

**Clearwater City Council
Regular Council Meeting Minutes
Clearwater City Council Chamber
September 21, 2015**

CALL TO ORDER

Mayor Edmonson called the regular council meeting of September 21, 2015 to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Everyone joined in the pledge of allegiance.

ROLL CALL

- Present: Mayor Edmonson, Council Members Ritzer, Crandall, Ranum, and Lange
- Absent: None.
- Staff present: Administrator Kress and Public Works Supervisor Schmidt.
- Public Present: Dan Niehoff, Vern Scott, Wally Eisenschenk, Diane Eisenschenk, Dennis Lozinski, Steve Kuebelbeck, and Mike Keller.
- Others Present: Kevin Bittner – Bolton-Menk, Victoria Holthaus – AEM Financial Services, and Ken Francis – Clearwater Tribune

A quorum was declared present.

APPROVAL OF AGENDA

MOTION by Lange, seconded by Ritzer, to approve the agenda as submitted.

Motion carried unanimously.

PUBLIC COMMENT

NONE.

CONSENT AGENDA

MOTION by Ritzer, seconded by Lange, to approve the following Consent Agenda items.

- a. Claims/Accounts Payable
- b. Approval of 9-08-15 Regular City Council Meeting Minutes
- c. Approval of 9-14-15 Special City Council Meeting Minutes
- d. Resolution 2015-43 Volunteer Fire Assistance Grant
- e. Resolution 2015-44 Step Wage Increase for Mike Flynn

Motion carried unanimously.

WRIGHT COUNTY SHERIFF DEPUTY REPORT

There was no deputy present at the meeting.

OLD BUSINESS

a. Discussion on 265 Bluff Street Bill (agenda request)

Wally and Diane Eisenschenk addressed the Council about a bill from J&S Excavating for the replacement of a water line collar. The Eisenschenk's explained that they were concerned the pipe may have failed as a result of the North Area Street & Utility Project. As a result of the line failing sand entered the home and caused damage to several toilets and other appliances. Public Works Supervisor, Schmidt explained that these types of breakages occur frequently regardless if a project is underway. Members discussed back and forth on what could have caused the line to fail. Member Ritzer felt that this was a normal breakage and was caused by the age of the pipe. Supervisor Schmidt and the City Engineer

also felt that it was due to the age of the pipe. Schmidt and Bittner both believed that the pipe was leaking prior to the project starting. Member Ritzer and Mayor Edmonson both agreed with Supervisor Schmidt and City Engineer Bittner that the pipe was leaking prior to the project. It was explained that when the water was shut off to replace the water lines during the project that this may have allowed sand to enter the pipe as there was no water pressure to keep the sand out as was true prior to the project. The Eisenschenk's felt that when the water was hooked back up during the project there was too much water pressure and this caused the breakage. The pipe that was removed was displayed and examined by the Eisenschenk's, Council members, City Engineer, and City staff. Mayor Edmonson asked for input from the rest of the Council. Member Crandall felt that the issue with the pipe was there prior to the project but he couldn't rule out that the project had something to do with the failure. Member Ranum suggested splitting the bill in half. Member Ritzer gave an example of a homeowner that had their basement flood last year that was claimed to be the result of too much water pressure, the City denied the claim. Ritzer added that he was concerned that by paying for the bill the City was setting a precedent for any homeowner with a similar claim. Mayor Edmonson added that the City typically only paid for its portion of the water main.

MOTION by Lange, seconded by Crandall, to pay the full bill in the amount of \$585.00. to J&S Excavating.

Motion failed 3-2 with Members Ranum, Ritzer and Mayor Edmonson voting Nay.

***Member Lange called the question asking for an immediate roll call for the motion on the table. Mayor Edmonson acknowledged the request and the Council voted as seen above.**

MOTION by Ranum, seconded by Crandall, to pay ½ of the bill in the amount of \$292.50 to J&S Excavating.

Motion carried 4-1 with Member Ritzer voting Nay.

***Administrator Kress asked that some verbiage be included in the minutes stating that the motion that was made and passed is not an acknowledgement of the City that the breakage was a result of the project. Kress added that he would coordinate with the Eisenschenk's on processing the payment as the City would likely pay the bill in its entirety and bill out half of the payment to the Eisenschenk's.**

b. Discussion on Replacing Trees

Administrator Kress presented the draft ordinance that was created for replacing trees within the City. Kress suggested having a workshop to discuss any changes that were needed before its adoption. Council members were in agreement that the document only required some additional language to Section 12 that describes replacement of trees on private property that are lost or damaged as a result of a City project.

