

REGULAR WASECA CITY COUNCIL MEETING
WEDNESDAY, MARCH 6TH, 2024, 7:00 PM
AGENDA

1. CALL TO ORDER/ROLL CALL
2. MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA
4. PUBLIC COMMENT

Those wishing to speak must state their name and address for the record. Each person will have three (3) minutes to make their remarks. Speakers will address all comments to the City Council as a whole and not one individual council member. The Council may not take action on an item presented during the Public Comment period. When appropriate, the Council may refer inquiries and items brought up during the Public Comment period to the City Manager for follow-up.

5. REQUESTS AND PRESENTATIONS
 - A. None
6. CONSENT AGENDA
 - A. Minutes: Council Meeting and Worksession – February 20, 2024
 - B. Payroll & Expenditures
 - C. Appoint Andrew Fischer to the Airport Board
 - D. Ordinance 1114, Set Public Hearing Authorizing the Sale of Market Place
7. ACTION AGENDA
 - A. Resolution No. 24-14: Adopt the Code Enforcement Program Guide as a City Policy
 - B. Planning Commission request regarding WWTP and Airport Property Annexation
 - C. Resolution 24-15 Setting Electric Utility Rates and Capital Funding Charges
 - D. Resolution 24-17 Set Public Hearing on the Establishment and Proposed Adoption of T.I.F. for District 29
8. REPORTS
 - A. City Manager's Report
 - B. Commission Reports
9. ANNOUNCEMENTS
10. ADJOURNMENT

**MINUTES
REGULAR WASECA CITY COUNCIL MEETING
TUESDAY, FEBRUARY 20, 2024, 7:00 P.M.**

CALL TO ORDER

1. The Regular Waseca City Council Meeting was called to order by Mayor Randy Zimmerman at 7:00 p.m.

ROLL CALL

Councilmembers Present:	Mayor Randy Zimmerman	Daren Arndt
	Mark Christiansen	Jeremy Conrath
	James Ebertowski	Stacy Schroeder

Councilmembers Absent: John Mansfield

Staff Present: Carl Sonnenberg, City Manager
Nate Willey, City Engineer
Julia Hall, City Clerk

MOMENT OF SILENT PRAYER/PLEDGE OF ALLEGIANCE

2. A moment of silence was observed. The Pledge of Allegiance to the Flag was recited.

APPROVAL OF AGENDA

3. Mayor Zimmerman asked to add item 7D to the agenda packet: a Proclamation for Lois Anderson in celebration of her 100th birthday. Councilmember Arndt made the motion to approve the agenda as amended, seconded by Councilmember Conrath. Motion carried 6-0.

PUBLIC COMMENT

4.
 - A. Robin Bluhm, 14891 367th Avenue; While researching ATVs and UTVs, noticed that they are registered not with the State Department of Motor Vehicles (DMV) but rather with the Department of Natural Resources (DNR). He would like to see if there was any way to receive funds for off-road trails in Waseca. He also wanted to know how the ATV and UTV permitting will work. His questions were passed to staff to review and present at a future worksession.
 - B. Robert Tackett, 500 State Street South; had concerns about the food truck ordinance presented in the agenda packet. His questions were deferred to the public meeting portion.
 - C. Eric Ishimaru, 14497 Bunker Drive; wanted to say that he favors food trucks.

REQUESTS AND PRESENTATIONS

5.
 - A. Kevin Lee and Terry Nelson with the North Memorial Ambulance team presented the proposed change to the part-time Advanced Life Support (ALS) License.
Mr. Nelson explained the history of the ambulance service in Waseca. Then Mr. Lee explained what the proposed change would mean for Waseca. He explained that they currently are not having scheduling issues, but the change is to have a plan that will allow them to use support from other agencies or a different type of service. There is no projected change in their staffing, and they would like a letter of

support from the city for the change. The City Councilmembers gave a collective head nod, allowing the City Manager to write and sign the letter of support.

- B. Dave Berg, Principal of Dave Berg Consulting, LLC. Discussed his review of the city's utility rates. After reviewing the current rates, rate history, and rate projections, he does not see a need to change the city electric rates.
- C. Madison Murphy from Waseca Real Estate Fund (WREF) and Chris Kennelly from Revocity verified that they are ready to begin phase 1 of the development on Market Place, and they are hoping to break ground in the summer of 2024.

CONSENT AGENDA

- 6. A. Councilmember Arndt made the motion to approve the consent agenda, seconded by Councilmember Schroeder. Councilmember Conrath thanked all the donations given to the city that were presented in the agenda packet. Motion carried 6-0.

ACTION AGENDA

- 7. A. Public Hearing for Ordinance 1111, Food Vending Carts, Wagons, and Trucks. The City Manager gave a history of the ordinance and what the proposed ordinance entailed.
 - The Public Hearing Opened at 8:23
 - Robert Dickerson spoke in favor of the food trucks. He wanted to clarify a few continuity errors in the proposed ordinance and wants staff to look at some areas where the requirements are already met with the state licensing.
 - Ashley Sanchez spoke in favor of food trucks. Her family has a food truck, and they would like to be able to use them more in Waseca.
 - Robert Tackett spoke in favor of food trucks and would like the ordinance to be less restrictive than what is proposed.
 - The Public Hearing Closed at 8:44The motion to table was made by Councilmember Arndt and seconded by Conrath. Motion carried 7-0.
- B. Public Hearing for Ordinance 1113, Floodplain Management. City Engineer Nate Willey read the proposed changes for the floodplain change.
 - The Public Hearing Opened at 8:48
 - The Public Hearing Closed at 8:48The motion was made by Councilmember Ebertowski to approve Ordinance 1113, seconded by Councilmember Arndt. Motion carried 6-0.
- C. Councilmember Arndt motioned to Approve the extension for the development of the Market Place Early Access Agreement. Seconded by Councilmember Christiansen. Motion carried 6-0.
- D. Mayor Zimmerman read a Proclamation for the 100th Birthday of Lois Anderson. Councilmember Schroeder made the motion to accept the proclamation, seconded by Councilmember Conrath. Motion carried 6-0.

REPORTS

- 8. A. City Manager's Report:
 - 1.
 - At the February 6th, 2024, meeting, Greg Wikan spoke on the conversations he had with Lori Hanson in the utilities department regarding meters. After follow-up, it was confirmed that what is being placed are not smart meters; there are two types: advanced and automated meters. The city has used and continues to use the Advanced

meters. Lori Hanson had given him the correct information. This information was relayed to Mr. Wikan.

B. Commission Reports:

1. Park Board: Councilmember Christiansen reported:
 - They looked at the downtown parkway and received recommendations from Stantec. They are still looking for ideas.
 - Northwest Park playground equipment drawings have been provided.
 - They talked about Maplewood Park maintenance, park improvements, and trails.
 - Dog park shade structures are being discussed.
 - They tabled the Park Board meeting locations.
 - Trowbridge ice rink is having trouble this year with the weather,
2. Tourism Board: Councilmember Schroeder reported:
 - They are looking for a new board member.
 - Peggy Zinnel brought her idea for the summer festivals to the board.
 - They are looking to partner with John Hanson at the school next April to continue his high school class, which is currently part of the Historic Preservation Commission.
3. Planning Commission: Councilmember Arndt reported they are still looking to do the 2-mile subdivision authority review.
4. Economic Development Authority: They did not have a quorum, and Councilmember Ebertowski reported that although just for the information, they did talk about GreenSeam and what it does.

ANNOUNCEMENTS

9. A. Councilmember Ebertowski:
 - He led off with exciting news that a young couple he works with is looking for a home in Waseca.
- B. Councilmember Schroeder:
 - 27 years ago, her daughter was born; Happy Birthday.
- C. Councilmember Christiansen:
 - The camera view on the council replay is difficult to see. City Manager Sonnenberg replied that the cameras are currently being updated.
 - His son is running for Representative Petersburg's spot in the House, District 19B.
 - Skiann's mother passed away, and the community had been very helpful when she was ill and since her passing.
- D. Mayor Zimmerman:
 - What happened in Burnsville is hard to comprehend, thoughts and prayers.
 - Seeing all the vehicles at the school is awesome, bringing people to our community.
 - Would like to tell the community that we are available; come to the meetings, speak up, we are available.

ADJOURNMENT

10. There being no further business to be brought before the Council, Councilmember Arndt moved to adjourn the meeting at 9:17 p.m., seconded by Schroeder. Motion carried 6-0.

RANDY L. ZIMMERMAN
MAYOR

JULIA HALL
CITY CLERK

**WORKSESSION MINUTES
WASECA CITY COUNCIL MEETING
TUESDAY, FEBRUARY 20, 2024, 6:00 P.M.**

CALL TO ORDER

The Regular Waseca City Council Worksession was called to order by Mayor Randy Zimmerman at 6:00 p.m.

ROLL CALL

Councilmembers Present:	Mayor Randy Zimmerman	Daren Arndt
	Mark Christiansen	Jeremy Conrath
	James Ebertowski	Stacy Schroeder

Councilmembers Absent: John Mansfield

Staff Present: Carl Sonnenberg, City Manager
Chris Kennedy, City Attorney
Nate Willey, City Engineer
Bill Green, City Planning & Zoning Coordinator
Tina Wilson, Economic Development Manager
Julia Hall, City Clerk

PURPOSE

Review and discuss the City Code Enforcement and Abatement Policy.

CONVERSATION

- City Engineer Nate Willey read the current policy as well as the changes that are being proposed and will be brought to a council meeting at a later date.
- Planning and Zoning Coordinator Bill Green discussed the process and how it worked in his time as Planning and Zoning Coordinator for Waseca.

ADJOURNMENT

There being a presentation and discussion with no action items, the work session adjourned at 6:51 pm.

RANDY L. ZIMMERMAN
MAYOR

JULIA HALL
CITY CLERK

Micah Fischer

6B
Carl Campbell

LIST OF EXPENDITURES

March 6, 2024

=====

City Council	4,250.00	
Streets	30,269.82	
Parks	11,099.15	
Wastewater	12,383.92	
Utility Administration	9,591.73	
Utility Offices	8,360.65	
Electric	16,725.77	
Water	3,147.59	
Building and Code Compliance	3,335.70	
Police	73,281.39	
Administration	0.00	
Community Aides	418.95	
Fire	8,876.36	
Paid On Call Fire Department	0.00	
PEG	257.12	
Election Judges	3,015.50	
Finance	13,741.15	
Community Development	2,447.32	
Engineering	18,653.11	
Recreation	2,632.01	
Econ Development	3,312.20	
	<hr/>	
Total Gross Payroll	225,799.44	
*Less- Payroll Deductions	(73,209.16)	
	<hr/>	
Net Payroll Cost		\$ 152,590.28

*These costs are included in Accounts Payable totals below

Accounts Payable

Utility deposit refunds dated:

Includes check #'s

Expenditures dated:

