

Councilpersons:
First Ward: Friedmeyer, Wharton
Second Ward: Schmidt, Kruger
Third Ward: Meurer, Schoen

Mayor: Rollin Hall
City Atty: Peter Ekstrand
City Adm: Chad Springer
City Clerk: Susan Schamaun
Date: June 2, 2015

PROCEEDINGS OF THE CITY COUNCIL

The regular meeting of the City Council of the City of Wabasha was held on Wednesday, June 2, 2015, and was called to order at 7:00 pm by Mayor Hall.

Mayor Hall and all Council Members were present.

All present stood and recited the Pledge of Allegiance.

Guest Speaker: Senator Matt Schmit will be present at 8 pm.

3. Public Comments: None

Changes or Additions to Agenda: Councilperson Schoen requested putting Consent Agenda Item 8.5 524 Campbell Avenue Assessments to 10.9 General Business. Council concurred.

Mayor's Report:

Mayor Hall reported the following:

- Attended a frac sand meeting in Lake City
- Attended a history event at the library hosted by Friends of the Library.
- Attended Army Corps. Of Eng. Meeting in reference to moving sand from Krats Island to the sand pit and then to Kohner's pit.
- Met with Vern Wagner, Anglers For Habitat, along with Chad Springer
- Attended Memorial Day services
- Had dinner with Senator Klobuchar
- Met with vendor in reference to solar power
- Gopher coaches were in town this morning
- Attended Regional Event Center meeting

6. Committee Reports and Wabasha Good News:

Utility Commission: Councilperson Schmidt reported that the Utilities Commission met tonight and he reported Haas Sons Inc. is in town fixing defective curb stops and doing final punch list items on the 2013 Street Project. Received a couple of bids for Campbell Avenue and have forwarded a recommendation to Council. Also discussed the Cambell Avenue Water Main Project as well as the new City Well Project.

Street Commission: Councilperson Meurer reported Street Commission did not meeting this month. He stated he attended a Community Watch Awareness meeting with Chief Warren. This will be a recurring meeting the third Tuesday of each month.

Police Commission: Councilperson Wharton reported the police commission did not meet this month.

Planning Commission: Councilperson Kruger stated they met with the Corps of Engineers and discussed the dredging projects and the transfer of sand to Kohner's pit. Turning Waters B&B wants to have a brew pub and they are working on the wording for the zoning ordinance.

Park Board: Councilperson Schoen stated the Park Board met and announced the pool will open on Friday, June 5th. She stated the pool heater was not working but has since been fixed and is working. She stated the Community Garden is up and flourishing. The dock is in and has been refurbished with new wood boards.

Port Authority: Councilperson Friedmeyer reported the Port Authority met and stated the Riverfront Taskforce gave an update. K&C Fisheries gave an update also. He reported they are doing well and have dealt with some hurdles in reference to exporting overseas.

Ambulance Commission: Councilperson Friedmeyer reported they did not meet.

Administrator's Report: Chad stated the City will be dealing with the 2016 budget process. He thanked Charlie Klein for thatching Cannon Park this spring. He stated the Ambulance Department had a record high month in reference to runs. He stated the Fire Department and Police Department have also been very busy with calls and also the search this past week-end. He stated the City has plans to take care of the weedy plants around City Hall. In reference to the grant for the bike trails, the trails will be redone in 2017 so the City will be doing minimal maintenance to keep the trails safe until the total replacement can take place. He stated the County is patching 2nd Street now and there will be no cost to the City. He reported the Park Board voted to remove the pool slides due to corrosion and it being unsafe and the slides have been removed. He thanked Tiffany Risch for organizing the Cub Scout cleanup of Malone Park. He also thanked Rose Curry and her group of volunteers for replacing wood chips and mulch around plants along Big Jo Alley between the National Eagle Center and the Riverfront condos. He reminded the public that the brush dump area is for dumping brush and/or take wood chips. The public is not allowed to take the City's gravel, rip rap, dirt or sand. There have been numerous cases of people taking these items. The area is clearly posted and there are cameras installed and the City has recently contacted and recovered the cost of the product from these individuals. If theft continues, the City may have to close the brush dump after hours. He stated the City is also having problems with the compost site. People are dumping brush at the compost site and city crews are having to take time to dig it out and haul to the brush dump site. Residents are allowed to take compost material from the compost site.

