead Protection Plan. She stated she will be working on the Stormwater Mapping along with other City staff such as the Zoning Administrator will be doing most of the mapping, the Street Department will be doing onsite reconnaissance, figuring out where there are culverts and catch basins and determining the City’s stormwater infrastructure. This is being done to identify where water is coming from as it is entering our aquifer. It is about protecting the City’s drinking water. It will also help to have a system in place to identify where this infrastructure is to help protect the surface water and to protect the water that is going into the river and the slough. She said at some point, she would like to have all the City’s stormwater infrastructure mapped out even outside of the City’s wellhead Protection area so we know where water is coming from and where it is going. She said this $10,000 is a non-matching grant.

Molly reported the second grant is the matching $10,000 grant that Councilperson Schmidt reported was received for the sealing of the old City well.

David Schmidt stated now that the City has the Wellhead Protection Plan, there is a grant cycle rotation that the City will continue to apply for grants to help in doing the projects to help offset the cost of doing the projects. He also stated Dave Vosen, Utilities Superintendent, helped Molly write the grants totaling $20,000 that were received.

Mayor Hall stated he wanted to share some good news and compliment Port Authority President Marty Wilson and also Port Authority Board member, Vicki Moore, for two more business visits that he also participated in. He stated they visited Overland Trucking and met with Mr. Russ Meyers and also visited Loco Gringos Restaurant. He stated these visits have been very positive.

Public Hearing – None

Administrator’s Report: David Schmidt reported the following:

- Port Authority stated the Rural Business Enterprise Grant (RBEG) Application for $100,000 to generate revolving loan fund has been submitted. Should hear back in June. Was submitted with letters of support from Senators Klobuchar and Franken and Representative Tim Walz.
- Port Authority has been working with Archer House and are working to apply to the Southern Minnesota Initiative Foundation to apply for a $200,000 loan for the re-opening of the Anderson House. It is the intent to create 20 jobs.
- June 11th, the Library is having their 100th year celebration.
- Police Department held their meeting to review the Reserve Force applicants and are currently preparing training for 8 applicants.
- Meeting with Police Union was held and will be calling a meeting with the Personnel Committee to review proposal submitted by the union.
- Utility Department still working on sewer service connection inspections at no charge. Residents asked to call the City to schedule their appointment if they were notified by letter.
- Conducted City’s first Best Value Process to select a street project contractor for the proposed 2011 Street Project.
- RFP’s for Legal and Engineering have been received. Review committees have been established and a meeting is set for both groups next week. Interviews for the applicants will be probably mid-June.
- Ambulance 971 will be returned to the City tomorrow. It has been fixed.

Councilpersons Gallenberger and Schmidt moved to approve the following consent agenda: Approved unanimously.

- Approved the April 5, 2011 Regular Council minutes
- Approved MN Lawful Gambling Application for Exempt Permit – St. Felix Fall Festival
- Approved Annual Liquor License and 3.2 Beer Renewals
- Approved 1st Reading – Amendment to Zoning Ordinance Request for 911 Phelps Avenue
- Approved Wabasha County Fair Application for Temp. On-Sale Liquor License from Mazeppa Area Jaycees

Approved the following warrants as presented:

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10.1 Transient Merchant License Application – Woodfired Pizza LLC: Mr. Ryan Lettner, Woodfired Pizza LLC, submitted a letter along with a 2011 Application for Transient Merchant License to set up his trailer to sell individual wood-fired pizzas during the 100 Mile Garage sale that runs the week-end of May 5-7, 2011.

Discussion was held on why there wasn’t a specific location specified, competition with various fund raising already planned in Wabasha for that week-end, and the fact that Council would like this type of application submitted at least a month earlier.

After discussion, Councilpersons Bricher and Schmit moved to approve the Application for Transient Merchant License submitted by Mr. Ryan Lettner, Woodfired Pizza LLC, for the week-end of May 5-7, 2011. The motion failed unanimously.

David Schmidt was directed to call Mr. Lettner and invite him to apply next year and to also discuss the concerns that Council had.

10.2 Revised No Wake Ordinance: Mayor Hall announced there would not be a public hearing for the consideration of revising the No Wake Ordinance at this meeting however, he invited a representative from both sides to come forward and speak on the issue.

Connie Wiles, came forward and stated her committee is requesting the no wake zone be extended and stated the following were points listed in their position statement proposal:

- No Wake Zone in effect from the Wabasha Marina to the Mississippi Parkside Marina
- In effect 24 hours/day, 7 days/week
- In effect from Memorial Day to Labor Day
- Exemption for boats with 25 hp or less
- When water is 12’ or above, all boats must adhere to No Wake Zone regardless of size.

She stated this issue concerns Pool 4 which runs from Alma, Wisconsin, to Red Wing, Minnesota, which is 44 miles long. Currently, Red Wing has a 1.8 miles of No Wake Zone and Wabasha currently has a No Wake Zone of .6 miles and extending the zone adds and extension of .7 miles which will total 1.3 miles. Totaling both wake zones equals only 3.1 miles of no wake zone in 44 miles of river. The extension of the no wake zone is to ensure the safety in this very congested and narrowest part of the river. She stated this is not only for the boaters that are entering or leaving the harbors, but also for boaters in the channel and people who are staff working at the marinas. She stated currently as boaters are leaving or entering the Wabasha Marina, they are experiencing the equivalent of a 4-way intersection on a highway but there is no control. There are boats coming southbound, boats going upstream, boats coming out of the backwaters and boats trying to either enter or leave the harbor. She stated her committee is just asking for some type of warning system to ensure that there is safety on the river. She stated the no wake will slow boaters down giving them time to react to a situation and hopefully prevent any serious injuries or accidents. She stated they represent safety for all boaters. She concluded by stating the State’s legislators have determined by reducing the speed limits on the highways, we can take large steps towards reducing accidents and saving lives on Minnesota roads. She stated their committee is asking Council to vote the same thing on the river, slow the boaters down and give safety a chance.