February 16, 2024-February 29, 2024

Includes check #'s 160190-160215

Bank ACH Withdrawals..... 569,338.11

GRAND TOTAL EXPENDITURES \$ 721,928.39

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount	
General Fund						
02/29/2024	160205	Quadient Finance	Postage	101-15510-0000	1,000.00	
Total 101155100000:					1,000.00	
02/29/2024	22417	MN Sales and Use Tax Payable	Sales tax payable	101-20210-0000	9.62	M
Total 101202100000:					9.62	
02/21/2024	22422	ACH Internal Revenue Service	FEDERAL WITHHOLDING TAX Pay Period: 2/18/2024	101-21701-0000	20,334.83	M
Total 101217010000:					20,334.83	
02/21/2024	22418	MN Department of Revenue	STATE WITHHOLDING TAX Pay Period: 2/18/2024	101-21702-0000	10,030.77	M
Total 101217020000:					10,030.77	
02/21/2024	22422	ACH Internal Revenue Service	SOCIAL SECURITY Pay Period: 2/18/2024	101-21703-0000	8,701.02	M
02/21/2024	22422	ACH Internal Revenue Service	SOCIAL SECURITY Pay Period: 2/18/2024	101-21703-0000	8,701.02	M
Total 101217030000:					17,402.04	
02/21/2024	22419	Public Employees Retirement Assn (ACH	Rounding	101-21704-0000	.01	M
02/21/2024	22419	Public Employees Retirement Assn (ACH	PERA COORD Emplr 1% Pay Period: 2/18/2024	101-21704-0000	1,395.81	M
02/21/2024	22419	Public Employees Retirement Assn (ACH	PERA COORDINATED Employee Pay Period: 2/18/2024	101-21704-0000	9,072.61	M
02/21/2024	22419	Public Employees Retirement Assn (ACH	PERA POLICE Employee Pay Period: 2/18/2024	101-21704-0000	8,736.95	M
02/21/2024	22419	Public Employees Retirement Assn (ACH	DEF CONTRIBUTION/EMPL Pay Period: 2/18/2024	101-21704-0000	58.70	M
02/21/2024	22419	Public Employees Retirement Assn (ACH	PERA COORDINATED Employer Pay Period: 2/18/2024	101-21704-0000	9,072.61	M
02/21/2024	22419	Public Employees Retirement Assn (ACH	PERA POLICE Employer Pay Period: 2/18/2024	101-21704-0000	13,105.41	M
02/21/2024	22419	Public Employees Retirement Assn (ACH	DEF CONT Employer Pay Period: 2/18/2024	101-21704-0000	58.70	M
Total 101217040000:					41,500.80	
02/21/2024	160190	NCPERS Minnesota - 8266711	LIFE INSURANCE - PERA Pay Period: 2/18/2024	101-21711-0000	224.00	
Total 101217110000:					224.00	
02/21/2024	22422	ACH Internal Revenue Service	MEDICARE Pay Period: 2/18/2024	101-21712-0000	3,065.31	M
02/21/2024	22422	ACH Internal Revenue Service	MEDICARE Pay Period: 2/18/2024	101-21712-0000	3,065.31	M
Total 101217120000:					6,130.62	
02/21/2024	22423	MSRS- (DEF COMP)	MSRS - ROTH (AFTER TAX) Pay Period: 2/18/2024	101-21713-0000	1,725.00	M
02/21/2024	22423	MSRS- (DEF COMP)	MSRS - DEF COMP Pay Period: 2/18/2024	101-21713-0000	3,274.00	M
Total 101217130000:					4,999.00	
02/21/2024	22421	Vantagepoint Transfer Agents 457	ICMA - ROTH (AFTER TAX) Pay Period: 2/18/2024	101-21714-0000	350.00	M
02/21/2024	22421	Vantagepoint Transfer Agents 457	ICMA DEF COMPENSATION Pay Period: 2/18/2024	101-21714-0000	485.00	M
Total 101217140000:					835.00	
02/21/2024	22427	Colonial Life & Accident Insurance Co	COLONIAL LIFE Pay Period: 2/4/2024	101-21715-0000	771.65	M
02/21/2024	22427	Colonial Life & Accident Insurance Co	COLONIAL LIFE Pay Period: 2/18/2024	101-21715-0000	940.53	M

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount	
Total 101217150000:					1,712.18	
02/21/2024	22424	Medsurety	HSA Contribution Pay Period: 2/18/2024	101-21716-0000	2,252.83	M
Total 101217160000:					2,252.83	
02/21/2024	22420	MN Child Support Payment Center	CHILD SUPPORT FLAT AMT Pay Period: 2/18/2024	101-21717-0000	702.81	M
Total 101217170000:					702.81	
02/21/2024	22426	Family Medical Care Plan	FMCP Single Pay Period: 2/4/2024	101-21720-0000	23.01	M
02/21/2024	22426	Family Medical Care Plan	FMCP Single Pay Period: 2/4/2024	101-21720-0000	437.28	M
02/21/2024	22426	Family Medical Care Plan	FMCP Single Pay Period: 2/18/2024	101-21720-0000	23.02	M
02/21/2024	22426	Family Medical Care Plan	FMCP Single Pay Period: 2/18/2024	101-21720-0000	437.27	M
02/21/2024	22425	United Healthcare	UHC Family Pay Period: 2/4/2024	101-21720-0000	29,448.00	M
02/21/2024	22425	United Healthcare	UHC Single Pay Period: 2/4/2024	101-21720-0000	15,617.40	M
02/21/2024	22425	United Healthcare	UHC Employee + 1 Pay Period: 2/4/2024	101-21720-0000	279.36	M
02/21/2024	22425	United Healthcare	UHC Employee + 1 Pay Period: 2/4/2024	101-21720-0000	9,136.00	M
02/21/2024	22425	United Healthcare	UHC Family Pay Period: 2/4/2024	101-21720-0000	1,152.90	M
02/21/2024	22425	United Healthcare	Harren Adj	101-21720-0000	2,311.68	M
02/21/2024	22425	United Healthcare	Grotberg COBRA February 2024	101-21720-0000	1,095.58	M
02/21/2024	22425	United Healthcare	Conway Adj	101-21720-0000	1,095.58-	M
02/21/2024	22425	United Healthcare	Imlay Adj	101-21720-0000	1,095.58-	M
02/21/2024	22425	United Healthcare	Bendorf February Adj	101-21720-0000	1,051.76-	M
02/21/2024	22425	United Healthcare	Gundermann COBRA February 2024	101-21720-0000	1,095.58	M
02/21/2024	22425	United Healthcare	Gedicke COBRA February 2024	101-21720-0000	1,095.58-	M
02/21/2024	22425	United Healthcare	Matson COBRA February 2024	101-21720-0000	1,095.58	M
02/21/2024	22425	United Healthcare	Hellevik Adj	101-21720-0000	1,259.92	M
02/21/2024	22425	United Healthcare	Dauk Adj	101-21720-0000	2,311.68	M
02/21/2024	22425	United Healthcare	Schroeder Adj	101-21720-0000	1,259.92	M
02/21/2024	22425	United Healthcare	UHC Family Pay Period: 2/18/2024	101-21720-0000	29,448.00	M
02/21/2024	22425	United Healthcare	Parpart Adj	101-21720-0000	2,311.68	M
02/21/2024	22425	United Healthcare	Armendariz COBRA February 2024	101-21720-0000	1,095.58	M
02/21/2024	22425	United Healthcare	UHC Single Pay Period: 2/18/2024	101-21720-0000	18,345.58	M
02/21/2024	22425	United Healthcare	UHC Employee + 1 Pay Period: 2/18/2024	101-21720-0000	292.64	M
02/21/2024	22425	United Healthcare	UHC Employee + 1 Pay Period: 2/18/2024	101-21720-0000	9,136.00	M
02/21/2024	22425	United Healthcare	UHC Family Pay Period: 2/18/2024	101-21720-0000	1,281.78	M
Total 101217200000:					124,556.94	
02/21/2024	22426	Family Medical Care Plan	FMCP Family Pay Period: 2/4/2024	101-21724-0000	359.43	M
02/21/2024	22426	Family Medical Care Plan	FMCP Family Pay Period: 2/4/2024	101-21724-0000	3,234.81	M
02/21/2024	22426	Family Medical Care Plan	FMCP Family Pay Period: 2/18/2024	101-21724-0000	359.43	M
02/21/2024	22426	Family Medical Care Plan	FMCP Family Pay Period: 2/18/2024	101-21724-0000	3,234.81	M
Total 101217240000:					7,188.48	
02/29/2024	20240144	A. H. Hermel Company	Pop for Vending Machine	101-41320-4945	111.31	
Total 101413204945:					111.31	
02/29/2024	20240164	Pantheon Computer Systems Inc.	January Replacement-Crouse	101-41920-2050	1,129.99	
02/29/2024	20240164	Pantheon Computer Systems Inc.	February Replacement-Fire	101-41920-2050	1,040.88	
02/29/2024	20240164	Pantheon Computer Systems Inc.	Cable	101-41920-2050	10.50	

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount	
Total 101419202050:					2,181.37	
02/29/2024	20240164	Pantheon Computer Systems Inc.	Maintenance Agreement	101-41920-3100	6,966.12	
02/29/2024	20240164	Pantheon Computer Systems Inc.	Maintenance Agreement	101-41920-3100	2,602.60	
Total 101419203100:					9,568.72	
02/29/2024	20240158	Innovative Office Supply	Office supplies	101-41940-2000	81.65	
Total 101419402000:					81.65	
02/29/2024	160195	Cintas Corporation	First Aid Cabinet-City hall	101-41940-2170	75.77	
02/29/2024	20240158	Innovative Office Supply	Spoons for breakroom	101-41940-2170	24.31	
Total 101419402170:					100.08	
02/29/2024	20240150	Cady Business Technologies Inc	Monthly Phone Support Plan	101-41940-3100	262.62	
02/29/2024	160194	Cintas Corp	Floor Mats	101-41940-3100	60.66	
02/29/2024	20240166	Stoltz Cleaning Services LLC	city hall cleaning	101-41940-3100	475.00	
02/29/2024	20240166	Stoltz Cleaning Services LLC	City Hall Cleaning	101-41940-3100	380.00	
Total 101419403100:					1,178.28	
02/29/2024	22429	Consolidated Communications	Monthly Billing	101-41940-3200	229.85	M
02/29/2024	22429	Consolidated Communications	Monthly Billing	101-41940-3200	169.91	M
Total 101419403200:					399.76	
02/29/2024	160193	Centerpoint Energy	Monthly Billing	101-41940-3800	1,413.27	
Total 101419403800:					1,413.27	
02/29/2024	20240146	Amazon	Garage sweeper	101-42100-2170	142.49	
02/29/2024	160195	Cintas Corporation	First Aid supplies - PD	101-42100-2170	94.33	
Total 101421002170:					236.82	
02/29/2024	20240152	Chrz, Jared	Uniform Allowance	101-42100-2180	65.89	
02/29/2024	20240167	Streicher's	Uniform expense - Chrz	101-42100-2180	599.91	
Total 101421002180:					665.80	
02/29/2024	160194	Cintas Corp	Mats - PD	101-42100-3100	8.99	
02/29/2024	160194	Cintas Corp	Mats - PD	101-42100-3100	8.99	
Total 101421003100:					17.98	
02/29/2024	22429	Consolidated Communications	Monthly Billing	101-42100-3200	229.85	M
02/29/2024	22429	Consolidated Communications	Monthly Billing	101-42100-3200	471.05	M
02/29/2024	22429	Consolidated Communications	Monthly Billing	101-42100-3200	51.68	M
Total 101421003200:					752.58	
02/29/2024	20240155	Field Training Solutions	Training	101-42100-3300	295.00	

