

**CLEARWATER CITY COUNCIL MEETING MINUTES
REGULAR CITY COUNCIL MEETING
MAY 13, 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, May 13, 2024, at 7:00 p.m. in the Council Chambers. The Pledge of Allegiance was recited. Members present were Mayor Lawrence, Council Members Vazquez and Winkelman. Council Member Schwinghammer arrived at 7:08 p.m. Council Member Luhmann was absent. Also present were members of the public, staff, and guests.

2. Approval of Agenda

- Staff requested an addition to claims for Northland Securities in the amount of \$2,062.50.
- Mayor Lawrence requested the addition of item 7(f) under New Business to discuss the issue of jake-braking/air braking by trucks coming into town.
- **MOTION** by Winkelman to approve agenda with the two requested additions, seconded by Vazquez, all voted aye. **MOTION CARRIED 3-0.**

3. Wright County Sheriff's Report

- Deputy Marschel gave the sheriff's report. He noted one incident where a person was removed from a local restaurant after refusing to leave at the request of management. There were no questions.

4. Public Forum

- Resident from 1035 Main Street requested relief from the sewer portion of his bill due to a water line break. Administrator Smythe explained that this item was on the agenda under item 7(e).
- Resident from 200 Kothman Circle had questions about the T.H. 24 Corridor Project. He expressed concern that a roundabout at County Road 75 will make it difficult for residents from the east side of town to get across to the west side due to the high traffic levels on T.H. 24 in the summer months. Members encouraged him to share his comments with MnDot. There was additional discussion about the safety of roundabouts versus the current traffic lights and how truck traffic will impact other users.
- *Member Schwinghammer arrived at 7:08 p.m. and joined the roundabout discussion.*
- Resident from 1235 Main Street requested that "no-mow May" be reinstated and made permanent. Members took this under advisement.

5. Consent Agenda

- a. **Claims/Accounts Payable in the Amount of \$ 335,482.88 + \$2,062.50 = \$337,545.38.**
 - b. **Approval of Minutes from 04-08-2024 Regular City Council Meeting**
 - c. **Approval of Minutes from 04-15-2024 Joint Workshop Meeting**
 - d. **Res 2024-31 – Accepting Donation for Library**
 - e. **Res 2024-32 – Approving Changes to Fire Department Officers**
 - f. **Ord 2024-05 – Amending 2024 Fee Schedule Ordinance**
 - g. **Res 2024-34 – Approving Temporary Liquor License – Rejoice Lutheran Church**
 - h. **Res 2024-35 – Approving Temporary Gambling Permit – Rejoice Lutheran Church**
 - i. **Res 2024-36 – Approving Special Event Permit – Airborn Disc Golf**
- **MOTION** by Schwinghammer to approve Consent Agenda as amended, seconded by Winkelman, all voted aye. **MOTION CARRIED 4-0.**

6. Old Business

a. Ord 2024-04 – Replacing Flood Plain Ordinance

- Smythe explained that the only change since the last meeting was to allow for summary publication.
- **MOTION** by Winkleman to approve Ordinance 2024-04, seconded by Vazquez, all voted aye. **MOTION CARRIED 4-0.**

b. Consider Purchase of Speed Signs

- Smythe explained the findings outlined in the city engineer’s memo, which was handed out at the meeting. Based on data from Wright County, it appears that a speed study would not help achieve the goals of lowering speeds or speed limits in town. The county suggested placing speed trackers signs where the speed limits change coming into the city. The county would share the cost 50/50 and install the signs.
- **MOTION** by Lawrence accepting the quote to add speed signs for a cost of \$6,582, seconded by Winkelman, all voted aye. **MOTION CARRIED 4-0.**

7. New Business

a. Res 2024-33 – Approving Site Plan and Conditional Use Permit for Food Shelf

- Smythe explained that the Planning Commission had recommended approval per the conditions in the resolution. After that, city staff received the building permit application and learned that the construction materials as proposed will not meet City Code standards, which require 50% of the exterior to be something other than metal. Applicant Mary Abraham stated this additional requirement will add over \$50,000 to the project and is asking that the Conditional Use Permit allow the use of metal exteriors for this project.
- Smythe stated that the City Council may want to consider amending the ordinance to remove this condition for Public/Institutional and Industrial zoning districts.
- **MOTION** by Lawrence to approve Resolution 2024-33, adding the condition that the exterior walls of the facility are not required to meet the standard outlined in City Code Section 117-1066, seconded by Schwinghammer, all voted aye. **MOTION CARRIED 4-0.**
- Members’ consensus was to leave the current ordinance intact. An exception is being made for this project due to the charitable nature of the facility and due to its location near the MnDot truck facility, which is not required to comply with local zoning controls under state law.