MOTION by Edmonson, seconded by Crandall, to add language to Section 12 of the draft Tree Ordinance, and have the City Attorney review the document.

Motion Carried unanimously.

c. Update on Eldorado Park Access

Kress informed the Council that he is continuing to try and reach the corporate office that owns Cedar Ridge apartments near the City's access to Eldorado Park. Kress will report to the Council when he has more information on the matter.

NEW BUSINESS

a. Discussion on Resolution 2015-45 2016 Preliminary General Fund Budget and Levy

Vicki Holthaus was present to provide an overview of the Preliminary General Fund Budget and Levy. Holthaus explained that the preliminary tax levy is set at \$956,060. This amount represents a 4.5% increase over the 2015 levy of \$914,869. Mayor Edmonson questioned why the fire department levy increased from \$41,000 to \$64,396. Holthaus explained that this was the result of a shift in the way the City is accounting for the debt service for fire department equipment that is now being shifted into the budget instead of the bond levy. Holthaus explained that the City's tax capacity is estimated to increase by 3.79% in 2016 and that a home valued at \$78,000 would see an increase in the amount of taxes paid by about \$20. A commercial building valued at \$500,000 would see an increase of approximately \$38. Holthaus ended the discussion by informing the Council that the levy can be decreased but not increased up until December when the final budget and levy is approved.

MOTION by Crandall, seconded by Ritzer, to approve Resolution 2015-45 Preliminary General Fund Budget and Levy.

Motion Carried unanimously.

b. Discussion and update on North Area Street and Utility Project

Dennis Lozinski addressed the Council in regards to the concrete pad and curb at his property located at 420 Spring Street. Lozinski presented some pictures of the curb and explained that he felt the curb was too steep because his cars and motorcycle are bottoming out while entering his driveway. He requested that the curb and pad be removed and that a knock-down curb be installed to fix the issue. Engineer Bittner explained that the property was reviewed by himself and Mr. Kress. Bittner added that the curb was the standard for the project and he didn't see an issue with its design. Lozinski questioned why some driveways received knock-down curbs and others did not. Bittner explained that this happened when some home owners requested knock-down curbs at the time of installation. Kress added that the knock-down curb issue had been brought up in a previous Council meeting where members discussed why the whole project didn't have knock-down curbs. At that time Council chose not to remove all the curbs and install knock-down curb in their place. Administrator Kress asked for an update on new street signs and the special assessment hearing. Bittner is looking into the design of the new signs and the special assessment hearing will be scheduled soon. There was also a brief discussion on some Right-of-Way design in regards to using grass or rock. Bittner will look into the issue and discuss at the next Council meeting.

MOTION by Crandall, seconded by Lange, to remove the existing concrete apron located at 420 Spring Street and replace it with a "knock-down" apron for a more level approach to the home.

Motion carried unanimously.

c. Discussion and Possible Action on Recommendation to Appoint Fire Chief

Administrator Kress explained that a five-person interview panel consisting of himself, Chief Doug Nieters, Assistant Chief Doug Zupan, Council member Lange and Crandall interviewed three candidates for the position. The interview panel was in consensus that Ryan Pridgeon was the best selection to fill the position. Kress added that he met with between eight and twelve members of the fire crew to get their perspective on who they felt was the best fit for the position. In addition, Kress said that all three candidates were very well qualified.

MOTION by Crandall, seconded by Lange, to appoint Ryan Pridgeon as Clearwater Fire Chief at a rate of \$5,000.00 a year starting January 1st 2016 contingent on a successful probationary period, and a raise to \$6,000.00 once Pridgeon receives the classes necessary to be the Emergency Management Director, waiving the option to conduct a background investigation, drug test, and psychological test.

Motion Carried 4-0 with Member Ritzer recusing himself from the vote as he is on the Clearwater Fire Department.

d. Discussion on Removing 2 Stop Signs on Ash Street

Kress led the discussion by asking the Council if they would consider removing two stop signs located at the intersection of Ash and Smith Street. Kress added that the discussion to remove the signs was brought up during a staff meeting. Council was not in favor of removing the stop signs as they felt it helped to slow the traffic down. Instead, the Council asked Kress and Schmidt to look into the cost of two stop signs that have flashing lights.

e. Discussion on Clearwater River Ridge Apartment Parking

Council members reviewed the email from David Chmielewski that owns Clearwater River Ridge Apartments. Chmielewski requested that the City continue to allow parking on Ash Street for his tenants and that he plans on expanding his parking lot in September or early October. Council requested that Kress invite Chmielewski to a Council meeting to discuss the matter further.