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
Total 101421003300:					295.00
02/29/2024	160193	Centerpoint Energy	Monthly Billing	101-42100-3800	1,002.22
Total 101421003800:					1,002.22
02/29/2024	20240158	Innovative Office Supply	Trimmer	101-42200-2000	169.32
Total 101422002000:					169.32
02/29/2024	20240146	Amazon	Tarp	101-42200-2170	45.18
02/29/2024	160195	Cintas Corporation	First Aid Fire Dept.	101-42200-2170	78.30
02/29/2024	160198	Fame Awards	Name plates for new firefighters	101-42200-2170	48.00
02/29/2024	160204	My-Lor Inc	Aluminum Tags	101-42200-2170	14.22
Total 101422002170:					185.70
02/29/2024	20240146	Amazon	Boots Jason Forshee	101-42200-2180	111.99
Total 101422002180:					111.99
02/29/2024	160199	Fire Safety USA Inc.	Adapter	101-42200-2210	80.00
Total 101422002210:					80.00
02/29/2024	160194	Cintas Corp	Mats - FD	101-42200-3100	8.98
02/29/2024	160194	Cintas Corp	Mats - FD	101-42200-3100	8.98
Total 101422003100:					17.96
02/29/2024	160191	Ancom Communications Inc	Pager Batteries	101-42200-3200	208.00
02/29/2024	22429	Consolidated Communications	Monthly Billing	101-42200-3200	51.68 M
Total 101422003200:					259.68
02/29/2024	160193	Centerpoint Energy	Monthly Billing	101-42200-3800	1,002.22
02/29/2024	22429	Consolidated Communications	Monthly Billing	101-42200-3800	55.60 M
Total 101422003800:					1,057.82
02/29/2024	22430	Verizon Wireless	Monthly Verizon Data Bill	101-43000-3200	80.02 M
Total 101430003200:					80.02
02/29/2024	20240147	Bomgaars Supply	Parts & Supplies	101-43100-2170	1,103.31
02/29/2024	160196	Cintas Corporation	Cintas Work Clothes Service	101-43100-2170	38.41
02/29/2024	160196	Cintas Corporation	First aid cabinet supplies	101-43100-2170	46.42
02/29/2024	160202	MDI	Freight	101-43100-2170	166.17
Total 101431002170:					1,354.31
02/29/2024	160196	Cintas Corporation	Uniform Service	101-43100-2180	97.71
02/29/2024	160196	Cintas Corporation	Cintas Work Clothes Service	101-43100-2180	59.30

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
Total 101431002180:					157.01
02/29/2024	20240147	Bomgaars Supply	Parts & Supplies	101-43100-2240	3.69
02/29/2024	20240149	Boss Supply Inc.	fill hose	101-43100-2240	706.50
Total 101431002240:					710.19
02/29/2024	160192	Auto Value Waseca	PArts	101-43100-2400	48.98
Total 101431002400:					48.98
02/29/2024	22429	Consolidated Communications	Monthly Billing	101-43100-3200	47.75 M
Total 101431003200:					47.75
02/29/2024	160193	Centerpoint Energy	Monthly Billing	101-43100-3800	1,928.47
Total 101431003800:					1,928.47
02/29/2024	20240159	Javens Mechanical Contracting Co.	City Shop Furnace Repair	101-43100-4000	340.28
Total 101431004000:					340.28
02/29/2024	22429	Consolidated Communications	Monthly Billing	101-45130-3200	256.34 M
Total 101451303200:					256.34
02/29/2024	160193	Centerpoint Energy	Monthly Billing	101-45130-3800	738.57
Total 101451303800:					738.57
02/29/2024	20240147	Bomgaars Supply	Parts & Supplies	101-45200-2170	9.99
02/29/2024	160195	Cintas Corporation	First Aid Cabinet supplies - Parks	101-45200-2170	59.59
Total 101452002170:					69.58
02/29/2024	22429	Consolidated Communications	Monthly Billing	101-45200-3200	47.75 M
Total 101452003200:					47.75
02/29/2024	160193	Centerpoint Energy	Monthly Billing	101-45200-3800	698.82
02/29/2024	160193	Centerpoint Energy	Monthly Billing	101-45200-3800	72.30
Total 101452003800:					771.12
02/29/2024	20240148	Border States Electric Supply	Light Bulbs	101-45500-2280	223.75
Total 101455002280:					223.75
02/29/2024	20240151	Central Fire Protection Inc.	Extinguisher Maintenance & New Extinguisher	101-45500-3100	135.15
02/29/2024	20240166	Stoltz Cleaning Services LLC	Library Cleaning	101-45500-3100	250.00
02/29/2024	20240166	Stoltz Cleaning Services LLC	Library Cleaning	101-45500-3100	200.00
Total 101455003100:					585.15

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount	
02/29/2024	160193	Centerpoint Energy	Monthly Billing	101-45500-3800	1,015.59	
02/29/2024	22429	Consolidated Communications	Monthly Billing	101-45500-3800	68.96	M
Total 101455003800:					1,084.55	
02/29/2024	20240159	Javens Mechanical Contracting Co.	Plumbing Repair	101-45500-4000	348.85	
Total 101455004000:					348.85	
Total General Fund:					267,559.90	
Airport						
02/29/2024	160195	Cintas Corporation	Airport first aid cabinet supplies	230-49810-2170	24.48	
Total 230498102170:					24.48	
02/29/2024	22428	CenturyLink	Airport Phone and Internet	230-49810-3200	113.50	M
02/29/2024	22429	Consolidated Communications	Monthly Billing	230-49810-3200	53.64	M
02/29/2024	22429	Consolidated Communications	Monthly Billing	230-49810-3200	472.47	M
Total 230498103200:					639.61	
02/29/2024	160193	Centerpoint Energy	Monthly Billing	230-49810-3800	108.44	
02/29/2024	160215	Xcel Energy	Airport Electric	230-49810-3800	48.10	
Total 230498103800:					156.54	
02/29/2024	20240163	MN Pollution Control Agency	Airport Annual Industrial Stormwater Permit Fee	230-49810-4500	400.00	
Total 230498104500:					400.00	
Total Airport:					1,220.63	
Economic Development-General f						
02/29/2024	20240169	Wilson, Tina	Mileage Reimbursement	261-46700-3300	188.14	
Total 261467003300:					188.14	
Total Economic Development-General f:					188.14	
PEG Channel						
02/29/2024	160206	RadioShack	Batteries for digital matrix	290-41920-2170	13.98	
Total 290419202170:					13.98	
Total PEG Channel:					13.98	
Water						
02/29/2024	22417	MN Sales and Use Tax Payable	Sales tax payable	601-20210-0000	3,135.96	M
Total 601202100000:					3,135.96	
02/29/2024	160203	MN Department of Health	2024 Community Water Supply Service Connection	601-20800-0000	31,910.00	
Total 601208000000:					31,910.00	

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
02/29/2024	160200	Hawkins Inc	Demurrage	601-49401-2170	170.00
Total 601494012170:					170.00
02/29/2024	160200	Hawkins Inc	Halogen System batteries	601-49401-2210	649.75
02/29/2024	160200	Hawkins Inc	Batteries for gas detector	601-49401-2210	663.05
Total 601494012210:					1,312.80
02/29/2024	20240148	Border States Electric Supply	Well house Thermostat	601-49401-2230	93.65
Total 601494012230:					93.65
02/29/2024	160193	Centerpoint Energy	Monthly Billing	601-49401-3800	411.84
Total 601494013800:					411.84
02/29/2024	20240147	Bomgaars Supply	Parts & Supplies	601-49430-2180	27.96
Total 601494302180:					27.96
02/29/2024	20240162	Metering & Technology Solutions	T-1000 encoded register	601-49430-2215	91.24
02/29/2024	20240162	Metering & Technology Solutions	1" water meter	601-49430-2215	915.64
Total 601494302215:					1,006.88
02/29/2024	20240158	Innovative Office Supply	File boxes for UB	601-49585-2000	20.79
Total 601495852000:					20.79
02/29/2024	22429	Consolidated Communications	Monthly Billing	601-49585-3200	61.29 M
02/29/2024	160211	U.S. Postal Service	Postage - March utility bills	601-49585-3200	541.51
Total 601495853200:					602.80
02/29/2024	20240164	Pantheon Computer Systems Inc.	Maintenance Agreement	601-49586-4950	995.16
02/29/2024	20240164	Pantheon Computer Systems Inc.	Maintenance Agreement	601-49586-4950	371.80
02/29/2024	20240164	Pantheon Computer Systems Inc.	New Computer-Markeson-Laptop to Lori	601-49586-4950	316.66
Total 601495864950:					1,683.62
02/29/2024	20240165	Stantec Consulting Services Inc	Well Project	601-49593-5400	6,063.58
02/29/2024	160212	United Systems & Software Inc	Pulse/Encoded Erts	601-49593-5400	66,035.02
Total 601495935400:					72,098.60
Total Water:					112,474.90
Sanitary Sewer					
02/29/2024	22429	Consolidated Communications	Monthly Billing	602-49470-3200	791.86 M
Total 602494703200:					791.86
02/29/2024	160193	Centerpoint Energy	Monthly Billing	602-49470-3800	24.07
02/29/2024	160193	Centerpoint Energy	Monthly Billing	602-49470-3800	335.03

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
Total 602494703800:					359.10
02/29/2024	20240147	Bomgaars Supply	Parts & Supplies	602-49470-4020	3.57
Total 602494704020:					3.57
02/29/2024	160195	Cintas Corporation	First Aid Cabinet Supplies	602-49480-2170	42.32
02/29/2024	160200	Hawkins Inc	Chlorine & Sulfur	602-49480-2170	40.00
02/29/2024	160200	Hawkins Inc	Halogen System batteries	602-49480-2170	129.96
02/29/2024	20240168	USA Blue Book	Lab Supplies	602-49480-2170	613.31
Total 602494802170:					825.59
02/29/2024	160200	Hawkins Inc	Batteries for gas detector	602-49480-2210	132.60
Total 602494802210:					132.60
02/29/2024	20240161	M & R Electric Inc.	Lift station level sensor	602-49480-2230	145.50
Total 602494802230:					145.50
02/29/2024	160194	Cintas Corp	Floor Mats	602-49480-3100	9.60
Total 602494803100:					9.60
02/29/2024	22429	Consolidated Communications	Monthly Billing	602-49480-3200	636.92 M
Total 602494803200:					636.92
02/29/2024	160193	Centerpoint Energy	Monthly Billing	602-49480-3800	3,259.11
02/29/2024	160208	SSI Crestmark MN Holding LLC	SolarPower	602-49480-3800	6,564.11
02/29/2024	160213	USS MN V MT LLC	Solar Power	602-49480-3800	1,109.06
Total 602494803800:					10,932.28
02/29/2024	20240161	M & R Electric Inc.	PistaGrit Disconnect	602-49480-4000	941.34
02/29/2024	160210	Tech Sales Co.	Portable Chloride Sampler	602-49480-4000	9,131.00
Total 602494804000:					10,072.34
02/29/2024	20240163	MN Pollution Control Agency	MPCA Annual Fee	602-49480-4500	5,900.00
Total 602494804500:					5,900.00
02/29/2024	160192	Auto Value Waseca	PArts	602-49584-2170	13.99
Total 602495842170:					13.99
02/29/2024	20240158	Innovative Office Supply	File boxes for UB	602-49585-2000	20.79
Total 602495852000:					20.79
02/29/2024	22429	Consolidated Communications	Monthly Billing	602-49585-3200	61.29 M
02/29/2024	160211	U.S. Postal Service	Postage - March utility bills	602-49585-3200	541.51