b. Res 2024-37 – Certifying Lien for Unpaid Charges

- Member Vazquez asked about the timing of when charges are certified. Smythe explained that she believes they are sent for certification after being 90 days late.
- **MOTION** by Schwinghammer to approve Resolution 2024-37, seconded by Winkelman, all voted aye. **MOTION CARRIED 4-0.**

c. Approving Revised Standard Operating Guidelines (SOGs) for Fire Department

- Smythe explained the update process and changes to the SOGs and how they now interact with the city’s Personnel Policy.
- **MOTION** to approve by Lawrence, seconded by Vazquez, all voted aye. **MOTION CARRIED 4-0.**

d. Approving Personnel Policy Amendments

- Smythe explained the updates to the Personnel Policy related to the Fire Department SOGs along with the new staff recognition policy addition. Member Vazquez asked about the scope change at the beginning. Smythe noted that volunteer exclusion from the policy used to have a statement about firefighters, which was removed, and the new language added.
- **MOTION** by Vazquez to approve Personnel Policy changes and addition, seconded by Winkelman, all voted aye. **MOTION CARRIED 4-0.**

e. Amending Utilities Policy

- Smythe explained that staff had been working on Policy Manual updates, and updates to the Utility Policy was the last section to be completed. Most of the updates include reformatting and clarifying language for existing practices. The one new addition is the section related to water line breaks, which would allow some waivers of the sewer portion of fees where it could be confirmed that the water did not go through the sewer lines. This would be limited to once in a 12-month period. Larger dollar amounts, per internal controls, would still come to the City Council.
- **MOTION** to approve by Vazquez, seconded by Schwinghammer, all voted aye. **MOTION CARRIED 4-0.**
- **MOTION** by Lawrence to apply new policy to the break at 1035 Main Street, seconded by Winkelman, all voted aye. **MOTION CARRIED 4-0.**

f. Jake Braking/Air Braking of Trucks

- The city continues to get complaints about trucks applying air-brakes or jake-brakes when crossing the river coming into town, which is very noisy for residents. There is a sign across the bridge that says local noise ordinances are enforced, however, the sheriff would need metering equipment to enforce under the noise ordinance. Residents would like signage that specifically states that jake-braking is prohibited. There was discussion about whether city code would need to be amended and how enforcement would work, given that the bridge is the county line. Members directed staff to research these issues, along with costs for signage, and report back at a future meeting.

8. Committee Reports

a. Mayor and Council

- Mayor Lawrence reported that the Business View Magazine article about Clearwater is completed and is expected to be released the end of the month. She also reported that the next Wright County Mayor's Association (WCMA) meeting will be in June. Clearwater will be hosting the WCMA in September.

b. Boards

- Sewer Authority – The Sewer Authority Board met in April. The Board accepted the waste hauler amendment to add the sewer authority services to the city's contract. The next meeting will be at the treatment plant and will include tours for those who want one. The plant also won an award from MPCA.
- EDA – The EDA Board met in April and discussed several routine matters. A report was received from WCEDP, which is outlined in EDA's minutes. The Board also continued to discuss a farmer's market, which is being led currently by Clear Valley Business Connection (CVBC).
- Planning Commission – Commissioners met to review the Clearwater/Clear Lake Food Shelf application, the new floodplain ordinance, and considered updates for the Comprehensive Plan.
- Park Commission – Did not meet; Members are waiting for the splash pad concept plans from designer MWP Recreation.

c. Staff

- Smythe outlined a complaint from 505 9th Street about the utility extension being done by Central Minnesota Cold Storage (CMCS). The extension will require digging into the resident's driveway. This is the only resident in the project area whose driveway is being impacted. City policy calls for a clean cut across the driveway of the area in the right-of-way, and restoration of that area once the utilities are completed. The resident wants the entire driveway replaced. The city has tried to mediate the issue to try to prevent escalation. The developer has indicated that they might be willing to do something, but wanted an agreement with the city that further improvements or demands would not be met. Members discussed and were in agreement that the dispute is really a private one between the developer and resident, and that an agreement should be made with the resident.

- Smythe reported that the town hall meetings hosted by MnDot for the T.H. 24 Corridor Project were very well attended. Two concept plans were highlighted, and the overall feedback was positive. There were some concerns about the roundabouts and the lack of left turn lanes between I94 and the Mississippi River bridge. Residents are encouraged to continue sending feedback to MnDot as they work on a final design.
- Smythe noted that the new telephone and internet installation was completed. Staff are still working out some bugs with the installer, but it has been an overall improvement.
- Staff are in the midst of the conversion process for the new accounting system (BS&A), which is expected to go live in July.

9. Other Business

a. Next Regular Meeting – June 10, 2024 at 7:00 p.m.

- Next meeting date was confirmed.

10. Adjournment

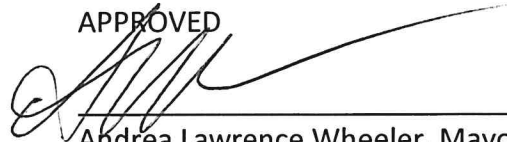
- **MOTION** to adjourn by Schwinghammer, seconded by Vazquez, all voted aye. **MOTION CARRIED 4-0.** Meeting adjourned at 8:05 p.m.

ATTEST



Annita M. Smythe, City Administrator

APPROVED



Andrea Lawrence Wheeler, Mayor