f. Discussion on County Right-of-Way Between Ash and Maple Street

Kress opened the discussion by explaining that the County owns the Right-of-Way between Ash and Maple Street. In the past there were questions as to who owns the property and who is in charge of maintaining the Right-of-Way. Kress explained that he and the City Engineer met with the County to discuss the matter further. As mentioned, the County owns the property and that the houses and business located between Ash and Maple access their properties by going through the Right-of-Way. The County explained that the residents and home owners obtain Right-of-Way permits to install driveways to their properties. Kress explained that at this point it is the home owner's responsibility to obtain a permit and maintain their access points. There is concern from the home owners and residents on maintaining the access points and providing access during emergency situations. Kress asked the Council if they were interested in obtaining the Right-of-Way property and installing access points for the residents and business owner between Ash and Maple. Council had a brief discussion on what the benefit of obtaining the property would be. Bittner and Kress explained that the City had two options. The first option was to leave the property the way it is and the home and business owners would be responsible for obtaining Right-of-Way permits as well as maintenance. The second option is the City take over the property and install access points and maintain the Right-of-Way between Ash and Maple. By obtaining the property the City could assess the property to the home owners and maintain the property if an emergency situation took place. It would also eliminate the need for the City to obtain a Right-of-Way permit to access the water and sewer lines located in the Right-of-Way.

MOTION by Crandall, seconded by Ritzer, to have the County Revoke the Right-of-Way to the City.

Motion carried 4-0 with Member Ranum recusing himself as he is a business and home owner between Ash and Maple.

g. Discussion on 515 Spring Street City Parcel

Council reviewed the staff report that was created for the Council explaining that there is a buyer interested in purchasing 535 Spring Street and would like the Council to consider splitting the 515 Spring Street lot into two lots. The buyer would then like to purchase one of the two lots and combine it with the 515 Spring Street lot. The 535 Spring Street lot would then have approximately 30' by 100' additional space. It was discussed if the 515 lot was split it would allow for another buyer to build and have access to water and sewer.

MOTION by Ranum, seconded by Lange, to entertain an offer to split 515 Spring Street into two lots and sell one lot to be added onto 535 Spring Street.

Motion carried unanimously

REPORTS

- a. **Mayor and Council** – Mayor Edmonson informed the Council that the Sewer Authority meeting had been changed from the 15th to the 29th of October to allow for a State Representative to attend. Lange added that the EDA social would be taking place on September 29th.

MOTION by Lange, seconded by Crandall to extend the invite to the City Council members interested in attending at a cost of \$50 per person that the City would pay to the EDA.

Motion carried unanimously.

- b. **Boards – NONE.**

- c. **Staff** – Kress informed that he received a request from a Gustafson Trailers for \$2500 in funds as part of the EDA Small Revolving Loan Program. Kress explained that the EDA does not meet in time to allow for the loan consideration to be acted on by Council. Kress suggested inviting the EDA members to consider the application at the Council meeting on October 5th. Kress walked through his staff report and asked if the Council was still on board for the meeting planned for Monday, October 12th to interview candidates for the City Planner/Economic/Community Development consultant position. Members were in favor of starting at 6:30 in 20 minute increments. Kress also mentioned that Duane Christensen will be retiring on September 30th and asked if Council was interested in participating. Kress will follow up at the staff meeting tomorrow. Edmonson asked for a status update on the Lions Park upgrade. Supervisor Schmidt explained that the project was behind two weeks but will take place shortly and require about 10 days to finish. Supervisor Schmidt mentioned a transducer went out at the lift station and the issue was fixed. Schmidt asked for approval to lay concrete in Sportsman's Park and for the flagpole located at City Hall. Schmidt predicted it would take about eighty bags of concrete containing eighty pounds apiece for roughly \$1000.00.

MOTION by Ritzer, seconded by Lange, to approve the purchase of eighty bags of concrete for approximately \$1000.00.

Motion carried unanimously.

2. Other

- a. **Next Meeting – Monday, October 5, 2015**

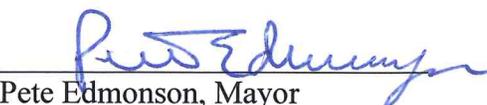
ADJOURN

MOTION by Ritzer, seconded by Lange, to adjourn the council meeting, at 9:37 p.m.

Motion carried unanimously.



Kevin Kress, City Administrator



Pete Edmonson, Mayor

10-5-15
Date Approved