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
Total 602495853200:					602.80
02/29/2024	20240165	Stantec Consulting Services Inc	Permit Implementation	602-49586-3000	3,137.86
02/29/2024	20240165	Stantec Consulting Services Inc	Permit Implementation	602-49586-3000	170.00
02/29/2024	20240165	Stantec Consulting Services Inc	Permit Implementation	602-49586-3000	5,073.00
Total 602495863000:					8,380.86
02/29/2024	20240164	Pantheon Computer Systems Inc.	Maintenance Agreement	602-49586-4950	995.16
02/29/2024	20240164	Pantheon Computer Systems Inc.	Maintenance Agreement	602-49586-4950	371.80
02/29/2024	20240164	Pantheon Computer Systems Inc.	New Computer-Markeson-Laptop to Lori	602-49586-4950	316.66
Total 602495864950:					1,683.62
02/29/2024	20240165	Stantec Consulting Services Inc	Barscreen Project	602-49593-5300	39.25
Total 602495935300:					39.25
Total Sanitary Sewer:					40,550.67
Electric Utility					
02/29/2024	22417	MN Sales and Use Tax Payable	Sales tax payable	604-20210-0000	36,584.42 M
Total 604202100000:					36,584.42
02/29/2024	160192	Auto Value Waseca	PArts	604-49571-2170	13.99
02/29/2024	20240160	JT Services of MN	vault locks	604-49571-2170	843.04
Total 604495712170:					857.03
02/29/2024	20240145	Amaril Uniform Co.	Safety Clothing	604-49571-2180	565.44
Total 604495712180:					565.44
02/29/2024	160192	Auto Value Waseca	PArts	604-49571-2400	35.97
Total 604495712400:					35.97
02/29/2024	20240166	Stoltz Cleaning Services LLC	Electric room cleaning	604-49571-3100	20.00
02/29/2024	20240166	Stoltz Cleaning Services LLC	Electric room cleaning	604-49571-3100	20.00
Total 604495713100:					40.00
02/29/2024	160201	Manthe Garage Doors	utility door repair	604-49571-4000	715.50
Total 604495714000:					715.50
02/29/2024	20240148	Border States Electric Supply	secondary lugs	604-49573-2170	740.10
02/29/2024	20240148	Border States Electric Supply	secondary lugs	604-49573-2170	740.10-
02/29/2024	20240148	Border States Electric Supply	secondary lugs	604-49573-2170	822.00
Total 604495732170:					822.00
02/29/2024	20240154	Ditch Witch of Minnesota	Boring Parts	604-49573-2230	127.60

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount	
Total 604495732230:					127.60	
02/29/2024	20240154	Ditch Witch of Minnesota	drill rig supplies	604-49573-4000	1,035.46	
Total 604495734000:					1,035.46	
02/29/2024	20240158	Innovative Office Supply	File boxes for UB	604-49585-2000	20.78	
Total 604495852000:					20.78	
02/29/2024	22429	Consolidated Communications	Monthly Billing	604-49585-3200	61.29	M
02/29/2024	22429	Consolidated Communications	Monthly Billing	604-49585-3200	123.93	M
02/29/2024	160211	U.S. Postal Service	Postage - March utility bills	604-49585-3200	541.51	
Total 604495853200:					726.73	
02/29/2024	20240164	Pantheon Computer Systems Inc.	Firewall-Electric	604-49586-2050	1,999.98	
Total 604495862050:					1,999.98	
02/29/2024	20240164	Pantheon Computer Systems Inc.	Maintenance Agreement	604-49586-4950	995.16	
02/29/2024	20240164	Pantheon Computer Systems Inc.	Maintenance Agreement	604-49586-4950	371.80	
02/29/2024	20240164	Pantheon Computer Systems Inc.	New Computer-Markeson-Laptop to Lori	604-49586-4950	316.67	
Total 604495864950:					1,683.63	
02/29/2024	20240148	Border States Electric Supply	conversion supplies	604-49593-5300	399.30	
02/29/2024	20240160	JT Services of MN	conversion supplies	604-49593-5300	6,091.88	
02/29/2024	20240160	JT Services of MN	conversion supplies	604-49593-5300	387.66	
Total 604495935300:					6,878.84	
02/29/2024	20240148	Border States Electric Supply	Electric Meters	604-49593-5400	669.48	
02/29/2024	20240148	Border States Electric Supply	LCR supplies	604-49593-5400	26.33	
02/29/2024	20240148	Border States Electric Supply	LCR supplies	604-49593-5400	987.97	
02/29/2024	20240148	Border States Electric Supply	LCR supplies	604-49593-5400	131.63	
02/29/2024	20240154	Ditch Witch of Minnesota	Machine maintenance and repair	604-49593-5400	23,012.46	
02/29/2024	160209	Sunbelt Solomon Corporation	Transformers	604-49593-5400	17,070.00	
Total 604495935400:					41,897.87	
Total Electric Utility:					93,991.25	
Storm Water Utility						
02/29/2024	20240147	Bomgaars Supply	Parts & Supplies	651-43140-2170	6.99	
Total 651431402170:					6.99	
Total Storm Water Utility:					6.99	
Central Garage Services						
02/29/2024	20240157	IFACS	general shop supplies	701-43180-2170	236.88	
02/29/2024	20240157	IFACS	shop supplies	701-43180-2170	6.38	

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
Total 701431802170:					243.26
02/29/2024	160192	Auto Value Waseca	PArts	701-43180-2210	744.26
02/29/2024	20240153	Crysteel Truck Equipment Inc.	strobe lens	701-43180-2210	395.00
02/29/2024	160207	Sign Pro of Owatonna	City of Waseca Decal #61	701-43180-2210	64.40
Total 701431802210:					1,203.66
02/29/2024	160192	Auto Value Waseca	PArts	701-43180-2400	28.89
02/29/2024	20240147	Bomgaars Supply	Parts & Supplies	701-43180-2400	31.34
Total 701431802400:					60.23
Total Central Garage Services:					1,507.15
Equipment Replacement Fund					
02/29/2024	160197	Demi Ford Lincoln Mercury Inc	new police squad	705-49920-5400	46,394.00
02/29/2024	160214	Waseca County License Bureau	Police - Vehicle Tax & Registration	705-49920-5400	27.00
Total 705499205400:					46,421.00
02/29/2024	20240156	Frontier Precision Inc.	New Survey Controller	705-49941-5400	5,403.50
Total 705499415400:					5,403.50
Total Equipment Replacement Fund:					51,824.50
Grand Totals:					569,338.11

Report Criteria:

Report type: GL detail

[Report].Amount = {<>} 0

Title:	APPOINT ANDREW FISCHER TO THE AIRPORT BOARD		
Meeting Date:	March 6, 2024	Agenda Item Number:	6C
Action:	<input checked="" type="checkbox"/> MOTION <input type="checkbox"/> REQUESTS/PRESENTATIONS <input type="checkbox"/> RESOLUTION <input type="checkbox"/> ORDINANCE	Supporting Documents:	<ul style="list-style-type: none"> • Kyle Davis Resignation • Andrew Fischer Application
Originating Department:	Engineering	Presented By:	Consent Agenda
Approved By City Manager: <input checked="" type="checkbox"/>			

BACKGROUND: On February 11th, City staff received a resignation letter (attached) from Airport Board member Kyle Davis. Back in May 2023, an Airport Board application (attached) had been received from Andrew Fischer, but that vacant seat was instead given to Mr. Davis. Therefore, staff asked Mr. Fischer if he was still interested in serving on the Airport Board, and he indicated that he was. Mr. Fischer is a current hangar tenant and has been involved in Waseca Airport operations for many years.

At their meeting on February 27th, the Airport Board recommended by a vote of 3 to 0 to appoint Andrew Fischer to the Airport Board. If appointed by the City Council, he would finish Mr. Davis's term, which ends January 31, 2026.

BUDGET IMPACT: None.

RECOMMENDATION: Staff recommends the Waseca City Council appoint Andrew Fischer to the Airport Board.

Kyle G. Davis
34264 Woodville Blvd, Waseca, MN 56093

Nate Willey
Director of Engineering
City of Waseca
Waseca, Minnesota

Dear Nate,

It is with regret that I tender my resignation from the Waseca Airport Board, effective 11 February 2024.

I am grateful for having had the opportunity to serve on the Airport Board for the past 7 months, and I offer my best wishes for its continued success.

Sincerely,


Kyle G. Davis

CITY OF WASECA

Board/Commission/Authority Application Form

Date 2023/05/31

Name Andrew George Fischer

Address 38069 120th street Waseca MN 56093

Telephone Number: (Home) [REDACTED]

Occupation: Software Engineer

Please check the Board/Commission/Authority for which you are applying:

☒ Airport Board

☐ Human Rights Commission

☐ Charter Commission

☐ Community Ed Advisory Board

☐ Park Board

☐ Planning Commission

☐ Economic Development Authority

☐ Heritage Preservation Commission

☐ Housing & Redevelopment Authority

Please tell us why you are interested in serving on this Board/Commission/Authority.

I have been involved in the airport for almost 25 years. I used to work with the prior FBO (Maynard Stensrud), I own a plane based at the airport, and I am happy to help in any way I can.

Have you previously served on this Board/Commission/Authority? (if yes provide dates)

No

Have you held, or do you currently hold, an office on this Board/Commission/Authority?

No

Please list what qualifications you possess that will be helpful to this Board /Commission /Authority.

(List your experience, education, certification, etc.)

I am a certificated Airframe and Powerplant mechanic with an Inspection Authorization, which I earned by working under the prior FBO. I am a Private Pilot and aircraft owner based at Waseca.

My work involves developing software for embedded electronics including motors/batteries for cycling and small unmanned aircraft. I also have a PhD in Mechanical Engineering from Iowa State (2006).

Please return completed application to Waseca City Hall, ATTN: City Clerk, 508 South State Street, Waseca, MN 56093.

Title:	RESOLUTION NO. 24-14 ADOPTING THE CITY OF WASECA CODE ENFORCEMENT PROGRAM GUIDE AS CITY POLICY		
Meeting Date:	March 6, 2024	Agenda Item Number:	7A
Action:	<input type="checkbox"/> MOTION <input type="checkbox"/> REQUESTS/PRESENTATIONS <input checked="" type="checkbox"/> RESOLUTION <input type="checkbox"/> ORDINANCE	Supporting Documents:	<ul style="list-style-type: none"> • Resolution No. 24-14 • Draft Code Enforcement Program Guide
Originating Department:	Engineering	Presented By:	City Engineer
Approved By City Manager: <input checked="" type="checkbox"/>			

BACKGROUND: At their Work Session on Code Enforcement on February 20, 2024, staff presented a revised Code Enforcement Program Guide (attached) for City Council review and discussion. The original version of this document became effective January 1, 2016, and has not undergone a major revision since then.

Therefore, the processes and methods described in the Code Enforcement Program Guide were updated to align with current practices. In addition to the procedural updates, the following major changes were recommended by staff:

1. Eliminate the 2nd notice for public nuisance and zoning violations (this would not apply to snow or tall grass and weed violations, which only receive one notice). Those violations would receive an initial notice, and then a final notice before abatement and/or penalties are enforced.
2. For zoning violations, specify a compliance deadline of 30 days from the date of the notice. Allowing an extended compliance schedule for zoning violations is reasonable because they typically do not impact public health, safety, or welfare.
3. For repeat/recurring violations, issue only a final notice for violations that are confirmed within 24 months after citation or abatement of the same or substantially the same violation (same property and responsible party).
4. Specify \$100 as the abatement item disposal threshold. Items deemed by staff or a 3rd party auction service to have a value of \$100 or more would be temporarily stored and potentially auctioned. Items deemed to have a value less than \$100 would be disposed of.
5. Specify sixty (60) calendar days as the minimum length of time required to store abatement items deemed to have a value of \$100 or more.
6. Require at least one police officer to be present with staff on the property during an abatement (not for snow or tall grass and weed abatements).

At the work session, the City Council agreed with the Code Enforcement Program Guide revisions, recommended changes, and instructed staff to present the Code Enforcement Program Guide at a regular City Council meeting for adoption as a city policy.

BUDGET IMPACT: None.

RECOMMENDATION: Staff recommends the Waseca City Council approve Resolution No. 24-14 adopting the City of Waseca Code Enforcement Program Guide as City policy.

