

CLEARWATER CITY COUNCIL MEETING MINUTES
REGULAR CITY COUNCIL MEETING
AUGUST 5, 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, August 5, 2024, at 7:00 p.m. in the Council Chambers. The Pledge of Allegiance was recited. Members present were Mayor Lawrence, Council Members Luhmann, Schwinghammer, and Vazquez. Also present were members of the public, staff, and guests.

2. Approval of Agenda

- **MOTION** by Luhmann to approve Agenda as presented, seconded by Schwinghammer, all voted aye. **MOTION CARRIED.**

3. Wright County Sheriff's Report

- Deputy Marschel gave the Sheriff's report. He reported about a cow on the loose that had escaped from T&R Meats – it is evidently still at large.
- Member Luhmann had questions about what can be done about vehicles in city parks after hours and options for homeless persons. Marschel explained that deputies can cite people in the parks after hours. They may give a warning first if there is no history with the same violator. He agreed that homeless folks do not have a lot of resources due to a lack of shelters in Wright County. He stated that people are sometimes referred to shelters in St. Cloud. If the person has a vehicle, they may be able to utilize parking lots at area businesses if the business doesn't object or they can use the nearby rest stop along I94. He noted that Wright County is discussing shelter options.

4. Public Forum

- None.

5. Consent Agenda

- a. **Claims/Accounts Payable in the Amount of \$ 690,017.57**
- b. **Approval of Minutes from 07-08-2024 Regular City Council Meeting**
- c. **Approval of Minutes from 07-22-2024 Special City Council Meeting**
- d. **Res 2024-46 – Approving Gambling Permit – Kimball Fire Relief**
- e. **Res 2024-47 – Accepting Donation to Fire Department**
- f. **Res 2024-48 – Approving Hire of Firefighter**
- g. **Authorize Purchases for Fire Department**
- **MOTION** by Lawrence to approve Consent Agenda as presented, seconded by Luhmann, all voted aye. **MOTION CARRIED.**

6. Old Business

a. Accepting Bid for Main Street Overlay Project

- Engineer Kannas gave an overview of the bids received for the Main Street Overlay Project. The bids ranged from \$223,910.00 to \$282,384.25. The low bid for the project was from Knife River Corporation of Sauk Rapids, Minnesota. The Engineer's Estimate for the project was \$320,000.00. Kannas recommends accepting the low bid from Knife River.
- **MOTION** by Lawrence to accept the bid from Knife River per the recommendation of the City Engineer, seconded by Schwinghammer, all voted aye. **MOTION CARRIED.**

b. Res 2024-50 - Spring Street Stormwater Project

- Kannas gave an overview of the history of this project for the benefit of guests at the meeting. Included in the materials are the final feasibility report and the assessment estimates, revised per City Council direction at the last meeting. Overall assessments are estimated at \$13,362, or 5.1% of the estimated project costs. The next steps depend on whether the City Council plans to assess any costs or not. If assessing, state law requires a public hearing be held prior. Kannas recommends conducting a town hall meeting for residents to ask questions before the public hearing. If not assessing, then the City Council could move to authorize plans and specifications for bidding the project.
- **MOTION** by Vazquez to approve Resolution 2024-50, Accepting Feasibility Report and Calling for Public Hearing on Improvements, seconded by Lawrence, all voted aye. **MOTION CARRIED.**
- Lawrence stated that a town hall meeting should be held prior and asked staff to coordinate a date. Kannas stated this would likely be a spring 2025 project, so the public hearing process can be done over the winter months.
- Resident Donna Heaton asked if the city will address property damage from the current stormwater runoff. Mayor Lawrence stated the city will resolve property damage concerns once the improvements are in place to prevent further issues.
- Another resident asked if the new catch basins would be in the street or in yards. Kannas stated they would be placed in the street and the curbs adjusted to full height.

c. Direction on Firefighter ESSL – State Law Changes

- Mayor Lawrence summarized the staff memo outlining the state law change and impact to the city. There were no questions.
- **MOTION** by Lawrence to accept recommendation of city administrator to terminate ESSL program for firefighters effective immediately and payout any remaining balances to firefighters with the next quarterly payroll, seconded by Schwinghammer, all voted aye. **MOTION CARRIED.**

d. Approve Clean-up Day Pricing

- Smythe explained that staff expected to have the pricing changes from the vendor, but they were not yet available. Members directed staff to advertise clean-up day with the old prices, subject to change at the September 9 meeting once vendor pricing is reviewed.