8. Consent Agenda:

Councilpersons Kruger and Schoen moved to approve the following amended consent agenda including the warrants: Adopted unanimously.

- Approved May 5, 2015, Regular Minutes
- Approval of April 20 and May 5, 2015 Board of Appeal and Equalization Hearing Minutes
- Resolution for Transfer of Funds
- Request for donation – Fireworks display
- Approve new on-sale liquor license application – Turning Waters B&B & Adventure
- Approved the following warrants as presented:

Mayors/Admin/City Hall/Council	General Fund	\$25,654.87
Police	"	\$21,548.73

Streets	"	\$13,798.77
Legal	"	\$7,931.15
Parks	"	\$19,659.12
Fire	"	\$44,720.36
Ambulance	"	\$4,955.66
Planning	"	\$6,728.43
Pool	"	\$943.74
Engineering	"	\$3,209.72
Library	"	\$3,264.00
Misc.	"	\$129.95
Total	"	\$152,544.50

Consent Agenda items:

**RESOLUTION NO. 10-2015
A RESOLUTION FOR
TRANSFER OF FUNDS**

WHEREAS, on June 2, 2105, the City Council considered the transfer of funds.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Wabasha hereby transfers in accordance with the following schedule:

- Designate transfer of \$8,000.00 from Capital Improvement Fund 501 to 2013 Street Project Fund 390

BE IT FURTHER RESOLVED, the above transfer is effective as of June 2, 2015.

The foregoing resolution was offered by Councilmember Kruger, who moved its adoption, and on due second by Councilmember Schoen, was passed by the following vote:

Ayes: Kruger, Schoen, Schmidt, Mayor Hall, Friedmeyer, Meurer, Wharton

Nays: None

Passed: June 2, 2015

GENERAL BUSINESS:

10.1 Bid Award – Campbell Avenue Water Main Project: Mr. Brian Malm, Bolton & Menk, came forward and stated the City received two bids for the Campbell Avenue Water Main Project.:

Winona Mechanical, Inc. \$137,969.00

TJs Trucking and Excavating, Inc. \$157,405.00

Engineer's Estimate for Project \$139,860.00

Recommend awarding the bid to Winona Mechanical for \$137,969.00

Chad Springer reported the Utilities Commission approved and recommended Council approve the low

bid from Winona Mechanical, Inc.

Councilpersons Wharton and Kruger moved to approve the Resolution awarding the bid for the Campbell Avenue Watermain Project to Winona Mechanical Inc. in the amount of \$137,969.00. Adopted unanimously.

**RESOLUTION 11-2015
AWARDING BID FOR THE CAMPBELL AVENUE WATERMAIN PROJECT**

WHEREAS, pursuant to an advertisement for bids concerning the Campbell Avenue Watermain Project, two (2) bids were received, opened, and tabulated according to law. The bids which were received and which complied with the advertisement are attached hereto as Exhibit A and are incorporated herein by reference; and

WHEREAS, it appears that Winona Mechanical, Inc. is the lowest responsible bidder;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WABASHA, MINNESOTA, as follows:

- 1. The Mayor and City Clerk are hereby authorized and directed to enter into a contract with such lowest responsible bidder in the name of the City of Wabasha, for such improvements according to the plans and specifications approved by the City Council and on file in the office of the City Clerk.**
- 2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed. Once the contract has been signed by the successful bidder, then the deposit of the next lowest bidder shall be returned.**

Adopted by the Council this 2nd day of June, 2015.