RESOLUTION NO. 24-14

**A RESOLUTION OF THE WASECA CITY COUNCIL
ADOPTING THE CITY OF WASECA CODE ENFORCEMENT PROGRAM GUIDE
AS CITY POLICY**

WHEREAS, the City of Waseca ("City") engages in code enforcement activities as permitted by Minnesota Statute and the City Code of Ordinances; and

WHEREAS, a Code Enforcement Program Guide was created and became effective January 1, 2016, to provide guidance on code enforcement processes and methods; and

WHEREAS, the Code Enforcement Program Guide has been revised to align with current City code enforcement practices and to update certain code enforcement procedures.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Waseca hereby adopts the revised City of Waseca Code Enforcement Program Guide as City policy for the purpose of providing guidance and direction on code enforcement processes, methods, and procedures.

Adopted this 6th day of March 2024.

RANDY L. ZIMMERMAN
MAYOR

ATTEST:

JULIA HALL
CITY CLERK



CODE ENFORCEMENT PROGRAM GUIDE

Effective: January 1, 2016

Revised and Adopted as City Policy:

MISSION STATEMENT

The mission of the Code Enforcement Program is to enhance and sustain quality of life for citizens and their environment through the implementation of codes and ordinances regarding land use, zoning, and development.

PURPOSE

Minnesota Statutes grant municipal governments the authority and responsibility to provide and promote the public health, safety, morals, and general welfare of its citizens and their property.

The purpose of the Code Enforcement Program is to protect public and private property, reduce crime and loss of property value, benefit residence and commerce, and provide for the overall good of the City. By establishing working relationships between Code Enforcement staff and the community, it is the goal of the City to provide equitable, expeditious, and effective enforcement of the Waseca Code of Ordinances.

Therefore, this Code Enforcement Program Guide has been developed to regulate City code enforcement and compliance processes and activities. Modifications to the policies, procedures, and guidelines contained in this document may be initiated at the discretion of the Director of Engineering, or designee, so long as any changes remain in compliance with City Code and Minnesota Statutes.

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- III. General Procedures
- IV. Emergency Enforcement
- V. Repeat / Recurring Violations
- VI. Civil Actions / Criminal Prosecution

Section 2: Methods

- VII. Data Tracking, Storage, & Reporting
- VIII. Private Property Concerns & Search Warrants
- IX. Inspections, Evidence Collection, & Notices
- X. Removal, Storage, & Sale of Private Property
- XI. Invoicing & Assessments
- XII. Excessive Complaints
- XIII. Exceptions
- XIV. Appeals

SECTION 1: PROCESSES

I. ENFORCEMENT METHODS

City of Waseca residents are supported in their efforts to maintain the physical environment of their neighborhoods through standards established by local ordinances. To assist in this endeavor, this document has been established to guide the City in addressing properties with code and nuisance violations.

A. COMPLAINT BASED ENFORCEMENT

The City of Waseca nuisance and zoning codes are principally enforced on a complaint basis. This method encourages residents and neighborhood groups to actively participate in the enforcement/compliance process. In simplified terms, the procedure consists of Code Enforcement staff receiving and processing qualified complaints, which remain not public data.

B. AGGRESSIVE ENFORCEMENT

If deemed appropriate, the City Council may seek to enforce, prohibit, or abate widespread violations through the use of enforcement sweeps. However, a more aggressive enforcement program would require additional staffing and/or decrease available staff time for other City functions.

C. TYPICAL VIOLATIONS

- Rubbish or accumulated materials
- Tall grass and weeds
- Garbage and refuse
- General exterior property maintenance
- Noxious weeds
- Permit violations (Planning/Zoning & Building Inspections involvement)
- Inoperable vehicles
- Snow covered public sidewalks
- Structure damage, disrepair, or abandonment

II. DEFINITIONS

Abatement – The removal or repair of substandard property conditions by the property owner, agent, contractor, or the City that eliminates a public nuisance or zoning code violation.

Business Day – In the context of this document, a business day is considered Monday through Friday, 8:00 AM to 4:30 PM, on a normally scheduled workday exclusive of holidays. Therefore, the next business day would be the next day that the City is scheduled to be open.

Calendar Day – In the context of this document, a calendar day is considered any day identified on the common calendar. Therefore, the next calendar day includes weekends or any other days that the City is not scheduled to be open.

Citation – Petty Misdemeanors, Misdemeanors, or Ordinance Violations listed in City Council approved documents such as the Master Fee Schedule. Citations are formal criminal complaints issued by Code Enforcement or Police Department staff to the responsible party for uncorrected code violations.

City Code – The City Code of Ordinances is the document containing all ordinances adopted by the City Council, including those that have not yet been codified.

Code Enforcement Staff – City employees designated by the City Manager or designee, to conduct City Code or public nuisance violation investigations and/or are authorized to issue citations.

Compliance Deadline – The date full compliance with City Code is required by the responsible party when they receive a Notice of Violation or Abatement Order. If compliance has not occurred by the compliance deadline, a citation or other City Council specified action/penalty, may be issued or initiated. The Compliance Deadline may be extended via a Corrective Action Plan at the discretion of Code Enforcement staff.

Compliance Inspection – The re-inspection of a property on, or after, the Compliance Deadline date following due notice to the responsible party.

Corrective Action Plan – A document providing additional time for a responsible party to fully remedy any identified code violations. When a legitimate need arises, not due to the actions of the responsible party, Code Enforcement staff may approve an extension beyond a compliance deadline. Extensions are determined at the sole discretion of Code Enforcement staff and often have stepped compliance benchmarks and re-inspection dates to monitor progress. Extensions do not typically exceed thirty (30) days.

Follow-Up Inspection – A property inspection conducted after the Initial Property Inspection to check for compliance with stated deadlines. Code Enforcement staff will document observed conditions and, if necessary, prepare subsequent violation notices or proceed with abatement, citation, or other enforcement penalties.

Initial Property Inspection – The first property inspection is conducted when a new case is opened. During the Initial Property Inspection, Code Enforcement staff determines if a public nuisance or other code violation exists, records any observed violations, and attempts to contact the responsible party via posted and/or mailed (first class) Notice of Violation, which establishes a compliance deadline.

International Property Maintenance Code® (IPMC) – A property maintenance code governing the maintenance of existing properties. The IPMC contains clear and specific property maintenance requirements designed to adequately protect public health, safety, and welfare.

Life Safety Hazard – Any identified code violation that has the potential to directly or indirectly cause bodily harm and/or any hazardous condition where there exists a foreseeable danger to the public.

Notice of Violation – A standard written notification issued by Code Enforcement staff advising the responsible party that a violation exists on their property. The notice shall include text and photographs clearly indicating the violation(s), the text of the ordinance(s) being violated, a compliance deadline, and a specified means of addressing questions or filing appeals. The primary purpose of the notice is to encourage timely voluntary compliance.

Nuisance – Offensive or injurious conditions or activities that are a detriment, or pose a loss of property value, to the surrounding community. A condition or activity may be either a “public nuisance” or a “private nuisance” depending on the scope of the problems caused by the nuisance and whether it is challenged by a public agency or a private individual (see Section III Part B).

Qualified Complaint – A received complaint consisting of a completed Complaint Form and containing the following information:

1. Complainants name and address.
2. Date complaint is submitted.
3. Address of the alleged violating property.
4. Alleged violation.

A Complaint Form may be submitted via email or in person and may also be completed on the complainant's behalf by City staff via telephone or in person. Qualified complaints from City Councilmembers and/or the Mayor shall first be given to the City Manager and then forwarded to Code Enforcement staff. Anonymous complaints are not accepted, recorded, or processed. Complainant information shall remain confidential per MN State Statute 13.44.

Responsible Party – The owner(s) of record according to readily available Waseca County property records information. For limited liability companies, corporations, or other types of businesses including banks and private holding entities, the responsible parties are the principals and officers of the entity. Responsible parties can also include:

- Property tenants/lessees
- The holder of a contract for deed
- Property receiver, executor, or trustee
- Any person or entity creating a violation

Voluntary Compliance – The correction of all identified code violations before the established compliance deadline. Allows Code Enforcement staff to accept compliance without the issuance of a citation or the initiation of an abatement. Voluntary Compliance is the preferred means of resolving code violations.

III. GENERAL PROCEDURES

The following procedures apply to public nuisance and zoning violations. Specific statutory procedures exist for other offenses against public peace, safety, health, and morals that are not addressed here. For those items, review the applicable MN State Statutes and consult with Code Enforcement staff and/or the Building Official.

A. COMPLAINT PRIORITY CLASSIFICATIONS

City staff investigates every qualified complaint they receive. Complaints shall first be categorized and prioritized as follows:

1ST PRIORITY – LIFE SAFETY HAZARD COMPLAINTS

- Immediate risk to public health and safety.
- High risk to health and safety through potential environmental impacts.

2ND PRIORITY – NON-LIFE SAFETY HAZARD COMPLAINTS

- Work begun or actions taken without the necessary zoning permits.
- Property ordinance and/or nuisance violations.

It is the goal of the City to respond to Life Safety Complaints as soon as practicable. Whenever feasible, Non-Life Safety Complaints will be responded to within three (3) business days of receiving the complaint. Due to staffing levels and time constraints, it may also be necessary for Code Enforcement staff to, at their discretion, prioritize Non-Life Safety Complaints.

B. DETERMINATION OF VIOLATION

Upon receipt of a qualified complaint, Code Enforcement staff will conduct an Initial Property Inspection to determine if it is a valid public nuisance or a zoning ordinance violation.

If no violation is found to exist, Code Enforcement staff will close the case. If a public nuisance or zoning violation is found to exist, Code Enforcement staff will proceed in accordance with the provisions of this document and the relevant ordinances and/or State Statutes.

For nuisance complaints, Code Enforcement staff must first determine if it is a public or private nuisance. Public nuisances affect a considerable number of people, violate public rights, produce

a common or general injury, or injure or annoy the portion of the public that encounters them. Because they harm the general public, they can be addressed through City enforcement actions.

On the other hand, a private nuisance impacts only one individual or a small number of people rather than the general public. Therefore, the prevention or abatement of a private nuisance is generally the responsibility of the individual complainant(s), not the City.

In some cases, nuisances can be both public and private. For example, a tree on private property could overhang both the public right-of-way and adjoining private property. Public nuisances are generally remedied by criminal prosecution, injunction, or code enforcement/abatement actions. Private nuisances are typically remedied by private civil actions.

If a public nuisance or zoning violation exists, Code Enforcement staff shall proceed with processing the complaint. If a violation qualifies as both a zoning infraction and a public nuisance, then the violation will be processed under the public nuisance procedures.

C. SNOW OR TALL GRASS & WEED PUBLIC NUISANCE VIOLATIONS

1. NOTICE OF VIOLATION

After the Initial Property Inspection and confirmation of a violation by Code Enforcement staff, the responsible party shall be notified via mailed (first class) written notice AND the posting of a placard on the property in a conspicuous location.

The notice of violation and placard must contain the following information:

- A statement describing the observed violation
- Photographs of the violation (on mailed notice only, not on placard)
- Corresponding City Code text that has been violated
- Compliance deadline of ten (10) calendar days from the date of the notice (City Code Section § 91.39 Enforcement)
- Description of penalties to be sustained if violations are not satisfactorily corrected
- Note that City abatement costs and applicable fees will be billed and, if not paid, assessed against the property
- Responsible party's right to appeal to City Council

2. SNOW OR TALL GRASS & WEED ABATEMENT

After the compliance deadline has passed, Code Enforcement staff will complete a Follow-Up Inspection. If the violation remains uncorrected, a 3rd party contractor shall be hired to abate the violating conditions on the property and the bill is forwarded to the Finance Department for further processing and, if necessary, assessment.

