

**MINUTES  
REGULAR WASECA CITY COUNCIL MEETING  
TUESDAY, JUNE 1, 2010**

**CALL TO ORDER/ROLL CALL**

- 1 The regular Waseca City Council meeting was called to order by Mayor Roy Srp at 7:00 p.m.

Councilmembers present:

Mayor Roy Srp	Les Tlougan
John Clemons	Cindy Coy
Larry Johnson	Mark Christiansen

Absent: Allan Rose

Staff present:

Crystal Prentice, City Manager  
Russ Stammer, City Engineer  
Carl Sonnenberg, Utilities Director  
Mary Buenzow, Records Secretary

**MOMENT OF SILENT PRAYER/PLEDGE OF ALLEGIANCE**

- 2 A moment of silent prayer was observed. The Pledge of Allegiance to the Flag was recited.

**APPROVAL OF AGENDA**

- 3 It was moved by Tlougan, seconded by Coy, to approve the agenda as presented; the motion carried 6-0.

**VISITORS, REQUESTS, AND COMMUNICATIONS**

- 4 None

**Mayor Srp asked if there was anyone in the audience, not on the agenda, who wished to address the City Council at this time. There were no comments.**

## **PUBLIC HEARINGS**

### **5a Storm Water Pollution Prevention Plan (SWPPP) public hearing**

The City Engineer explained that since the City has a NPDES permit from the State that regulates our stormwater discharges, an annual hearing is one of the permit requirements. He presented a Power Point presentation regarding the City of Waseca's Storm Water Pollution Prevention Plan. Following the power point, there were some questions from the City Council.

Mayor Srp asked whether this is a State mandate the former City Engineer had spoken of with the Council, and if this issue will go away at some point. The City Engineer stated that is true, and he felt this is something that is going to stay. He added that as time goes on, more and more time is spent on ponds and treatment and maintenance.

Councilmember Tlougan questioned how much of this we really need to do regardless of the State mandate. The City Engineer replied that Waseca has historically been very forward-thinking and progressive, and in many areas has done things before they are mandated. These rules are creating a program that wasn't here before. Councilmember Tlougan commented part of this includes things that we would be doing anyway.

Mayor Srp asked whether there are other communities also thinking ahead. The City Engineer stated there are, especially communities with lakes, streams, and other water bodies.

**Mayor Srp opened the public hearing at 7:15 p.m.** There were no public comments.  
**The public hearing was closed at 7:15 p.m.**

The City Engineer stated no Council action is needed at this time. The Council thanked the City Engineer for this presentation.

## **ROUTINE BUSINESS**

### **6a Ordinance No. 954 – Introduction & set hearing date – Vacation of Utility Easement – Westshores Third Subdivision**

Blaine Johnson has requested vacation of a utility easement dated June 28, 1976 as it affects Lots 5, 6, and 7, Block 2, Westshores Third Subdivision. The City Engineer and Utility Director have determined this easement is not being used or necessary for City utility purposes and that the platting of Westshores Third Subdivision provides adequate utility easements for the benefit of the public.

It was moved by Johnson, seconded by Christiansen, to approve the introduction of Ordinance No. 954, AN ORDINANCE OF THE CITY OF WASECA, MINNESOTA VACATING UTILITY EASEMENTS IN WESTSHORES THIRD SUBDIVISION; and set the hearing date for its adoption to June 15, 2010; the motion carried 6-0.

**6b Fair Board parking request**

Included in the Council material was a request from Waseca County Fair Board for No Parking and Stop signs at various locations in the fairgrounds area during the Waseca County Fair July 14-18, 2010. The Fair Board is also requesting the temporary signs be placed by Friday, July 9, 2010 so as to give local traffic time to adjust to the newly placed signs.

It was moved by Tlougan, seconded by Coy, to approve the Fair Board's request for No Parking and Stop signs at various locations in the fairgrounds area as requested; the motion carried 6-0

**6c Waseca Fire Department request to close street for Fish Fry/Street Dance**

It was moved by Clemons, seconded by Johnson, to approve temporary street closure for the Waseca Fire Department Fish Fry and Street Dance on Saturday, June 26, 2010; the motion carried 6-0. It was noted the proceeds from this event will be used to purchase equipment for the Fire Department.

**6d Peddler permit – TNT Fireworks**

It was moved by Johnson, seconded by Coy, to approve a Peddler Permit to TNT Fireworks to sell fireworks from a tent in the Hy-Vee parking lot from June 22, 2010 to July 5, 2010 as presented; the motion carried 6-0.

**UNFINISHED BUSINESS**

7 None

**NEW BUSINESS**

**8a On Sale & Sunday On Sale Liquor Licenses – El Tequila Mexican Restaurant**

The City has received an application from Karina Garcia for an On Sale and Sunday On Sale Liquor License in order to open El Tequila, a Mexican Restaurant, in the former Olde Towne Eatery building at 200 South State Street.