10.2 Approve Plans and Specs and Authorize bidding for Well Project No. 3: Mr. Brian Malm stated plans and specs are finalized for the Well Project No. 3. The estimated cost for this project is \$800,000. He gave the following timeline:

- | | |
|--|------------------------|
| 1. Approve plans and specs and authorize to bid | June 2 nd |
| 2. Open bids | June 30 th |
| 3. Council award bid | July 7 th |
| 4. Issue Notice to proceed | July/August, 2015 |
| 5. Construction | July 2015 – April 2016 |
| 6. Start-up | April 2016 |
| 7. Complete all outside work (landscaping, driveway etc) | May 2016 |
| 8. Complete construction | June 2016 |

Councilpersons Meurer and Schoen moved to approve Resolution approving the plans and specs and authorize going out for bids for the City's Well No. 3 Project. Adopted unanimously.

**RESOLUTION 12-2015
APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, Bolton & Menk, Inc. has prepared plans and specifications for the Well No. 3 and Well House project, and has presented such plans and specifications to the Council for approval;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WABASHA, MINNESOTA:

- 1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.**
- 2. The City Clerk shall prepare and cause to be inserted in the official paper and in a trade publication an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published at least once, with the first ad published at least 10 days before the bid date, shall specify the work to be done, and shall state the date and time bids will be received, at which time they will be publicly opened in the Council chambers of City Hall, will be tabulated, and will be considered by the Council at the next scheduled council meeting.**

Adopted by the Council this 2nd day of June, 2015.

10.3 2nd Reading: Proposed Amendment to Section 1150 Motorized Golf Carts Ordinance: Chad Springer, City Administrator, reported this item is being submitted to be in line with State Statute requirements.

Councilpersons Friedmeyer and Schmidt moved to approve amendments to Section 1150 Motorized Golf Carts Ordinance as submitted. Adopted by unanimous vote.

10.4 2nd Reading: Proposed Amendment to Appendix A: Supply of Municipal Water for Snowmaking Purposes: Chad explained this section in the ordinance directly relates to snowmaking purposes which obviously relates to the ski hill. Currently, a tiered water usage method has been used by the City which was mandated by the DNR to help reduce water usage. However, it does allow for an industrial high usage set rate. The Utility Commission has approved amending the snowmaking rate at a set rate of \$2.25/1,000 gallons.

Councilpersons Wharton and Meurer approved amending Appendix A: Supply of Municipal Water for Snowmaking purposes as presented setting the snowmaking rate at \$2.25/1,000 gallons. Adopted unanimously.

10.5 2nd Reading Sewer Minimum Availability Charge: Chad stated Council requested this and approved the first reading in October 2014. Approving the new agenda software at the last Council meeting will help avoid the occasion of staff inadvertently forgetting to put an item back on the agenda for final approval like this item.

He updated Council that this item goes back to dealing with 2014 Coffee Mill mandatory sewer hook-ups. Council approved those affected residents hiring an approved inspector and if their sewer systems passed inspection, they could continue to use their systems and not hook-up to the City's system but would require they would have to pay a minimum sewer charge monthly as well as any other resident who has access to the City's sewer system but has their own sewer system.

Councilpersons Schmidt and Friedmeyer moved to approve amending Section 505, Appendix A, Subd. 3 to add a Sewer Minimum Availability Charge. Adopted unanimously.

10.6 2nd Reading: Changes to Existing Mining Ordinance: Chad stated Council passed the Mining Ordinance in February. He explained that increasing the liability amount over \$2M makes the insurance rate prohibitive. He also stated the pollutant exclusion that was also discussed at the last Council meeting is vague and it is not clear as to what is defined as a pollutant. Councilperson Schoen stated she would recommend \$2M per claim not per incident. Councilperson Wharton concurred. Councilperson Wharton also recommended including wording that states the policies can't prohibit covering silica sand. He stated he also had some other issues he was concerned with.