D. OTHER PUBLIC NUISANCE VIOLATIONS

1. INITIAL NOTICE OF VIOLATION

After the Initial Property Inspection and confirmation of violation(s) by Code Enforcement staff, the responsible party shall be notified via mailed (first class) written notice. If the written notice cannot be delivered by mail, then a copy of the notice must be posted on the property in a conspicuous location.

The notice of violation must contain the following information:

- A list of the observed public nuisance violation(s)
- Corresponding City Code text that has been violated
- Photographs of the violation(s) clearly identifying the offending item(s)
- Compliance deadline of fourteen (14) calendar days from the date of the notice

- Description of penalties to be sustained if violations are not satisfactorily corrected
- Note that City abatement costs and applicable fees will be billed and, if not paid, assessed against the property
- Responsible party's right to appeal to City Council

2. FINAL NOTICE OF VIOLATION

After the initial notice compliance deadline has passed, Code Enforcement staff completes another Follow-Up Inspection. Uncorrected code violation(s) will then receive a final notice of violation. Final notices shall contain the same information and follow the same procedure as the initial notice with the following information added:

- Remaining violations will be subject to citation or abatement if not addressed by the final notice compliance deadline (fourteen (14) calendar days from the date of final notice).
- Repeat or recurring public nuisance violations of the same or substantially the same violation(s) within twenty-four (24) months will be subject to expedited enforcement actions.

E. ZONING ORDINANCE VIOLATIONS

1. INITIAL NOTICE OF VIOLATION

After the Initial Property Inspection and confirmation of violation(s) by Code Enforcement staff, the responsible party shall be notified via mailed (first class) written notice. If the written notice cannot be delivered by mail, then a copy of the notice must be posted on the property in a conspicuous location.

The notice of violation must contain the following information:

- A list of the observed zoning violation(s)
- Corresponding City Code text that has been violated
- Photographs of the violation(s) clearly identifying the offending item(s)
- Compliance deadline of thirty (30) calendar days from the date of the notice
- Description of penalties to be sustained if violations are not satisfactorily corrected
- Responsible party's right to appeal to City Council

2. FINAL NOTICE OF VIOLATION

After the initial notice compliance deadline has passed, Code Enforcement staff completes another Follow-Up Inspection. Uncorrected code violation(s) will then receive a final notice of violation. Final notices shall contain the same information and follow the same procedure as the initial notice with the following information added:

- Remaining violations may be subject to abatement and the responsible party shall be guilty of a misdemeanor if not addressed by the final notice compliance deadline (thirty (30) calendar days from the date of final notice).
- Repeat or recurring zoning violations of the same or substantially the same violation(s) within twenty-four (24) months will be subject to expedited enforcement actions.

F. PUBLIC NUISANCE CITATION OR COUNCIL ORDER OF ABATEMENT

After the final notice compliance deadline has passed for a public nuisance that is not snow or tall grass and weeds, Code Enforcement staff completes another Follow-Up Inspection. Uncorrected violations are then directed to the Police Department for the issuance of a citation or presented by Code Enforcement staff to the City Council to request an Order of Abatement.

If the City Council determines a public nuisance still exists and wishes to proceed with abatement, they must issue a Resolution ordering abatement through Court action. At this time, the City

Council may grant the responsible party whatever reasonable time is necessary to comply with the Order of Abatement (typically 30 days). The Council may also stipulate administrative penalties for failure to comply with an abatement deadline in addition to pursuing civil actions or criminal prosecutions.

The approved Resolution is sent by Code Enforcement staff to the City Attorney to request an administrative warrant to enter the property for the purpose of abatement. After the warrant is issued, a 3rd party contractor is hired to assist staff with the completion of the abatement in accordance with the warrant, City Code, and MN Statutes. During abatement, at least one Police Officer must accompany Code Enforcement staff whenever they enter the abatement property.

G. ZONING ORDINANCE VIOLATION PENALTIES

After the final notice compliance deadline has passed for a zoning violation, Code Enforcement staff completes another Follow-Up Inspection. Uncorrected violations are then directed to the City Attorney to determine appropriate penalties, which may include abatement and/or charging the responsible party with a misdemeanor.

H. EXTENSION / CORRECTIVE ACTION PLAN

If requested, responsible parties who demonstrate to Code Enforcement staff or the City Council the existence of circumstances requiring additional flexibility or deviation from compliance deadlines may be granted an extension for a reasonable and specified time period. The following factors must be considered before granting an extension:

1. Resolution of all Life Safety Hazards: An extension will not be considered or granted to any responsible party where a Life Safety Hazard exists or where active and verifiable steps to physically mitigate the hazard are not in place.
2. Achievement of Measurable Progress: The property has experienced measurable improvement from the conditions observed between consecutive property inspections.
3. Establishment of Direct Communication: The responsible party has established direct communication with Code Enforcement staff prior to their compliance deadlines. Direct communication includes in-person meetings, phone calls, and/or e-mails.
4. Commitment to Voluntary Compliance: After establishing direct communication with Code Enforcement staff, the responsible party has stated, in writing, their intention to fully remedy all recorded violations on their property. Verbal commitments are also acceptable but must be made in person directly to Code Enforcement staff.

In some circumstances, an extension requires staggered deadlines for sequential compliance steps and/or a detailed explanation of compliance actions. These types of extensions are referred to as Corrective Action Plans.

IV. EMERGENCY ABATEMENT

- A. When Code Enforcement staff determines that an existing nuisance condition or code violation constitutes an *immediate* danger or hazard to public health and safety, the City may order emergency abatement in accordance with City Code and MN Statutes.
- B. For all emergency abatements, Code Enforcement staff shall submit a written notice of summary actions to the impacted property owners and responsible parties. This notice shall be mailed and posted on site as soon as practically possible following emergency abatement.

V. REPEAT / RECURRING VIOLATIONS (not applicable to snow or tall grass & weed violations)

The Repeat / Recurring Violation process is designed to encourage compliance through an expedited process for responsible parties who repeatedly violate City ordinances and who have demonstrated an inability, or unwillingness, to responsibly maintain their properties or follow zoning requirements.

A. NOTIFICATION PROCESS

Based on qualified complaints received, the confirmation of additional violations within a twenty-four (24) month period after citation or abatement of the same or substantially the same violation (same property and responsible party) shall be subject to issuance of a repeat / recurring violation notice. This notice will be considered a final notice of violation and will be mailed directly to the responsible party. The written notice must contain all standard final notice information, advise the responsible party that repeat / recurring violations exist on their property, and shall include a warning that no additional notices will be sent before proceeding to citation or abatement if the violation(s) remain unresolved upon compliance inspection (14 days after the notice date for public nuisances, 30 days after the notice date for zoning violations).

VI. CIVIL ACTIONS / CRIMINAL PROSECUTIONS

- A. If, in the opinion of the City Manager, administrative enforcement would likely not be effective, the City Council may be requested to abate a code or nuisance violation via injunctions, civil proceedings, or criminal prosecutions.
- B. For any civil or criminal proceeding, Code Enforcement staff shall assist the City Attorney with the collection and documentation of any required data, including property inspection notes, photographs, or any other applicable information the City Attorney deems appropriate.

SECTION 2: METHODS

VII. DATA TRACKING, STORAGE, & REPORTING

Code Enforcement staff must document and maintain records of their zoning and nuisance citation and abatement activities. Notes, photographs, video recordings, and copies of notices will all help the City demonstrate that a violation existed. Adequate records will assist City staff when testifying before the City Council or a Court.

- A. The following procedures shall be followed when receiving any nuisance or code violation complaint:
 - 1. All complainants, whether in-person, or via phone, email, or the City website, shall be directed to complete the required complaint form. If a complainant is unable or unwilling to complete the required form, the complainant may dictate their information to Code Enforcement staff, who will complete the form for them.
 - 2. If a complainant seeks additional information or wishes to speak with City staff, they shall first be directed to available Code Enforcement staff. In their absence, complainants shall be directed to the Director of Engineering or their designee.
 - 3. All submitted complaint forms shall have the date and time recorded.
 - 4. Anonymous complaints will not be accepted.
 - 5. Complainants that do not provide clear or complete information will be contacted by Code Enforcement staff if contact information for the complainant is available. Staff may then enter the information necessary to complete the required complaint form.
 - 6. Code Enforcement staff will record all qualified complaints and maintain said records on file in accordance with the City's record retention policy. Complainant information shall remain confidential per MN State Statute 13.44.

- B. To protect private information, the following procedures shall be followed:
1. All complainants must, at a minimum, provide their name and address.
 2. All complainant contact information shall remain CONFIDENTIAL to the extent allowed by law. Because they encourage systemic abuse, anonymous complaints will not be accepted.
 3. The complaint form will include a "confidential information" section. Data requests for complaints shall have private data redacted before distribution. All complaint records will be kept in a secure location.

VIII. PRIVATE PROPERTY CONCERNS & SEARCH WARRANTS

Code enforcement measures often lead City staff to investigate private property, whether it is residential, commercial, industrial, or otherwise. Entry onto private property is subject to the same requirements as any governmental intrusion onto private property. The Fourth and Fourteenth Amendments to the U.S. Constitution prohibit unreasonable searches and seizures. Individuals have a reasonable expectation of privacy on their properties. Therefore, care must be taken to ensure that the City does not violate a property owner's right to be free from unreasonable searches. To enter private property, government officials normally must either have the owner's permission or have obtained a search warrant.

A. PLAIN VIEW

When Code Enforcement staff is able to confirm a code or nuisance violation from public right-of-way or a neighboring property (provided that the neighboring property owner granted permission to enter their property), the violation enforcement procedure can proceed. Common nuisances that can often be confirmed by plain view include tall grass and weeds, snow on public sidewalks, inoperable vehicles, and the accumulation of materials.

If Code Enforcement staff can confirm a Life Safety Hazard within plain view, there is no violation of the Fourth Amendment, and abatement is permissible without first obtaining a warrant. Absent a Life Safety Hazard, Code Enforcement staff shall provide notice to the responsible party and an opportunity for self-remedy in accordance with standard procedures.

B. CONSENT TO ENTER

Consent searches legitimize investigations that would otherwise be unconstitutional. Consent searches can be reasonable and avoid the need to obtain an administrative search warrant, especially in conditions when an alleged violation cannot be identified by plain view.

Consent may be given by the property owner, tenant, or other individual having legal control of the premises, and must be given voluntarily. An individual does not have to be told that they have a right to refuse entry, but an inspector cannot insist on entering or use acts of coercion if entry is denied. Whenever possible, obtain written consent prior to entering private property.

C. SEARCH WARRANTS

If the City does not have consent, it must obtain an administrative search warrant before entering a property. The warrant process protects an individual's privacy against arbitrary invasions by the government. Evidence collected in violation of the Fourth Amendment may be excluded, making it difficult to obtain a conviction or other desired result. Violations of constitutional rights could also subject the City to penalties.

To obtain an administrative search warrant, the City must show probable cause why its request to enter private property is justified. The application for a warrant must describe the City's Code Enforcement program and establish how the inspection requested falls within the scope of the ordinance.

City officials should assume an administrative warrant will be required to enter a property or premises for inspection or investigation purposes unless:

- A Life Safety Hazard exists – an imminent threat to the public's safety, health, or general welfare.
- An appropriate person has granted consent to enter.

IX. INSPECTIONS, EVIDENCE COLLECTION, & NOTICES

The Code Enforcement Program sends Code Enforcement staff into the community to confirm nuisance and zoning violations and have them voluntarily or involuntarily removed. In order to achieve these objectives, the following procedures shall apply:

A. Confirm a complaint is valid.

1. Complete an Initial Property Inspection and collect all relevant facts and data, including the name of the responsible party (if known), location, and the nature of the violation. Photograph the conditions and record observations.
2. Evaluate the information collected to determine if a nuisance condition exists.
3. If a violation cannot be confirmed, document the reason(s) for not proceeding.