7. New Business

a. Consider Food Shelf Stormwater Options

- City Engineer Kannas detailed the storm water concerns for the food shelf development project, handing out a map to illustrate the area. Because the property is over 1 acre and is within the city's wellhead protection area, the project is not allowed to have an infiltration basin for their stormwater runoff. This was noted as an item to be addressed in the engineer's memo that was part of the original project approval.
- Kannas met with the developer's engineer and they revised the plans to reduce the land being excavated to below one acre. This makes it so a permit from MPCA is no longer required, however, he still recommends not allowing infiltration because of the vulnerability of the city's wellhead area. His recommendation is to still require stormwater to be drained and connected to the stormwater pipe near Blaine Brothers.
- The food shelf opposes this plan. They are concerned about the timing and the costs. The church will not allow a pipe across their property, so it would need to follow the lot lines, adding extra cost.
- Members discussed the options and asked for an estimate of the costs. Kannas stated it would likely cost around \$70,000 to run pipe along the lot lines. Members discussed concerns about keeping the drinking water safe and wanting to assist the food shelf.

- There was additional discussion about the possibility of grants, but that would delay the project further.
- After discussion, Members concurred that the stormwater improvements are needed for the safety of the wellhead area. Members also agreed that the city would share the costs of this improvement but disagreed on the level of support.
- **MOTION** by Vazquez to require the improvements as recommended by the city engineer with the city paying for half of the costs. **MOTION FAILED** for lack of a second.
- Several Members suggested differing levels of support without consensus.
- **MOTION** re-introduced by Vazquez, requiring improvements as recommended by city engineer, with city paying for half of the costs, seconded by Schwinghammer. Voting aye – Vazquez, Schwinghammer, Lawrence. Voting nay – Luhmann. **MOTION CARRIED 3-1.**
- Next steps are for the food shelf engineer to submit a stormwater plan.
- b. Res 2024-49 – Declaring Vacancy on City Council**
- **MOTION** by Lawrence approving Resolution 2024-49, seconded by Schwinghammer, all voted aye. **MOTION CARRIED.**
- Lawrence suggested soliciting letters of interest for the Council vacancy for the next meeting.
- c. Appoint City Council Member to Sewer Authority Board**
- Mayor Lawrence asked for a volunteer to fill Winkelman’s position on the Sewer Authority Board. Schwinghammer volunteered.
- **MOTION** by Lawrence appointing Schwinghammer to the Sewer Authority Board, seconded by Vazquez, all voted aye. **MOTION CARRIED.**
- d. Res 2024-44 – Approving Hire of Utility Billing Clerk**
- **MOTION** by Lawrence approving Resolution 2024-44, seconded by Schwinghammer, all voted aye. **MOTION CARRIED.**
- e. Authorize Posting of Community Development Position**
- **MOTION** by Lawrence to authorize posting of Community Development position, seconded by Luhmann, all voted aye. **MOTION CARRIED.**
- f. Accept Quote for Tower Cleaning**
- **MOTION** by Lawrence to accept the low quote, seconded by Vazquez, all voted aye. **MOTION CARRIED.**
- g. Review Draft Budget for 2025**
- Smythe gave a brief overview of the draft 2025 budget. Members did not have any questions.

8. Committee Reports

a. Mayor and Council

- Mayor Lawrence had the following comments:
 - Congratulated Mary Abraham for winning the Senior of the Year award at the Wright County Fair.
 - Reminded Council Members to keep city business discussions at the meeting and avoid outside discussions so there are no concerns about the open meeting law.
 - Reminded Council that Clearwater is hosting the Wright County Mayor’s Association meeting on September 18 and hopes everyone can attend.
 - Expressed appreciation for the good work done by the Heritage Festival committee and the successful festival.

b. Boards

- Fire Relief Association Board – Did not meet.
- Planning Commission – Did not meet.
- EDA – Met and discussed development programs and fire department recruitment.
- Sewer Authority – Did not meet.