Aaron LaRocque, came forward and stated his committee is requesting no extending the no wake zone and leaving well enough alone. He pointed out the two committees had seemed to reach an agreement which they later found out the other committee decided it was not what they were looking for. He stated their committee has done extensive research and have talked to many fishermen and boaters as well as discussed the economic impact extending the no wake zone may have. He stated last Thursday Mayor Rollin Hall and Councilperson Schmidt went for a boat ride and he understands it took 12 minutes to idle down the river and 58 minutes to idle back up which is a total of 70 minutes of idling in the no wake zone. He stated in the packet of information they have provided Council there is information from the Chamber of Commerce Visitors Bureau, Financial Statements from FBLW Outdoors and Bassmasters. The tournaments that come into town do bring a lot of money to the community. He stated the numbers represent $500/person impact per tournament. 100 boats x 2 people in the boat represent $100,000 brought in. He pointed out there are letters in the packet of information from fishing tournament organizations that state if the no wake zone is extended, they will opt out of coming to Wabasha.

Councilperson Schmidt asked what the initial agreement was that both committees considered in which Mr. LaRocque stated that agreement stated:

- 150’-200’ no wake from shore from existing no wake down to the lower marina.
• Balloon out around the entrance of the lower marina and put buoys out to designate the area.
• Boaters that wanted to run at cruising speed would have to do so out in the main channel or be on the Wisconsin side.
• When river is 12’ or higher, no wake for all boaters regardless of size

Aaron stated there is a possibility of speed limits being installed.

Council discussed the fact that it seemed at the public hearing they heard a lot of comments on erosion which was one reason many wanted the no wake extended and that now the only issue they were hearing for extending the no wake zone was based on safety. Also, Councilperson Hiers had acquired information from the DNR that stated a slower speed doesn’t always correlate with a smaller wake.

After discussion, Councilpersons Friedmeyer and Schmidt moved to adopt the Proposed Extension to the current No Wake Zone. The motion failed by the following vote:
Ayes: None
Nays: Friedmeyer, Gallenberger, Bricher, Hiers, Schmidt, Meurer, Mayor Hall

10.3 2011 Proposed Street Project: Bill Anderson, City Engineer, came forward and reported bids were opened last week on the three segments of the 2011 Proposed Street Project. Further, he stated the Best Value Committee met this morning with the contractors to go over their bids and ask questions about their experience etc. There was a point system used by the committee and then points are tallied and a worksheet was formulated to show how the contractors scored in all categories. Mr. Anderson stated the Best Value is used to acquire more information and gives the committee a chance to consider more than just low bid. There were six bids and the three lowest bidders were within $14,000 of each other which makes the Best Value process even more valuable. The highest score is the Best Value which made the third lowest bidder the Best Value contractor. By the Best Value Process, the recommendation is to award the project to Blitz Construction which was the third lowest bidder.

Mr. Anderson stated the City has 45 days from the date the bids were due to award the bid which would be approximately June 10th.

David Schmidt stated Mr. Mike Bubany, City Financial Planner, brought up a Street Reconstruction Bond. He explained this type of bond cannot include anything that is considered new like curbs etc. David reminded Council that Mr. Bubany gave options during the Financial Planning Session. Some of the options were raising taxes to replenish the City’s funds, raising the sewer and water rates, etc.

Attorney Peter Ekstrand reported to Council the City cannot assess lower than 20% for the project without going through a special election to hold a referendum. He stated if the City goes for the Reconstruction Bonds then a 5 year plan is required, and there is a 30 day waiting period where someone can petition to have an election which would delay things.

Discussion was held on funding the proposed 2011 Street Project.

After discussion, Councilmembers Schmidt and Bricher moved to proceed in gathering all pertinent information to move forward with a Referendum Vote of the entire City as soon as it can get done to do all eight street projects and to formulate a question to include the dollar amount for all eight projects what it would cost per $100,000 in property value. Adopted by the following vote:
Ayes: Meurer, Schmidt, Hiers, Bricher, Gallenberger, and Friedmeyer
Nays: Mayor Hall

Attorney Peter Ekstrand stated the Council will have to have a Special Meeting to adopt a Resolution to set the referendum and the question. He also stated the City should get approval from their Bond Attorney and from their Engineer to make sure everything is covered and he can give estimates. He also recommended that when City Administrator, David Schmidt, contacts the Bond Attorney, City Engineer and City Financial Planner, that he directs them to break into two separate contracts whereby the one contract covers the three segments already bid and the other contract for 2012 would cover the remaining five projects.

11. Donations: Councilperson Meurer announced that the American Legion Post 50 donated $500.00 to the Wabasha Public Library.

Councilperson Gallenberger pointed out that some budget line items are already over budget and advised that during the upcoming budget process, those line items be given attention so they are more in line.

Having no other business, Councilpersons Meurer and Gallenberger moved to adjourn at 9:22 pm. Adopted unanimously.

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Susan Schamaun, City Clerk