

**CLEARWATER CITY COUNCIL MEETING MINUTES
REGULAR CITY COUNCIL MEETING
MARCH 11, 2024**

1. Call to Order and Pledge of Allegiance: 7:00 p.m. at City Hall

- Mayor Lawrence called the Clearwater City Council to order Monday, March 11, 2024, at 7:00 p.m. in the Council Chambers. The Pledge of Allegiance was recited. Members present were Mayor Lawrence, Council Members Luhmann, Vazquez, Schwinghammer, and Winkelman. Also present were members of the public, staff, and guests.

2. Approval of Agenda

- Administrator Smythe asked for two additions to the claims under Consent Agenda for invoices from Abdo in the amount of \$1,325.00 and from CivicPlus in the amount of \$4,210.94.
- **MOTION** by Schwinghammer to approve agenda with the two additions to the claims, seconded by Luhmann, all voted aye. **MOTION CARRIED.**

3. Wright County Sheriff's Report

- Deputy Marschel gave the sheriff's report and explained where to find data on sex offenders in the community – there is a link on the Wright County Sheriff's website under Quick Links to search the database. He noted that data on level 3 offenders is the only data that is public. A search did not locate any level 3 offenders in Clearwater at this time.
- Deputy Marschel highlighted one incident at Burger King that resulted in an arrest.
- Mayor Lawrence noted an uptick in semi-trucks parking illegally on Ash Street near the hotel and Burger King area and asked deputies to keep an eye out.
- Deputy Marschel also noted an increase in complaints about loose dogs on Main Street. The city has also received additional complaints about loose dogs.

4. Public Forum

- Butch Donat from the Clearwater Estates Association addressed the City Council about the new flood plain ordinance under consideration. He had a question about where elevation data could be found and expressed concerns that the new flood maps will negatively impact residents, particularly as it relates to flood insurance rates. Members took the comments under advisement for later discussion.

5. Consent Agenda

- a. **Claims/Accounts Payable in the Amount of \$ 166,536.33 + \$1,325.00 + \$4,210.94 = \$172,072.27**
- b. **Approval of Minutes from 02-12-2024 Regular City Council Meeting**
- c. **Approval of Minutes from 02-20-2024 City Council Workshop Meeting**
- d. **Res 2024-19 – Appointing Additional Election Judges**
- e. **Res 2024-20 – Designating Building Official**
- f. **Res 2024-21 – Approving Special Event Permit – Roger Up**
- g. **Res 2024-22 – Approving Temporary Liquor Licenses**
- h. **Res 2024-23 – Approving Special Event Permit – CVBC**
- **MOTION** by Winkelman to approve Consent Agenda as amended, seconded by Schwinghammer, all voted aye. **MOTION CARRIED.**

6. Old Business

- a. **Ord 2024-03 – Amending City Council Compensation**

- Smythe explained the draft ordinance per the discussion from the February workshop meeting.
- Mayor Lawrence suggested changing language in the last bullet point related to city council approving other meetings from “pre-approval” to just “approval”. If there wasn’t time to get pre-approval, the city council could still approve a meeting after the fact.
- **MOTION** by Schwinghammer to approve Ordinance 2024-03 with the change proposed by Mayor Lawrence, seconded by Luhmann, all voted aye. **MOTION CARRIED.**

7. New Business

a. Authorizing Quadient Lease Renewal and Equipment Upgrade

- Smythe explained that the current Quadient lease for the postage equipment has expired and the current postal machine no longer complies with the new postal regulations. The materials include a new lease which includes upgraded equipment. The monthly cost increase for this proposal is about \$25 per month.
- **MOTION** by Lawrence to approve new lease and upgrade of equipment, seconded by Vazquez, all voted aye. **MOTION CARRIED.**

b. Consider Purchase of Generator

- Smythe explained the quotes for the request to purchase a replacement generator. This item is in the capital improvement plan, but some shifting of the Fire Department plans was needed for the Fire Department share of the cost. Fire Chief Keller noted that the old generator must be returned to the DNR. Smythe further explained that the staff were requesting to purchase the middle quote because even though the cost is slightly higher, this option includes a cooling fan that cools the unit in the summer months.
- **MOTION** by Lawrence to authorize the generator purchase per the for \$52,236.36, seconded by Winkelman, all voted aye. **MOTION CARRIED.**

c. Ord 2024-02 – Amending Clearwater Zoning Map

- Smythe explained that this is the ordinance to bring current the zoning map. The last time it was updated was 2012. The new map incorporates changes approved by the City Council since 2012 and adds newly annexed properties. The Planning Commission has recommended approval.
- **MOTION** by Luhmann to approve Ordinance 2024-02, seconded by Schwinghammer, all voted aye. **MOTION CARRIED.**

d. Consider Amendment to Waste Hauler Agreement

- Smythe outlined the proposal to add an amendment to the city’s waste hauler contract to add the Sewer Authority service. This removes the need for a separate contract for the Sewer Authority with the same carrier and reduces the cost by around \$120 per month. This would also need approval from the Sewer Authority Board, as their share of costs would get billed back to Sewer Authority.
- **MOTION** by Lawrence to approve amendment, seconded by Winkelman, all voted aye. **MOTION CARRIED.**

e. Ord 2024-04 – Replacing Flood Plain Ordinance – DRAFT for Discussion

- Smythe gave an overview of the new flood plain draft ordinance, explaining this update is required to continue participation in the FEMA flood plain program. The program determines eligibility for federal disaster aid if a flood event occurs.
- Members discussed the impact to residents, noting that FEMA’s adoption of new flood maps will likely result in higher insurance rates regardless of what actions the city takes. Members were concerned about residents not having federal aid as an option if the city opts out of the program. Member’s consensus was that the city should remain in the program.