- Park Commission – Met and discussed the following:
 - o Rugby team requested permission to place a small shed at El Dorado Park to store equipment. Park Commissioners recommended approval with a licensing agreement to cover liability or other concerns.
 - **MOTION** by Lawrence to approve recommendation of the Park Commission, seconded by Luhmann, all voted aye. **MOTION CARRIED.**
 - o Member Vazquez explained the continued delays with the splash pad concept plan and noted that the Park Commission has asked staff to reach out to another vendor.
 - o Commissioners asked staff to obtain quotes to place rip-rap at Riverside Park.
 - o Commissioners discussed the need for boat regulations on the Clearwater River in Riverside Park which would require the two counties to adopt the requested regulations and then get approval from the DNR. Commissioners deferred this discussion to the City Council, as they did not understand the issue.
 - Member Luhmann stated that boats are coming up from the Mississippi River at night with loud noises and bright lights. She would like a regulation that prohibits motorized boat traffic.
 - **MOTION** by Vazquez directing staff to approach the two counties to adopt a regulation prohibiting motorized watercraft traffic on the Clearwater River from the dam to the Mississippi River, seconded by Luhmann, all voted aye. **MOTION CARRIED.**
 - o Members asked about the uprights for the new rugby field. Vazquez explained that the team is hiring someone to complete measurements for placement, then they will be installed.

c. Staff

- Local resident Renae Kelly is present to get feedback from the City Council on two planned proposals prior to submitting applications and expending fees:
 - o One is a request to amend the Zoning Ordinance related to accessory uses. She is the owner of a vacant lot that she would like to fence. District regulations do not allow fencing unless there is a primary structure. It is an issue for her, because her property is adjacent to a city park. Local children are cutting through her property to access the park. She would like to request a text amendment to allow fencing of vacant lots. Members appeared to have no concerns about this.
 - o The second is to amend the Zoning Ordinance to allow sheds or outbuildings on a vacant lot. Smythe noted the city code does not allow this because vacant lots could become storage areas, which is not complementary to the other properties in the district and because it can discourage principal building construction, which can harm the tax base. Members suggested a better course of action would be to combine the lot with another with a principal structure. Ms. Kelly is aware of this option, but prefers not to do that at this time.
- Smythe reported on the following:
 - o EDA suggested converting Park Commission to a Park and Recreation Board after the Local Option Sales Tax fund is depleted. Park Commission members took it under advisement.
 - o EDA suggested bringing back the frontage road project to prepare for T.H. 24 changes, particularly on the east side of the highway. Members agreed to add this to a future project list.
 - o The ponds along Huber Ave and the center islands on Kelsey Ave are ready for the native plantings. Planting was scheduled for late last week but was delayed due to weather conditions. It should take place soon.

- Staffing is a real challenge at city hall right now, with one position that has been vacant for months and a second one about to be vacant due to Stephanie Trottier's resignation. Smythe asked for patience on lower-priority requests.
- The accounting system conversion is in progress and going very slowly. Staff expect it will take several weeks before the city is fully online and up to speed with the new system.
- Reminder that the State Primary Election is August 13, 2024 from 7:00 a.m. to 8:00 p.m.
- Reminder that the filing period for City Council seats closes August 13, 2024 at 5:00 p.m.

9. Other Business

a. Next Regular Meeting - September 9, 2024 at 7:00 p.m.

- Next regular meeting date confirmed for September 9, 2024 at 7:00 p.m.

10. Adjournment

- **MOTION** to adjourn by Lawrence, seconded by Luhmann, all voted aye. **MOTION CARRIED.**
- Meeting adjourned at 8:54 p.m.

ATTEST

APPROVED

Annita M. Smythe, City Administrator

Andrea Lawrence Wheeler, Mayor