B. Initial and follow-up inspections.

1. If present, Code Enforcement staff shall provide the responsible party with information verifying their identity and authority.
2. A reasonable effort shall be made by staff to obtain permission to enter the property in accordance with Section VIII guidelines.
3. If entry is resisted or refused, seek permission from a neighboring property owner to obtain better plain view inspection vantage points.
4. If entry is refused and neighboring property owner permission is not granted or available, refer the case to the City Attorney for consultation on obtaining a search warrant.
5. If allowed entry and/or the violation can be observed in plain view, complete the inspection and return with required documentation including photographs, written descriptions, video recordings, etc.
6. If at any point staff does not feel safe, halt the inspection, leave the premises, and return with a Police Officer to complete the inspection. Staff may also request Police Officer and/or other City staff assistance to inspect and/or clear hazardous properties.

A. Violation notices, follow-up, and special circumstances.

1. Document inspection findings and provide the responsible party with a violation notice describing the observed conditions and expected course of correction and/or consequences in accordance with Section III guidelines.
2. For confirmed violations warranting an Extension, Corrective Action Plan, or other unique considerations, consult with the Director of Engineering to determine an appropriate course of action.
3. Document and track inspection deadlines and progress towards compliance.

X. REMOVAL, STORAGE, & SALE OF PRIVATE PROPERTY

As a result of the abatement of hazardous buildings or nuisance properties, the City may lawfully come into possession of private property. Code Enforcement staff shall apply the following procedures to the impoundment, storage, and disposal of private property (refer also to City Code Chapter 90 and MN State Statute 471.195):

- ##### **A. If, during abatement or code enforcement actions, personal property must be removed to achieve compliance, Code Enforcement staff shall arrange for the secure storage or impoundment of such property. A 3rd party towing service shall be hired when necessary to remove vehicles, trailers,**

boats, and other items requiring towing service. For all other items, an appropriately sized 3rd party storage facility shall be leased. The contractor hired to assist staff with abatement shall also assist with the transport and delivery of personal property into the temporary storage facility.

- B. All items requiring towing service shall be placed in the Police Department impound lot. Individual items not requiring towing and deemed by Code Enforcement staff to have a value of \$100 or more shall be temporarily stored. Individual items not requiring towing and deemed by staff to have a value of less than \$100 shall be disposed of.
- C. Code Enforcement staff shall photograph personal property that is impounded, and groupings of items placed into storage and/or disposed of. Photographs of individual items that are stored or disposed of are not required.
- D. For impounded property, Code Enforcement staff shall submit photographs and an itemized list to the owner no later than ten (10) business days after the first day of impoundment. The notice shall include the owner's identification and known contact information, an itemized invoice for all towing, impound, and other known costs to date, instructions on how to pay the invoice and reclaim the property, and a deadline to reclaim the property.
- E. For stored property, Code Enforcement staff shall submit photographs showing groupings of the items to the owner no later than ten (10) business days after the first day of storage. The notice shall include the owner's identification and known contact information, an itemized invoice for all abatement, storage, and other known costs to date, instructions on how to pay the invoice and reclaim the property, and a deadline to reclaim the property.
- F. The owner may reclaim their property by providing identification and proof of ownership and paying the City for all accumulated costs, fees, and/or fines. A receipt signed by the owner must be obtained upon release of the property.
- G. After sixty (60) calendar days, property that has not been reclaimed may be sold via a 3rd party auction service. Individual items deemed by the selected 3rd party auction service to have less than \$100 in value shall be disposed of.
- H. Code Enforcement staff shall mail a notice of auction to the owner, and post notice in the official City newspaper and on the City website a minimum of ten (10) calendar days prior. The former owner of the auctioned property shall be paid the proceeds of the auction less all auction, abatement, and enforcement costs. This information shall also be included in the notice to the owner.

XI. INVOICING & ASSESSMENTS

If the responsible party does not pay all code and nuisance abatement or enforcement costs in a timely manner, the City has MN State Statute authority to use special assessments to recover its costs. Statutory and/or City Charter procedures and notice requirements must be followed.

For the City of Waseca, all invoices and assessments are processed through the Finance Department. Code Enforcement staff shall coordinate code enforcement and nuisance abatement activities with the Finance Department to ensure compliance with notification and invoice requirements, payment deadlines, and special assessment policies and procedures. This becomes especially important as abatement and private property storage costs accumulate.

XII. EXCESSIVE / REPETITIVE COMPLAINTS

This section addresses the inappropriate use of the Code Enforcement Program through excessive complaints. On occasion, a complaint escalates into multiple complaints between two (or more) parties, who then manipulate the system to antagonize each other. These situations consume considerable staff time and resources.

City staffing and funding resources are dedicated to specific tasks and services. With City Council direction and authorization, the City Manager determines how best to utilize taxpayer funds to manage City services, including the Code Enforcement Program. As a result, the staffing and funding resources dedicated to the Program are limited. While the City does not intend to ignore complaints, staff will, at times, need to prioritize the complaints they receive and modify procedures for complaints deemed excessive and/or repetitive.

Excessive and/or repetitive complaints are those that are ongoing and where all, or a majority of, the following are true:

1. The complaint is a private property dispute and is not an alleged Life Safety Hazard.
2. The nature of the complaints change from reporting a legitimate violation to a frivolous complaint or a complaint otherwise deemed to be using the City to harass another party.
3. The parties refuse to participate in a process identified by the City (e.g., mediation) to attempt to resolve the dispute.

When a series of complaints are deemed excessive and/or repetitive, Code Enforcement staff shall consult with the Director of Engineering to discuss appropriate courses of action based on the following considerations:

1. The severity and essential basis of the dispute.
2. Assuming a legitimate violation has been confirmed, how much time the City has already invested working with the parties to achieve compliance and resolve the dispute.
3. The level of direct communication between staff and the parties involved.
4. The perceived willingness of the parties to reach a viable solution.

Lastly, staff shall consult with the City Attorney to determine the City's legal obligations. Once a final course of action has been determined, it shall be documented and then communicated in writing to all parties involved. Any subsequent unrelated and qualified complaints received from those parties will be investigated in accordance with standard procedures.

XIII. APPEALS

Responsible parties wishing to appeal a code enforcement action may request a hearing before City Council. At the hearing, City Council will hear testimony and receive evidence from the responsible party and City staff. The Council will then have thirty (30) calendar days to determine if the property is, or is not, being maintained in violation of City Codes. If the Council finds that the property is not in compliance with City Codes, they may provide an alternate resolution or instruct Code Enforcement staff to proceed with enforcement in accordance with established policies and procedures.

Title:	PLANNING COMMISSION REQUEST REGARDING WWTP AND AIRPORT ANNEXATION		
Meeting Date:	March 6, 2024	Agenda Item Number:	7B
Action:	<input checked="" type="checkbox"/> MOTION <input type="checkbox"/> REQUESTS/PRESENTATIONS <input type="checkbox"/> RESOLUTION <input type="checkbox"/> ORDINANCE	Supporting Documents:	<ul style="list-style-type: none"> City Owned Parcels Map
Originating Department:	Engineering	Presented By:	City Engineer
Approved By City Manager: <input checked="" type="checkbox"/>			

BACKGROUND: At their meeting on February 14th, the Planning Commission continued their review and discussion on the discontinuation and potential reinstatement of the City's 2-mile subdivision authority.

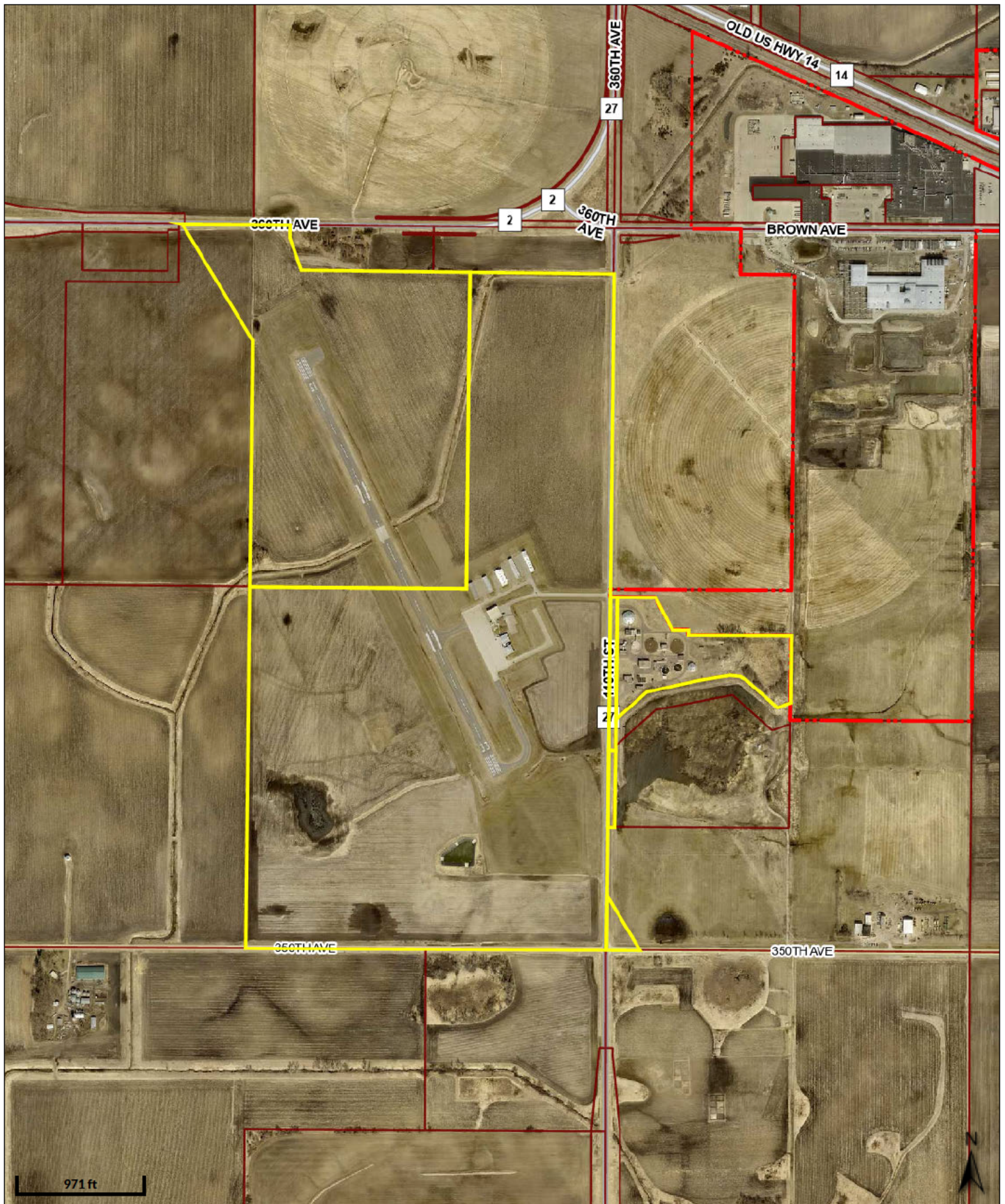
The discussion eventually centered around the annexation of the City's Wastewater Treatment Plant (WWTP) and airport properties (see attached map). The Planning Commission reasoned that doing so would make it easier to annex land closer to the Hwy 14 west interchange and extend the reach of the City's 2-mile subdivision authority further west. Staff noted that there are tax and other cost implications to consider.