It was moved by Johnson, seconded by Coy, to approve On Sale and Sunday On Sale Liquor Licenses to Karina Garcia, for El Tequila Mexican Restaurant as presented; the motion carried 6-0.

**8b Change Order No. 4 – Wastewater Treatment Project #0812**

It was moved by Christiansen, seconded by Clemons, to approve Change Order No. 4 for City Project #0812 in the amount of \$4,895 as presented; the motion carried 6-0.

8c **Resolution No. 10-19- Purchase of Electric Service Territory**

In February 2005, the City Council adopted a resolution establishing an Electric Service Territory Acquisition Policy. Resolution No. 10-19, presented at this time, is for the acquisition of electric service territory for the proposed Colony Court Care Suites which is located within the proposed Fox Meadows Subdivision.

It was moved by Coy, seconded by Clemons, to adopt Resolution No. 10-19, A RESOLUTION OF THE WASECA CITY COUNCIL PURCHASING ELECTRIC SERVICE TERRITORY; the motion carried 6-0.

8d **Engineering services agreement for airport**

The Waseca Airport is approved for two projects in 2010: a replacement fuel tank and crack sealing. The proposed agreement is for engineering services on these two projects. Requests for proposals were published and six firms applied and were evaluated by the Airport Board. The Airport Board and Staff recommend the firm of TKDA for these engineering services.

It was moved by Tlougan, seconded by Coy, to authorize the City Manager to enter into an agreement with TKDA for assistance with engineering services for the 2010 airport projects.

8e **Resolution No. 10-20 – MnDOT Aeronautics Agreement**

Minnesota airports are eligible for operation funding from MnDOT. The City's contract for these payments has expired. Resolution No. 10-20 authorizes the Mayor and City Manager to enter into an agreement with MnDOT for payments for operating the airport.

It was moved by Christiansen, seconded by Tlougan, to adopt Resolution No. 10-20, A RESOLUTION OF THE WASECA CITY COUNCIL AUTHORIZING THE MINNESOTA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT FOR AIRPORT MAINTENANCE AND OPERATIONS; the motion carried 6-0.

8f **Award bid – 2010 Crack Seal/Seal Coat Project #2010-06**

The 2010 Crack Seal/Seal Coat Project is budgeted as a maintenance project. Quotes were received with the low quotes coming from reputable contractors who have done work for the City previously. The City Engineer stated the quotes are below the estimate and budgeted amounts.

It was moved by Coy, seconded by Clemons, to award the 2010 Crack Seal portion of Project #0210-06 to Hardline Asphalt in the amount of \$14,400.00 and the Seal Coat portion of Project #2010-06 to Caldwell Asphalt in the amount of \$41,193.20;

## DISCUSSION

Councilmember Clemons wondered what parts of town will be done and when the residents can expect activity. The City Engineer stated the project involves various locations throughout the City. Generally streets are seal coated 2-4 years after they've been paved, and crack sealing is done on older pavements. The contractor has been given the whole summer to get the project done, and it typically takes 2-4 days for seal coating and 3-4 days for crack sealing.

Mayor Srp commented he is a strong proponent of the City crews and wondered if the savings from these bids could be applied to do another block. The City Engineer stated it could possibly be applied to some form of increment. Mayor Srp stated that 2<sup>nd</sup> Avenue NW in front of the Eagles Club turned out great and he wondered if there is another street they could do, suggesting possibly 2<sup>nd</sup> Avenue SW between the old Olde Towne Eatery and State Street Bistro. The City Engineer stated there are underground utility issues that will be brought to the Council with the CIP, and then reconstruction in later 2011.

## VOTE ON THE MOTION

The motion carried 6-0.

### 8g **City Engineer update**

The City Engineer explained his update is primarily regarding Gaiter Lake and he will be suggesting a course of action. There are a lot of issues with this project, and in the past few weeks several conditions have changed which lead to his recommended change in the course of action. These include the following:

- 1) No visible plume of sediment into Clear Lake. The City Engineer stated he has stopped several times during and after rains and has seen no visible sediment form County Ditch 15-1.
- 2) City crews have attempted to televise 15-1, which was thought to be the largest source of phosphorus, and do not see any flow upstream of Gaiter Lake. The tile is plugged.
- 3) Pondview Subdivision was built over County Ditch 15-1 tile, so it doesn't look like it discharges to Clear Lake anymore. Field observation is that the pond prevents 15-1 from entering Clear Lake.
- 4) The City Engineer sampled the water entering Clear Lake from 15-1 in 2010, and there are no high phosphorus results.
- 5) Findings were discussed with Rinke Noonan and Bill Douglass, Bolton & Menk. Mr. Douglass stated that sounded like a change and he has also been checking the pipe and looking for plume and also sees no evidence of sediment going into Clear Lake. After testing, the water quality was better than at some wastewater treatment plants. The Gaiter Lake project may not be needed at all, and Rinke Noonan and Bolton & Menk recommend stopping the project.

