

MINUTES  
REGULAR WASECA CITY COUNCIL MEETING  
TUESDAY, MAY 3, 2016

9A

**CALL TO ORDER/ROLL CALL**

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

Councilmembers present:

Mayor John Clemons	Allan Rose
Fred Salsbury	Mark Christiansen
Ann Fitch	Daren Arndt
Les Tlougan	

Staff present:

Danny Lenz, City Manager  
Mark DuChene, City Engineer  
Mary Buenzow, Records Secretary

**MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF AGENDA**

- 3 It was moved by Tlougan, seconded by Arndt, to approve the agenda as presented; the motion carried 7-0.

**VISITORS, REQUESTS AND COMMUNICATIONS**

- 4a **Proclamation – National Small Business Week**

Mayor Clemons read aloud a proclamation, declaring May 1 through May 7, 2016 as National Small Business Week.

- 4b **Proclamation – Poppy Month**

Mayor Clemons read aloud a proclamation proclaiming May as Poppy Month and presented it to Terri Halleck, a member of the American Legion Auxiliary.

Ms. Halleck thanked the Council and the City for its support and gave some background information regarding the history of Poppy Month, to remember our fallen soldiers. Ms. Halleck stated all the money collected stays in the community and helps local veterans connect with local services. She encouraged anyone who knows of a veteran with needs, to contact the American Legion Auxiliary.

4c **Relay for Life request for waiver of park fees**

David Baldini, 36428 169<sup>th</sup> Street, addressed the Council and explained the Waseca Relay for Life is scheduled for Saturday, July 23<sup>rd</sup>, 2016. On behalf of the Relay for Life Committee, Mr. Baldini requested the Council consider waiving the park fees and granting requests and was done in 2015. The Relay for Life will be held at Northeast Park again and they will be building on the theme from last year with the water park and a carnival for kids. Mr. Baldini referred to a list of requests and asked for approval from the Council and City staff.

The City Manager commented the Committee submitted a list of 11 requests, some of which will be handled by staff and two will need Council approval – waiving the park fee and an exception for the music.

It was moved by Rose, seconded by Fitch, to approve waiving the park fee and allowing music until midnight for the Relay for Life event on July 23, 2016 as requested; the motion carried 7-0.

**Mayor Clemons asked if there was anyone else in the audience, not on the agenda, who wished to address the City Council at this time;**

**Nancy Walters, 13925 573<sup>rd</sup> Avenue, Mapleton,** addressed the Council and explained she is the owner of Homestead, at 917 North State Street. This property is currently zoned Residential Specialty. Ms. Walters stated she received a letter from the City regarding a zoning violation and a sign/sandwich board which was also in violation of City Code Chapter 154 regarding the number of signs allowed per business.

Ms. Walters explained the sign issues. She stated she believes there is a personal vendetta against her business and Zinnias and asked the City to investigate that matter. Ms. Walters stated people come to Waseca because it is a unique community. Last night she received a Historic Preservation Award and that is what draws people to Waseca.

Ms. Walters asked the Council to consider changing ordinance chapter 154.130C regarding signs.

Mayor Clemons stated he felt the sandwich board ordinance is a good rule and should not be changed. He further stated he felt the Council painstakingly crafted the zoning ordinance based on her request last year so her property could have a second sign.

The City Manager commented if the Council wants to change the ordinance, they will need to direct staff to bring back an ordinance change for the Council to consider. An ordinance change would take a couple months

Mayor Clemons asked the City Manager to see if he can find anything regarding signs, temporary or hanging signs, etc. The City Manager asked if the Council is directing staff to evaluate the ordinance and come back with recommended changes. The council stated they did not want that at this time.

Mayor Clemons stated the Council does not want staff to put in the time on a new ordinance, but would like staff to look at the existing ordinance to see if there is something that can be done to accommodate Ms. Walters' request.

**There were no other public comments.**

**PUBLIC HEARINGS**

5 None

**ROUTINE BUSINESS**

6a **Ordinance No. 1044 – Introduction & set hearing date** – Amending Chapter 91 of the City Code, Open Burning of Leaves

At the February 16, 2016 meeting, the City Council directed staff to draft an ordinance to introduce at the first meeting in May, eliminating the City ordinance that allows burning of leaves within the City.

The existing City ordinance allows City residents to burn leaves from October 15 to November 15, from 2:00 p.m. to 8:00 p.m. The ordinance includes certain other restrictions, including that burning of other refuse is prohibited.

Now that the City offers free leaf pickup service to residents in the fall, members of the Council have determined that open burning of leaves within the City limits is no longer necessary.