Councilperson Schmidt stated he is concerned about raising the liability amount because there are two mines in this city that have both been operating for about 50 years and the products that they give us, everybody uses to build our homes and roads and feels if the city puts undo pressure on these companies, they may raise the price of their products and we will all have to pay.

Councilperson Wharton stated those companies are pre-existing and the liability amount would not apply to them. Attorney Ekstrand stated it doesn't apply to their current mines but any expansion and/or change would trigger the liability amount approved tonight.

Councilpersons Friedmeyer stated the Mining Ordinance has a lot of protections in its required compliance for operations and the amendments have been thoroughly studied by the Planning Commission and feels the \$2M is sufficient.

Councilpersons Meurer and Schoen moved to table the amendments to the Mining Ordinance until the \$2M per claim vs. per incident are mitigated as well as the pollutant exclusions and statements in reference to "bank letters of credit" until the next meeting.

Councilperson Wharton moved to amend the motion to include looking at the pollutant exclusions, removing wording for allowing mining applicants to submit "bank letters of credit and performance bonds" and replace with a requirement to set up an escrow account and also include the stipulation that they put up money for the reclamation at 110% of what it's going to cost.

Councilperson Schoen wants to know if our City is specifically protected.

Councilperson Schmidt stated it is hard to get people to serve on the City's boards and commissions and the Planning Commission has put in a lot of hard work on the Mining Ordinance and the amendments and if the City Council tears it all apart, what is the Planning Commission going to think. Pretty soon there won't be anyone to serve on a board or commission and all decisions will be made at the City Council level.

**The motion failed by the following vote:
Ayes: Meurer, Schoen, Wharton**

Nays: Schmidt, Friedmeyer, Kruger and Mayor Hall

Councilpersons Schmidt and Kruger moved to approve the changes to the mining ordinance as presented.

The motion passed by the following vote:

Ayes: Mayor Hall, Kruger, Friedmeyer, Schmidt,

Nays: Wharton, Schoen

Abstain: Meurer

Senator Matt Schmit gave his 2015 Legislative Report. He passed out a summary on the legislative session.

Councilperson Wharton wants to amend insurance to say escrow, amendments moved reclamation at 110%

10.7 Sale of Property: 506 3rd Street West (R27.00298.00) Park Building: Chad explained this property is the old park building down by the City's campground. The City has equipment in different buildings and is looking at selling this property and putting up a building by the City garage to keep all City equipment and miscellaneous items at one location. City crews relocated water lines and re-hooked up sewer around the property.

Councilpersons Meurer and Kruger moved to approve moving forward with offering parcel #R27.00298.00 (506 3rd Street West) for sale on a sealed bid process with the city retaining the right to refuse any and all offers. This would be subject to obtaining the legal description as noted and approval of language from the City Attorney. Adopted unanimously.

10.8 Riverland Community College Agreement for Fire Dept. Training: Fire Chief Darren Sheeley and Scott Holst, Training Officer, came forward and stated when passing out calendars at the campground, a camper gave a donation for a chemical/gas detector.

He further stated they made a connection with Riverland Community College out of Austin, Minnesota, to exchange the 1972 Fire Truck valued at \$5,000 for training for the Fire Department over the next couple of years.

Scott Holst gave a report on the type of training the fire department would receive with this agreement and the importance of this training.

Councilpersons Schoen and Meurer moved to approve the agreement between the City of Wabasha and Riverland Community College for fire training in exchange for the 1972 Fire Truck valued at \$5,000. Adopted unanimously.

10.9 524 Campbell Avenue Assessment:

Chad Springer explained the property was forfeited to the State of Minnesota and the County is in charge of selling the property. The special assessments are written off in this process and it is up to the City to determine if they want to reinstate by resolution the special assessments if sold to a public person.