6) MPCA is going to do a basin-wide study, with water sampling of the lake, and will make a recommendation. They will also do a TMDL study and will make a recommendation.

The City Engineer stated a lot of money and time has been put into this project and now with this new information, he recommends suspending the project indefinitely. He suggested seeing what the TMDL study indicates, and the Lakes Association may want to do some testing. The City Engineer stated he does not think it is appropriate to spend more money on this project in light of these changes.

The City Engineer made the following recommendations:

- 1) Discuss this recommendation with the County Commissioners
- 2) Return to a future Council meeting with a resolution to suspend the project
- 3) Ask for a similar resolution from the County
- 4) Address the changes and amendments to the current agreement between the City and County
- 5) Continue water sampling and other technical reviews to determine what is going on and to verify a need for a project

The City Engineer stated it is his responsibility to follow the Council's direction. His strong recommendation is to suspend work on this project indefinitely and have a meeting with the other interested parties. This is a City project with City funding, and the City Engineer is making his recommendation to the City first, then to the County.

Mayor Srp commented if money has been spent to get us to this point, and may not have to go beyond that point, then it was money well spent. He commended the City Engineer for his enthusiasm and for putting his heart into this project. Mayor Srp stated he appreciates the work he is done, and he is glad to hear that Clear Lake is cleaning up.

Councilmember Tlougan asked if the Lakes Association is aware of this recommendation. The City Engineer stated they are not, and a lot of issues have come together just within the past couple weeks. He plans to call the County Engineer tomorrow and ask him to communicate this information to the County Board.

Councilmember Tlougan commented there are probably some legal issues that may need to be addressed. He felt the City Engineer and City Manager should work with the County and come back with a joint recommendation. The City Manager stated the next step is to meet with the County Board and she has asked to be placed on the agenda for the Commissioners' meeting on June 16<sup>th</sup>. She added there is a legal contract, and those issues must be addressed as well.

Mayor Srp stated he wholeheartedly supports what has been said this evening.

Councilmember Johnson asked what we can attribute this to. The City Engineer replied although he does not know for sure, something happened after 2003. In addition, Pondview Subdivision was built, which may have cleaned up the runoff. Also, regarding

the 15-1 tile, as the City has developed the area, the tile is connected into our system which may have inadvertently cut off or disconnected a source of phosphorus that had been going into the lake.

Councilmember Johnson questioned where the money has been spent to date. The City Engineer explained there have been expenses for lawyers, appraisers, surveyors, and engineers, to prepare the easement documents. Councilmember Johnson asked whether the City Engineer has any reservations about the previous studies. The City Engineer stated he has looked at some of them and it is premature to answer that question. The project appears to have started with the Lakes Association and was handed over to the City and County.

Councilmember Johnson commended the City Engineer for bringing this issue forward.

The City Engineer stated he has put the consultant team on hold and told them to stop work immediately. If the Council agrees, he would like a vote to confirm this decision, and to authorize him to move forward with his five recommendations.

It was moved by Clemons, seconded by Coy, to direct the City Manager to pursue the five recommendations from the City Engineer; the motion carried 6-0.

### **CONSENT AGENDA**

- 9 Councilmember Tloutan noted an error in item 9A, Council meeting minutes. Staff will make the correction.

It was moved by Tloutan, seconded by Johnson, to approve the Consent Agenda as presented; the motion carried 6-0 and included the following actions:

- a. Minutes – Regular City Council meeting – May 18, 2010 – were accepted as amended and placed on file.
- b. Payroll & expenditures – May 2010 – were authorized for payment.
- c. Contractor Pay Request #11 – Robert L. Carr Co. – Project #0812 – was authorized for payment.
- d. Payment Request – Bonestroo Invoice #178730 – Project #0803 – was authorized for payment.
- e. Payment Request – Bonestroo Invoice #178731 – Project #0812 – was authorized for payment.
- f. Partial Payment #4 – Crane Creek Asphalt – City Project #0901 – was authorized for payment.

### CITY MANAGER’S REPORT

10 The City Manager provided the following update:

- City Finance Director Nate Reinhardt started today, and will be invited to attend the next Council meeting.
- The City Manager was unable to attend the EDA Collaborative, and hopes that a Councilmember can provide an update on this item.
- The City Manager will be out of the office for the next several days.