It was moved by Clemons, seconded by Tlougan, to approve the introduction of Ordinance No. 1044, AN ORDINANCE OF THE CITY OF WASECA, MINNESOTA AMENDING CHAPTER 91 OF THE CITY CODE, OPEN BURNING OF LEAVES and set the hearing date for its adoption to May 17, 2016;

**DISCUSSION**

Mayor Clemons stated this is an item he brought up last fall and has spoken about it previously so nobody would be surprised.

Councilmember Fitch commented she has had several comments regarding keeping the burning ordinance in place, and has heard from no one who would like to see a ban.

Councilmember Rose stated he has spoken with more people who are in favor of burning leaves than who are against it. He stated it amounts to only 240 hours per year in which people can burn leaves. This is a choice the public has and he does not want to see the choice taken away. Councilmember Rose also stated he felt moving leaves to the curb is a burden for some people. He reiterated he does not want to see this choice taken away from the citizens.

Councilmember Tlougan commented public hearings are held for a purpose, and the Council can hear what people have on their minds. There were two gentlemen in the audience who were willing to wait until the public hearing to speak about this subject.

**VOTE ON THE MOTION**

The motion carried 5-2 (nay-Salsbury, Fitch).

6b **Resolution No. 16-17** – Receiving bids and awarding contract for 2016 State Aid Street & Watermain Improvement Project #2016-01

On April 5, 2016 the City Council held a public hearing for the 2016 Street Improvements, Project 2016-01, and authorized Staff to prepare plans and specifications and advertisement for bids. Bids were received on April 29<sup>th</sup>, in accordance with state statutes.

Two bids were received, and a tabulation of those bids is attached. The lowest responsible bid received was from James Brothers Construction, Inc. in the amount of \$1,029,487.10.

It was moved by Salsbury, seconded by Christiansen, to adopt Resolution No. 16-17, A RESOLUTION OF THE WASECA CITY COUNCIL RECEIVING BIDS AND AWARDING CONTRACT FOR 2016 STATE AID STREET & WATERMAIN IMPROVEMENT PROJECT #2016-01 and authorize the City Manager to enter into a contract with James Brothers Construction, Inc. in the amount of \$1,029,487.10; the motion carried 7-0.

6c **Resolution No. 16-18** – Amending City of Waseca Special Assessment Policy

Often times during City initiated public capital improvement projects, staff is approached by property owners and asked if additional work can be done as part of the project such as replacing additional driveway area, sidewalk panels, utility services etc. that are outside the scope of the public improvement project. The items requested are typically small in nature and the costs for the homeowner to contract with a contractor to do the work would often times be higher than if they could be included as part of a larger City project. The property owner usually offers to pay 100% of the costs for these improvements either upfront or as part of their proposed assessment for the City project.

The City's current special assessment policy does not address these types of requests and due to the very strict statutory requirements of the 429 special assessment process a very specific process needs to be adopted and followed to allow these types of requests to be accommodated.

The proposed special assessment policy amendment and Consent Assessment Agreement would allow the City to accommodate requests for additional work on City projects. The proposed policy states that it is at the City's sole discretion if requested additional work can be added to a public improvement project since the nature of the work being requested must fit within the scope of the project (i.e. can't add utility work to a mill and overlay project if there wasn't any utility work previously part of the project) and that the work doesn't negatively affect the project completion timeline. Property owners requesting additional work must execute a Consent Assessment Agreement which meets the requirements to complete this type of work and assess 100% of the costs to the property owner under the chapter 429 statutes. The attached resolution 16-18 authorizes the City Manager to execute said Consent Assessment Agreements on behalf of the City. Work completed under the consent assessment agreement would be added to the project assessment roll and approved by Council resolution at the project assessment hearing.

After some discussion, it was moved by Fitch, seconded by Rose, to adopt Resolution No. 16-18, A RESOLUTION OF THE WASECA CITY COUNCIL AMENDING THE CITY OF WASECA SPECIAL ASSESSMENT POLICY; the motion carried 7-0.

**UNFINISHED BUSINESS**

7 None

**NEW BUSINESS**

8a **Appointment to Human Rights Commission**

There are currently two vacancies on the Human Rights Commission. The attached application was received from Toni Larson, Director of the Neighborhood Service Center, who is interested in appointment to this Commission.

It was moved by Arndt, seconded by Tlougan, to appoint Toni Larson to the Human Rights Commission; the motion carried 7-0.

