

**MINUTES
REGULAR WASECA CITY COUNCIL MEETING
MONDAY, NOVEMBER 2, 2009**

CALL TO ORDER/ROLL CALL

- 1 The regular Waseca City Council meeting was called to order by Mayor Roy Srp at 7:15 p.m.

Councilmembers present:

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

Staff present:

Crystal Prentice, City Manager
Carl Sonnenberg, Utilities Director
Peter Giovannini, Community Development 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 The City Manager requested striking items 10c, 10d, and 10e from the agenda.

It was moved by Tlougan, seconded by Coy, to approve the agenda as amended; the motion carried 7-0.\

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.

CITY MANAGER'S REPORT

- 5 The City Manager reported that Staff is interviewing for a 32-hour, part-time police officer.

There was brief discussion that the Council may not have met all the newest police officers. The City Manager stated she will provide a list of the newest officers.

COMMISSION REPORTS

- **Fire Relief Association**

Councilmember Clemons stated he was unable to attend the last Fire Relief Association meeting, but was able to provide a brief report regarding their current activities.

- **Miscellaneous**

Mayor Srp stated he will be attending a National Incident Management System (NIMS) Training Program for Mayors, and will be reporting back to the Council regarding this program.

ROUTINE BUSINESS

8a **Transfer of Board of Equalization/Review duties**

The City was notified by Waseca County of the opportunity to transfer the Board of Equalization/Review duties to Waseca County.

It was moved by Clemons, seconded by Rose, to retain the duties as the City Board of Equalization/Review;

DISCUSSION

Councilmember Rose commented this is an avenue that citizens have to come to the Council first regarding their market value and he enjoys that. Mayor Srp added that for at least the past 5 years, the Council has been able to be compensated for this extra meeting and they have declined. He added he felt it is good to leave the Board of Review in the Council's hands.

VOTE ON THE MOTION

The motion carried 7-0.

UNFINISHED BUSINESS

9a **Approval of Waseca Housing Fund Guidelines**

The Community Development Director addressed the Council and explained the new guidelines for the Waseca Housing Fund, and some history behind these changes. The draft guidelines were presented to the City Council at the last meeting and one change was received from Councilmember Coy, but everyone else felt the guidelines look fine.

It was moved by Coy, seconded by Rose, to approve the Waseca Housing Fund Guidelines as presented; the motion carried 7-0.

NEW BUSINESS

10a Set date for liquor violation hearing

The Police Department conducted alcohol compliance checks in November 2008 and there were four violations. The individuals have pled guilty and have been sentenced. The Council will need to set a hearing date for violation of liquor laws per City Code and the City Policy.

It was moved by Coy, seconded by Tlougan, to set the liquor violation hearing date for Tuesday, December 1, 2009;

DISCUSSION

Councilmember Clemons commented he did not recall it ever taking this long to bring liquor violations to the Council. Staff stated it took a long time for these to go through the Court system.

VOTE ON THE MOTION

The motion carried 6-0-1 (Johnson abstained as an employee of a licensed liquor establishment).

10b Mercury Minimization Plan

It was moved by Rose, seconded by Coy, to concur with Staff recommendation and approve the Mercury Minimization Plan as presented; the motion carried 7-0.

Items 10c, 10d, and 10e were removed from the agenda.

10f Treatment of Birds Eye Foods wastewater

Utilities Director Carl Sonnenberg explained a situation that arose during the WWTP construction and stated Staff is requesting a motion to waive sewer fees and allow the city to treat Birds Eye Foods wastewater as an emergency action.

The most recent delay involved the Sanitary Sewer inception project. The project was expected, and needed, to be finished by the end of December, but the rain may get in the way. Because the ground is too wet and not likely to freeze any time soon, the construction crews are have trouble getting to one of the bottleneck in the piping that needs to be replaced.

The Utilities Director explained that if the contractor is not able to complete the construction by December 31st, that means we won't be able to receive spring flows. If we can't receive the spring flows, then the risk increases that people's basements may flood or we may have to pump sewage into clear lake.

The construction crews also needed to get onto the Birdseye property to install a 48-inch pipe. If that is not done, the project won't be completed on time again risking sewage backup. Not meeting the December 31st deadline means the construction probably won't be done until next fall, which is why the Council is being asked to waive all fees for treating Birdseye waste water to the maximum of eight million gallons between now and spring 2010.

The Utilities Director commented this a no-loss situation for the citizens of Waseca.

It was moved by Rose, seconded by Tlougan, to waive all sewer fees to treat Birds Eye Foods Wastewater as an emergency action for a volume not to exceed 8 million gallons without further City Council authorization; as well as authorization for the City Manager to enter into an agreement with Birds Eye Foods as may be required by the Minnesota Pollution Control Agency; the motion carried 7-0.

10g **Change Order No. 2 – Sanitary Sewer Improvement Project #0803**

The Utilities Director explained that due to rainfall and cool weather, completion of the Sanitary Sewer Project #0803 will not be completed without special considerations. He suggested three options to the Council for a change order that would allow the City to meet these special considerations.

At risk is damaging decades of research at the State Farm property. The bottleneck is located in a location that may require driving through fields. State Farm is hoping for ways to save their research.

The Utilities Director stated they have a responsibility to protect all the research that has gone on there. So the City's responsibility is to get the pipe in the ground for the citizens of Waseca while maintaining the integrity of the State Farm fields. The Utilities Director offered four possible solutions. One would be getting permission from DM&E Railroad and Excel Energy to give the city permission to cross their land. In return, the city would repair their road for a cost of \$15,000. There is also a possibility of building a temporary road through one of the State Farm cornfields for \$23,500 or putting down PVC mats for \$32,791.11. A fourth option of wood tiling was mentioned but rejected because of the significantly higher cost.

The City Council agreed that getting the project done on time was a priority.

It was moved by Tlougan, seconded by Coy, to approve Change Order No. 2, not to exceed \$32,791.11 as recommended by Staff; the motion carried 7-0.

CONSENT AGENDA

- 11 It was moved by Coy, seconded by Tlougan, to approve the Consent Agenda as presented; the motion carried 7-0 and included the following items:
- a. Minutes – Regular City Council meeting October 20, 2009 – were accepted and placed on file.
 - b. Payment Request #4 – Robert L. Carr – Project #0812 - was authorized for payment.
 - c. Payroll & expenditures – October 2009 – was authorized for payment.
 - d. Payment Request #3 – S. M. Hentges – Project #0803 – was authorized for payment.

ANNOUNCEMENTS

- 12 The following announcements were presented;
- Councilmember Coy stated she is still working on arranging a date for residents in the Southwest area of town to meet with her and the Community Development Director, and possibly the Mayor, to discuss the Birds Eye Foods issues.
 - Councilmember Christiansen congratulated the Waseca High School teams that have had successful seasons and are going to State.
 - Councilmember Christiansen reminded everyone to vote tomorrow.

ADJOURNMENT

- 13 There being no further business to be brought before the City Council, it was moved by Clemons, seconded by Coy, to adjourn the meeting at 7:52 p.m.; the motion carried 7-0.

R. D. SRP
MAYOR

MARY BUENZOW
RECORDS SECRETARY