- Smythe explained that the draft ordinance would go back to the Planning Commission for a public hearing prior to coming to the City Council for adoption. Members did not have any suggested changes to the ordinance draft.

f. Approval of Planning Commission By-Law Changes

- Smythe explained that the Planning Commission has amended their by-laws to change their meeting date to the third Monday of the month.
- **MOTION** by Lawrence to approve new by-laws for Planning Commission, seconded by Luhmann, all voted aye. **MOTION CARRIED.**

g. Fee Waiver Request – Heritage Festival (Lions)

- Smythe explained that, similar to last year, the Heritage Festival Committee is asking to have the rental fees waived for use of the Lions Pavilion for the Heritage Festival.
- **MOTION** by Lawrence to waive the rental fee but require a damage deposit, seconded by Winkelman, all voted aye. **MOTION CARRIED.**

h. Facility Use Discussion – Government Partners (MnDot/EDA – Lions Use)

- Smythe asked the City Council to clarify when rental fees would be charged to other government agencies. In the past, fees were waived in these instances, but the new fee schedule doesn't cover this. Examples include the upcoming town hall meetings being held by MnDot for the TH 24 project and the recent farmer's market meeting held by the EDA.
- Members discussed and explained that they had concerns about waiving fees for non-profits due to first amendment concerns about the mission of the organization, etc. Members generally felt that waiving fees for government partners makes sense, particularly when the other government is working in coordination with the city, like with the TH 24 Corridor project. Members suggested bringing a draft ordinance amendment back to the next meeting.

8. Committee Reports

a. Mayor and Council

- Mayor Lawrence reported that she attended the City Day at the Capitol with staff member Stephanie Trottier. She felt the materials were valuable and they learned about housing options. They were unable to meet with our legislators, however, they have offered to meet at another time.
- Lawrence also noted that the next Wright County Mayor's Association (WCMA) meeting is March 20. She is looking for someone to attend, as she will be unavailable. The city must RSVP by March 12.

b. Boards

- EDA – Did not meet due to a lack of a quorum.
- Sewer Authority – Did not meet in February due to no business to address.
- Fire Relief Association Board – Met in January, has not met since. Some members will be attending a webinar this week about the state's pension program.
- Planning Commission – Met to review the new zoning map.
- Park Commission – Met and heard an update on the splash pad project. Jon Gilbertson from MWP Recreation attended the last splash pad committee meeting and answered questions. The committee is hoping to finalize design selections this week, then work with a designer at MWP to develop a concept plan. Mr. Gilbertson also provided information about state bid opportunities for project bidding.

c. Staff

- Smythe reported that the realtor for Steve Houle's property has contacted the city to see if there is still interest in purchasing the property. Staff had reached out last fall but did not hear back. Members suggested following up to determine what price Mr. Houle is seeking. Smythe also

requested information about plans for funding the purchase, given other purchase plans. Members wanted to determine price before considering interest level or funding sources.

- Republic has offered September 21 as a possible date for Fall Clean-up Day. Members accepted this date.
- Smythe outlined a proposed donation of a glass pitcher and matching glassware with “City of Clearwater” etched on them. Members were interested. Smythe will obtain further details and bring a resolution back to the next meeting.
- Smythe outlined a request from a resident for a waiver of late fee due to non-receipt of their bill. The resident lives out of state in the winter months and stated they did not receive a bill for January. Members noted that the city has online payment options and that the resident could have contacted the city when the bill wasn’t received, and declined to waive the late fee.
- Smythe explained that MnDot has asked for a letter of support from the city for a grant application for the TH 24 project, specifically for the proposed County Road 75 roundabout. Members authorized the letter of support.

i. Grants Report

- Engineer Kannas informed the City Council that the city has been awarded a grant of \$3 million from the 2023 appropriations bill at the federal level. The city has also been awarded \$5 million under the Minnesota Highway Freight program. Both grants are for the TH 24 Corridor Project. The city expects to receive more details soon. The city has also applied for \$25 million under the federal RAISE program. If this funding is obtained, the project will be nearly fully-funded. There are several other programs that have not yet issued a decision on recipients. The city also intends to apply for additional federal appropriations funds for the 2024 appropriations solicitation.

ii. Business View Magazine

- Smythe gave an overview of the proposed opportunity through Business View Magazine. They would like to interview the city to do an article for a future edition, however, there is a minimum advertising requirement, so this is really a marketing opportunity. The city of Willmar had an article last year. Smythe reached out to them to ask for feedback. Kannas noted that Bolton & Menk often advertises in this periodical and may be willing to partner with the city for the advertising piece. Smythe explained that cities normally partner with local businesses or developers for this requirement.
- Members authorized staff to proceed with the article for the half-page advertisement, and suggested reaching out to the EDA and businesses to find partners, so long as there is no negative feedback from Willmar.

9. Other Business

a. Next Regular Meeting – April 8, 2024 at 7:00 p.m.

- Next regular meeting date was confirmed.

b. REMINDER – Joint Workshop – April 15, 2024 at 6:00 p.m.

- Workshop meeting was confirmed.

10. Adjournment

- **MOTION** to adjourn by Winkelman, seconded by Luhmann, all voted aye. **MOTION CARRIED.**
- Meeting adjourned at 8:11 p.m.

ATTEST

Annita M. Smythe, City Administrator

APPROVED

Andrea Lawrence Wheeler, Mayor