### COMMISSION REPORTS

11 The City Councilmembers provided reports on the following board/commission activities:

- **EDA** – Councilmember Coy provided a brief update of the activities and programs of the EDA and also updated the Council regarding BEST of Waseca.
- **Traffic Safety Board** – Councilmember Rose was absent, so the City Engineer updated the Council about the special meeting regarding the parking lot next to the Fire Station. There was some discussion about reconfiguring the parking spaces, but a neighboring property owner offered use of some of his space. Consensus was to work with this property owner. The City Engineer felt this was a successful meeting. Mayor Srp inquired whether this issue will eventually come to the Council. The City Engineer felt it may not be needed, as there is a cooperative effort between the property owners.

Councilmember Clemons commented he also attended that meeting and feels the Fire Department does not need 8 spots in that parking lot. *He requested this item be placed on the next City Council agenda for Discussion regarding parking stalls for the Fire Department.* Councilmember Clemons stated he has received a great deal of input from business owners. The City Manager stated she felt the Fire Chief would want to weigh in on this issue as well.

- **Airport Board** – The City Engineer provided an update of the Airport Board activities, specifically that the Board concurred on the agreement for engineering services, and is working on a policy for public use of the facility. The Airport Board will bring this issue to the City Council at a later date.

### ANNOUNCEMENTS

12 **The following miscellaneous announcements were made:**

Councilmember Johnson stated a constituent wondered why he had a problem with the Trowbridge Park Bandshell. He explained he does not have a problem with it, but just wondered why it was bundled together with the Park. He would like to continue this discussion. Councilmember Clemons commented the Council had voted to not pursue any further if it was bundled.

Councilmember Clemons reported the flower baskets were hung downtown this week, and three people helped. Volunteers would be appreciated to help with the watering. Councilmember Clemons stated the Waseca Area Foundation made a very large contribution to the purchase of the baskets.

Councilmember Clemons commented the Waseca Area Foundation made presentations of over \$19,000 to local community events, and the contribution for flowers was made from the Foundation's Beautification fund.

Councilmember Clemons stated that, in addition to needing volunteers to help water the flowers, he is also looking for a 12 volt pump that could work off the truck's electrical system, and if anyone has one of these, please contact him.

Councilmember Clemons stated he attended the Memorial Day Program on Monday. It was a wonderful program and tribute to veterans. He commended Grant Whissemore for all the work he puts into this program.

Councilmember Clemons commented the new squad car has no light bar and does not look like a police car. He recommended to the audience, that if anyone is not sure if they are being stopped by a real police car, to keep on going and go to an area that is well lit and well populated, or call 911 to make sure the police car is legitimate.

Councilmember Johnson commented he also does not like the new squad car, it is "sneaky", and he does not like unmarked cars.

Councilmember Tlougan reminded everyone that on June 7<sup>th</sup> at 6:00 p.m. at the Trowbridge Park Band Shell the Heritage Preservation Commission will be presenting their annual Preservation Awards.

Councilmember Tlougan stated the Council can be watching for the Context Study to be presented soon. The draft is almost ready to present, and he thought this could possibly be done as part of a work session.

Councilmember Christiansen commented the Cub Scouts recently toured the Police Department and saw the new car. The kids liked it and thought it looked sharp.

Councilmember Christiansen wished to thank everyone involved in the Memorial Day Program, and also commented the cemeteries look very nice with all the flags. He thanked everyone responsible.

Mayor Srp echoed Councilmember Clemons' comments regarding the Waseca Area Foundation, and stated the WAF gave \$19,000 in grants, but had \$140,000 in requests. He felt it is wonderful they realize the downtown flowers are an asset and saw fit to contribute to them. Mayor Srp stated the WAF is an excellent way to give and see their money stay in the community.

Mayor Srp stated the trail entrance at The Boat House is not marked well, especially when cars are parked. He wondered if there is a way to mark this area better to avoid possible collisions.

With the recent 1” rain, Mayor Srp asked if there were any issues at the Wastewater Treatment Plant. The Utilities Director stated we have not yet had a good test.

Mayor Srp commented regarding the EDA Collaboration Initiative and after discussion, Council consensus was to keep this moving forward.

Mayor Srp stated that local resident Dan Swenson has been going around the County finding historical markers and landmarks, and he would like help from anyone who knows about these sites throughout the county. Councilmember Tloutan suggested Mr. Swenson also get in touch with the Heritage Preservation Commission.

Mayor Srp commented there are many “unsung” community members, and he noted in particular Neil Knauss, a retired City employee who has also been a long-standing member of the color guard. Mayor Srp commended Mr. Knauss for all he has done.

### **ADJOURNMENT**

- 13 There being no further business to be brought before the Council, it was moved by Coy, seconded by Christiansen, to adjourn the meeting at 8:40 p.m.; the motion carried 6-0.

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R. D. SRP  
MAYOR

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MARY BUENZOW  
RECORDS SECRETARY