After further discussion, the Planning Commission voted 4 to 0, recommending staff determine the estimated costs associated with the annexation of the City's WWTP and airport properties.

BUDGET IMPACT: None; this analysis will require minimal staff time to complete.

RECOMMENDATION: Consider the Planning Commission's request to have staff determine the estimated costs associated with the annexation of the City's WWTP and airport properties.

City Owned WWTP and Airport Parcels



Title:	ELECTRIC UTILITY RATES		
Meeting Date:	MARCH 6, 2024	Agenda Item Number:	7C
Action:	<input type="checkbox"/> MOTION <input type="checkbox"/> REQUESTS/PRESENTATIONS <input checked="" type="checkbox"/> RESOLUTION <input type="checkbox"/> ORDINANCE	Supporting Documents:	<ul style="list-style-type: none"> • Resolution 24-15 • Resolution 20-67
Originating Department:	Electric Utility	Presented By:	City Manager/Utilities & PW Director
Approved By City Manager: <input checked="" type="checkbox"/>			

BACKGROUND: Resolution 20-67 was adopted in 2020 by the City Council based on projected capital funding needs. Resolution 24-15 will repeal and replace Resolution 20-67 and not increase the capital funding charge. The current monthly capital funding charge is \$5.00 per month.

BUDGET IMPACT: The Electric Utility Rate Analysis shows that increases to capital funding charges are not necessary at this time.

ALTERNATIVES CONSIDERED: Not Applicable.

RECOMMENDATION: City Council adoption of Resolution 24-15.

RESOLUTION NO. 24-15

**A RESOLUTION OF THE WASECA CITY COUNCIL
SETTING ELECTRIC UTILITY RATES AND
CAPITAL FUNDING CHARGES**

WHEREAS, The Waseca City Council establishes all electric rates and charges by resolution; and

WHEREAS, the need to address existing electric utility rates and capital infrastructure replacement charges have been studied with an Electric Utility Cost of Service and Rate Design Study; and

WHEREAS, the electric utility funding needs will be met without an increase in rates and capital funding charges pending unforeseen circumstances; and

WHEREAS, an equitable distribution of the capital funding needs can be made by repealing the 2020 Resolution No.67 and maintaining the Electric Capital Funding Charges at \$5.00 per month per electric utility account.

NOW, THEREFORE, BE IT RESOLVED that the City of Waseca City Council receives the Electric Utility Cost of Service and Rate Design Study and hereby establishes that the electric utility capital funding charges shall be amended as set forth above.

This resolution shall become effective upon its passage without publication.

Adopted this 6th day of March 2024.

**RANDY L. ZIMMERMAN
MAYOR**

**JULIA HALL
CITY CLERK**

RESOLUTION NO. 67

**A RESOLUTION OF THE WASECA CITY COUNCIL
SETTING ELECTRIC CAPITAL FUNDING CHARGES
AND STREETLIGHT FEES**

WHEREAS, The Waseca City Council establishes electric rates by resolution; and

WHEREAS, electric rates have been reviewed in light of the budgetary needs for the electric utility; and

WHEREAS, the need to address existing capital infrastructure replacement will require additional revenue for the electric utility; and

WHEREAS, the electric utility funding needs will not be met without an increase in rates; and

WHEREAS, an equitable distribution of the increasing funding needs can be made by establishing Electric Capital Funding Charges as set forth below.

<u>Year</u>	<u>Rate per Account per Month</u>
2021	\$2.00
2022	\$4.00
2023	\$5.00
2024	\$6.00
2025	\$7.00

WHEREAS, Street Light rates have been reviewed in light of operations, maintenance, and infrastructure replacement budgetary needs; and,

WHEREAS, an equitable distribution of funding was needed by establishing a Street Light Rate Structure in order to eliminate General Fund and Electric Utility subsidization of street light expenses; and,

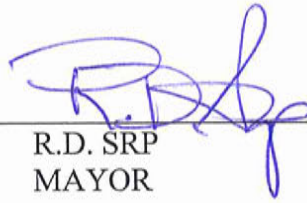
WHEREAS, funding needs can be equitably met by reducing the charges from \$3.60 per customer per month to \$3.10 per customer per month.

NOW, THEREFORE, BE IT RESOLVED by the City of Waseca that the electric rates shall be amended as set forth above.

This resolution shall become effective upon its passage without publication.

This rate structure will be implemented effective with all electric charges payable and due on each Electric Utility account bill due April 15th of 2021, 2022, 2023, 2024 and 2025.

Adopted this 15th day of December, 2020.



R.D. SRP
MAYOR

ATTEST:



MIKE ANDERSON
ASSISTANT TO THE CITY MANAGER

Title:	Resolution No. 24-17: Resolution to Call Public Hearing on the Establishment and Proposed Adoption of Tax Increment Financing for District 29		
Meeting Date:	March 6, 2024	Agenda Item Number:	7D
Action:	<input type="checkbox"/> MOTION <input type="checkbox"/> REQUESTS/PRESENTATIONS <input checked="" type="checkbox"/> RESOLUTION <input type="checkbox"/> ORDINANCE	Supporting Documents:	<ul style="list-style-type: none"> Resolution 24-17
Originating Department:	Finance	Presented By:	Finance Director
Approved By City Manager: <input checked="" type="checkbox"/>			

BACKGROUND: In March of 2023, the City of Waseca granted Waseca Community Real Estate Fund (WREF) early access and exclusive negotiating for the development of Marketplace Subdivision Lots 1, 2, and 3, also referred to as Marketplace. These rights and agreements have been extended every six months since, as the City and WREF continued to work together for a feasible development option.

On January 31, 2024, the City received a Tax Increment Financing (TIF) application for the proposal of a 36-unit multifamily residential housing development for the back half of the Marketplace development site as phase 1 of a development. This development will not be possible without financial assistance through a TIF district of which the developer is requesting \$1,650,000 in assistance.

Through TIF, financial assistance is from the new taxes that occur from the development. This financing does not come from current taxpayers.

City Staff have secured Northland Securities as consultants to assist with establishing a TIF district. Through consultation with Northland Securities, they will ensure that all state-mandated requirements and statutes are followed while establishing the TIF District.

Calling for a Public Hearing for the establishment of a new district is the first step in this process. The TIF district must be established, and a Development agreement approved before the developer can incur any costs on the development for those costs to be eligible for financial assistance.

RECOMMENDATION: City staff recommends the approval of Resolution 24-17 to set the public hearing on the proposed establishment and adoption of a TIF plan relating to District 29 – Marketplace Development.

EXTRACT OF MINUTES OF A MEETING OF THE
CITY COUNCIL OF THE CITY OF
WASECA, MINNESOTA

HELD: MARCH 6, 2024

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Waseca, Waseca County, Minnesota, was duly held at City Hall on March 6, 2024 at 7:00 p.m. for the purpose, in part, of calling for a public hearing on the proposed modification of Municipal Development District No. 1, the adoption of a modification to the Development Program for Municipal Development District No. 1, the establishment of Tax Increment Financing District (Housing) No. 1-29 (Marketplace Apartment Project) within Development District No. 1, and the proposed adoption of the Tax Increment Financing Plan relating thereto.

The following Council members were present:

and the following were absent:

Councilmember _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 24-17

RESOLUTION CALLING PUBLIC HEARING ON THE PROPOSED
MODIFICATION OF MUNICIPAL DEVELOPMENT DISTRICT NO. 1; THE
ADOPTION OF A MODIFICATION TO THE DEVELOPMENT PROGRAM FOR
MUNICIPAL DEVELOPMENT DISTRICT NO. 1; THE PROPOSED
ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT (HOUSING) NO.
1-29 (MARKETPLACE APARTMENT PROJECT) WITHIN DEVELOPMENT
DISTRICT NO. 1; AND THE PROPOSED ADOPTION OF A TAX INCREMENT
FINANCING PLAN RELATING THERETO

BE IT RESOLVED by the City Council (the "Council") of the City of Waseca, Minnesota (the "City"), as follows:

1. Public Hearing. This Council shall meet on April 2, 2024, at approximately 7:00 p.m., to hold a public hearing on the following matters: (a) the proposed modification of Development District No. 1; (b) the proposed adoption of a modification to the Development Program for Development District No. 1; (c) the proposed establishment of Tax Increment Financing District (Housing) No. 1-29 (Marketplace Apartment Project) within Development District No. 1; and (d) the proposed adoption of a Tax Increment Financing Plan relating thereto, all pursuant to and in accordance with Minnesota Statutes, Sections 469.124 through 469.133, both inclusive, as amended, and Minnesota Statutes, Sections 469.174 through 469.1794, both inclusive, as amended (collectively, the "Act").

2. Notice of Hearing; Filing of Program and Plan. The City Manager is hereby authorized to cause a notice of the hearing, substantially in the form attached hereto as Exhibit A, to be published as required by the Act and to place a copy of the proposed Development Program and the proposed Tax Increment Financing Plan on file in the City Manager's Office at City Hall and to make such copies available for inspection by the public.

3. Consultation with Other Taxing Jurisdictions. The City Administrator is hereby directed to mail a notice of the public hearing and a copy of the proposed Development Program and the proposed Tax Increment Financing Plan to Waseca County and Waseca Public Schools, Independent School District No. 829 informing those taxing jurisdictions of the estimated fiscal and economic impact of the establishment of the proposed tax increment financing district.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____ and upon vote being taken thereon, the following voted in favor:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

RANDY L. ZIMMERMAN
MAYOR

ATTEST:

JULIA HALL
CITY CLERK

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I, the undersigned, being the duly qualified and City Manager of the City of Waseca, Minnesota, DO HEREBY CERTIFY that the attached resolution is a true and correct copy of an extract of minutes of a meeting of the City Council of the City of Waseca, Minnesota duly called and held, as such minutes relate to the calling of a public hearing on the City's proposed modification of Development District No. 1 and the proposed establishment of Tax Increment Financing District (Housing) No 1-29 (Marketplace Apartment Project).

WITNESS my hand on March 6, 2024.

City Manager

Exhibit A

CITY OF WASECA
WASECA COUNTY
STATE OF MINNESOTA

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council (the "Council") of the City of Waseca, Waseca County, Minnesota, will hold a public hearing on April 2, 2024, at 7:00 p.m., at the City Hall, 508 South State Street, City of Waseca, Minnesota (the "City"), relating to the proposed modification of Development District No. 1, the proposed modification of the Development Program for Development District No. 1, the proposed establishment of Tax Increment Financing District (Housing) No. 1-29 (Marketplace Apartment Project) within Development District No. 1, and the proposed adoption of a Tax Increment Financing Plan therefor, all pursuant to and in accordance with Minnesota Statutes, Sections 469.124 through 469.133 and Sections 469.174 through 469.1794. Copies of the Development Program, as modified, the proposed Tax Increment Financing Plan are on file and available for public inspection at the office of the City Administrator at City Hall.

The property included in Development District No. 1 is described in the Development Program, as amended, on file in the office of the City Administrator. The property proposed to be included in Tax Increment Financing District (Housing) No. 1-29 (Marketplace Apartment Project) is described in the Tax Increment Financing Plan on file in the office of the City Administrator.

A map of Development District No. 1 and Tax Increment Financing District (Economic Development) No. 1-29 (Marketplace Apartment Project) is set forth below:

[MAP of Development District No. 1 and Tax Increment Financing District No. 1-29 TO BE INSERTED PRIOR TO PUBLICATION]

All interested persons may appear at the hearing and present their views orally or in writing prior to the hearing.

BY ORDER OF THE CITY COUNCIL OF
THE CITY OF WASECA, MINNESOTA

/s/ Carl Sonnenberg
City Manager