**CONSENT AGENDA**

9 It was moved by Arndt, seconded by Tlougan, to approve the Consent Agenda as presented; the motion carried 7-0 and included the following actions:

- a. Minutes – Regular City Council meeting = April 19, 2016 – were accepted and placed on file.
- b. Payroll & Expenditures – April 2016 – were authorized for payment.

**CITY MANAGER’S REPORT**

10 **The City Manager provided the following report:**

A press release was sent out regarding Tink Larson Field, notifying the public that on Thursday the City will be demolishing the structure. There will be an open house on Wednesday, to give residents an opportunity to say goodbye to this piece of Waseca’s history before we start hauling it away, which will take place on Thursday and Friday.

The City Manager further stated next week we will be trying to get poles in the ground and install netting, courtesy of the Minnesota Twins, and will bring in bleachers so the Waseca Bluejays baseball team can play their final home game at Tink Larson Field on May 20<sup>th</sup>.

Councilmember Arndt asked whether big trucks will be allowed on the field. The City Manager stated he hopes they can access from another way to avoid the actual field during the demolition.

Mayor Clemons asked about design firms. The City manager stated bids are due from the design firms on May 27<sup>th</sup>, to be awarded at the June 7<sup>th</sup> Council meeting. June 16<sup>th</sup> will be the first work session to discuss concepts and ideas. Preliminary designs will be reviewed in July and there will be open houses and a public comment period, with the final design approved in September or October.

Mayor Clemons commented there are a lot of people who want to help or donate. He noted one business in Janesville who will be donating a percentage of all their sales this weekend to the project. There are also a lot of other fundraisers, and he would like citizens to know how to make donations.

The City Manager stated citizens can send donations to City Hall, attention B.E.S.T. of Waseca, or Tink Larson Field, or they can go to the City's website and donate from there.

Mayor Clemons stated if a donation is made to BEST, the entire amount will go to the project, but if someone uses PayPal or GoFundMe, a percentage of their donation will go elsewhere.

Councilmember Fitch inquired how much of the wood will be salvaged. The City Manager stated staff took as much of the remaining wood that was salvageable. We cannot allow people to take pieces, for insurance reasons. The City has some wood saved for historical purposes, but the public will not have access to the wood.

The City Manager announced there will be a Council work session on May 18<sup>th</sup>, to discuss electric power issues. The work session will be held at the Public Safety Building at 6:00 p.m. There is also a work session on May 26<sup>th</sup> for department presentations.

The City Manager reminded the Council he will be out of the office at a conference this Thursday and Friday.

### **ANNOUNCEMENTS**

11 **The following announcements were made:**

Councilmember Tlougan stated the HPC recognized some properties this week – Diane Kortuem for Summerhouse Farm, Shane Wendland for Barden's Bar, Nancy Walters for Homestead House, and John & Teri Pribble for their renovation of the original Ira Trowbridge House. The Mayor's Choice Award went to Tink Larson Field Grandstand, which is now a part of our history, rather than a part of our present. Each of the property owners received a sign that says "This Place Matters".

Councilmember Fitch commented she went to Barden's for the presentation and was very impressed by the new look, which is light, bright and inviting.

Councilmember Christiansen reminded everyone of the Art Center concert on Saturday May 14<sup>th</sup>. He also stated there is an Art Center fundraiser at Pizza Ranch on Monday.

Councilmember Christiansen commented there are many things going on in the community and we are very lucky to have a new showcase park. They did a great job on the pavilion and Relay for Life will get far more use out of the park this year with the new facility. He encouraged everyone to attend the Relay for Life on July 23<sup>rd</sup>.

Councilmember Christiansen reported 73 volunteers showed up for the Lakes Cleanup on April 23<sup>rd</sup>. The weather was beautiful and it was a great day.

Mayor Clemson commented he recently sat in on an Aging Mastery Program (AMP), presented by Sherry Scholljegerdes. He stated the program includes topics such as nutrition, sleep, exercise, medications, etc. and how you can age properly.

Mayor Clemons again reminded everyone that the Janesville greenhouse and nursery is holding a fundraiser this weekend, with proceeds to go to Tink Larson Field.

Mayor Clemons stated on May 20<sup>th</sup> will be the first baseball game at Tink Larson Field since the fire, and the last opportunity for Waseca seniors to play on the field. This will be a big deal and everyone is welcome.

**ADJOURNMENT**

- 12 There being no further business to be brought before the Council, it was moved by Arndt, seconded by Clemons, to adjourn the meeting at 8:07 p.m.; the motion carried 7-0.

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JOHN CLEMONS  
MAYOR

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MARY BUENZOW  
RECORDS SECRETARY