Councilpersons Schoen and Wharton moved to approve the Resolution reinstating assessments for 524 Campbell Avenue. Adopted unanimously.

RESOLUTION # 13-2015
Reinstating Assessments to be placed on Taxes per the Sale of Tax Forfeited
Parcel: R27.00472.00

WHEREAS; The City Council of the City of Wabasha, County of Wabasha, State of Minnesota, have approved the reinstated of the assessments, and
 WHEREAS, The City Council of the City of Wabasha also requests the Wabasha County Auditor to reinstate the assessments to be placed on the taxes due to the sale of below said parcel described as: R27.00472.00

- \$20,315.31 Special Assessment (City Resolution 2-2015)
- \$371.50 Special Assessment (City Resolution 39-2014)

NOW, THEREFORE BE IT RESOLVED that the Wabasha City Council hereby requests aforementioned assessments to be reinstated after the sale of said lands.

Resolution adopted this 2nd day of June, 2015.

Donations:

Councilpersons Meurer and Kruger moved to approve the Resolution accepting donations as of June 2, 2015. Adopted unanimously.

CITY OF WABASHA
RESOLUTION NO. # 14-2015
RESOLUTION ACCEPTING DONATIONS

WHEREAS, The City of Wabasha is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

WHEREAS, The following persons and entities have offered to contribute the cash amounts set forth below to the city for the following:

<u>Name of Donor</u>	<u>Description</u>	<u>Amount</u>
Burkhardt-Roemer Post 4086	Fireworks	\$ 500.00
Kellogg Fire Dept.	Fireworks	\$ 500.00
Kellogg Lions	Fireworks	\$ 200.00
Burkhardt-Roemer Post 4086	Riverboat Days	\$ 800.00
Wabasha Rotary Club	Summer Reading Program	\$ 250.00
Kathy Geraghty	Summer Reading Program	\$ 100.00
Wabasha Dentistry	Summer Reading Program	\$ 75.00
Bill & Gloria Hager	Library	\$ 100.00
Stuart & Roberta Pinsky (In memory of Frances Gillen) -	Library	\$ 100.00
Bob & Diane Scheel (in memory of Margaret Swanson) –	Library	\$ 30.00
Hardy & Judith Schierts (in memory of Margaret Swanson)–	Library	\$ 20.00
Swanson Family (in memory of Margaret Swanson)	Library	\$ 584.00

John Wodele(in memory of Margaret Swanson)	Library	\$ 100.00
Sue Kuzma(in memory of Margaret Swanson)	Library	\$ 50.00
Steve & Sharon Blake(in memory of Margaret Swanson)	Library	\$ 50.00
Shannon & Jon Larson(in memory of Margaret Swanson)	Library	\$ 20.00
Roger & Kathy Edwards (in memory of Margaret Swanson)	Library	\$ 15.00
Darlene Theismann (in memory of Margaret Swanson)	Library	\$ 15.00
Jena Carrels (in memory of Margaret Swanson)	Library	\$ 10.00
Mary Funk (in memory of Steve Groby)	Library	\$ 20.00
Fred & Dianne Schjolberg (through SMIF)	Library	\$2,000.00

WHEREAS, All such donations have been contributed to assist the city in the establishment and operation of recreational facilities and programs either alone or in cooperation with others, as allowed by law; and

WHEREAS, The City Council finds that it is appropriate to accept the donations offered.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WABASHA, MINNESOTA, AS FOLLOWS:

1. The donations described above are accepted and shall be used to establish and operate recreational facilities and programs either alone or in cooperation with others, as allowed by law.
2. The city clerk is hereby directed to issue receipts to each donor acknowledging the city's receipt of the donor's donation.

Adopted by the City Council of the City of Wabasha on June 2, 2015.

Having no other business, Councilpersons Schmidt and Friedmeyer moved to adjourn at 8:37 pm. Adopted unanimously.

Susan Schamaun, City Clerk