

**MINUTES OF THE
WATERTOWN CITY COUNCIL
Regular Meeting Tuesday, February 13, 2007**

1. CALL TO ORDER AND ROLL CALL

Pursuant to due call and notice thereof, the regular meeting of the Watertown City Council was called to order, on **Tuesday, February 13, 2007** by Mayor K. J. McDonald at 6:30 PM in the Watertown City Hall Council Chambers.

Upon roll call the following Council Members were present: McDonald, Dan Geiger, Steven Duske and Earline King. Council member Rick Mann was absent.

The following staff members were present: City Administrator David Mandt; City Attorney Dave Hubert; City Planner Crystal Foust, Interim Community Development Director Mark Kaltsas; Finance Director Steven Wallner.

Others present were: Michelle Swanson of Xcel Energy, Wayne Jacobson of Jacobson Environmental and Terry Hartman of Hartman Communities.

2. ADOPT AGENDA

Staff asked that the following item be pulled from the agenda: (9d) Planning Commission recommendation to approve Tuvey Meat site plan. Staff also asked to move Item 9e to the consent agenda.

KING MOVED, DUSKE SECONDED A MOTION TO ADOPT THE AGENDA AS AMENDED. MOTION CARRIED 4-0.

3. REVIEW OF CONSENT AGENDA

- A. Council minutes for January 23, 2007
- B. Recommendation to approve Riverpointe escrow requirement reduction
- C. Recommendation to approve resolution to approve easement for Global Signal purchase easement
- D. Planning Commission recommendation to approve text amendment for Business Park Ordinance
- E. Planning Commission recommendation to approve rezoning of Woodfield/Elementary School site with conditions
- F. Claims Roster
- G. Park and Recreation Commission recommendation for Forest Hills Park

Duske asked to pull Item 3C for discussion.

4. CONSENT AGENDA APPROVAL

GEIGER MOVED, KING SECONDED A MOTION TO APPROVE THE CONSENT AGENDA AS AMENDED. MOTION CARRIED 4-0.

5. **OPEN FORUM**

6. **CELEBRATE WATERTOWN**

A. Luce Line Lodge opened Feb. 3. No parking problems so far.

7. **NEW/OLD BUSINESS**

A. Foust gave an update on the Comprehensive Plan Task Force. She stated that staff would like to limit the number on the task force to 15. A mailing list will be sent out to task force members to bring them up to date. McDonald informed Foust that the high school principal was recruiting two youth members for the task force. The first meeting of the task force will be Wednesday, February 28. They plan to meet once a month and more often if necessary.

MCDONALD MOVED, KING SECONDED A MOTION TO APPROVE THE TASK FORCE. THE MOTION WAS AMENDED TO INCLUDE COMPENSATION AT THE SAME RATE AS OTHER COMMISSIONERS. MOTION MOVED BY MCDONALD, SECONDED BY DUSKE. AMENDED MOTION CARRIED 4-0. ORIGINAL MOTION CARRIED 4-0.

B. City has been having problems with Tuscan Village developer. Mandt stated that developer has not collected or paid for permits requested. Mandt stated that the city staff has attempted to contact the developer a number of times about this situation. The city has paid approximately \$17,000 to Waldron and Associates for their inspections and state surcharges. Mandt stated that the full amount of the permits exceeds this amount. He stated that since no construction has begun, the city would like to receive the amount already paid to Waldron. Hubert stated that the developer would still have to pay the other fees associated with the building permits when they are collected at City Hall. Duske asked why the developer wasn't required to pay for any of the services performed by Waldron. Mandt stated that this is the first time someone has requested work be done and not come and picked up the permits and pay for them. Mandt stated that in the future the city would require an escrow account be established for construction permits. For the immediate situation, Hubert suggested two options: (1) Not to grant any occupancy permits until the building permits are paid; (2) If this doesn't prove successful, the next step would be to take legal action.

MCDONALD MOVED, KING SECONDED A MOTION TO AUTHORIZE THE CITY ATTORNEY TO SEND A LETTER TO THE DEVELOPER WITH THE INFORMATION DISCUSSED AT THE MEETING. MOTION CARRIED 4-0.

C. Jacobson Environmental Proposal for Crow River Cleaning Project. Jacobson started on project of clearing trees on the Crow River from Co. Rd. 10 bridge in Watertown to Co. Rd. 23 bridge in Mayer. The intention is to have the stretch of river designated as a state canoe route by the DNR who would then maintain the route. This project was originally proposed with Carver County participation. The

original budget was \$25,000 but the county has since backed down. Jacobson estimated that he could do his project for \$7,500. He has received a \$500 commitment from the City of Mayer and asked for \$1,500 from the City of Watertown. He believes the Watertown Lions will cover the remaining portion. Jacobson did a demonstration project January 26 with Tree Top Service of Delano. He believes the project can be completed by next week. Wallner stated that he had attended the recent Lions Club meeting and they had agreed to donate \$1,500 to the city. Jacobson said he would be attending a future Lions Club meeting about the balance of the cost.

MCDONALD MOVED, GEIGER SECONDED A MOTION TO DONATE \$1,500 WITH REIMBURSEMENT COMING FROM THE WATERTOWN LIONS CLUB. MOTION CARRIED 4-0.

8. CITY STAFF REPORTS

A. Public Works Update. Kammerer gave reports on a sewer backup, water main break and outdoor hockey rink. The sewer backup was due to excess cement blocking the line in the area of the new lift station which was constructed during the river crossing project this past summer. Kammerer believes the contractor (Gridor Construction) inaccurately estimated the amount of cement needed for the project. Kammerer said this was not discovered until the day of the backup. Kammerer also stated that a water main break was repaired on Territorial Street Sunday evening, Jan. 28. The hockey rink will be open as long as the weather cooperates.

9. COMMITTEE REPORT

A. Planning Commission recommendation to adopt text amendment for as-built survey. City staff has been working with Waldron and Associates to determine if an additional survey is necessary for all new residential construction. There appears to be a gap between the time that the elevations are approved and the site is graded by the developer and when the builder grades the lot for the house. The Planning Commission has recommended adoption of Ordinance 292 amending Chapter 14 of the Municipal Code of Watertown pertaining to building and building regulation, by adding a new section to Article II establishing survey requirements.

GEIGER MOVED, KING SECONDED A MOTION TO ADOPT ORDINANCE 292 AS RECOMMENDED BY THE WATERTOWN PLANNING COMMISSION. MOTION CARRIED 4-0.

B. Planning Commission recommendation to amend ordinance for bed and breakfast signage. The proposed ordinance allows flexibility in the Municipal Code to allow more square footage by conditional use permitted by the Council while respecting the nature of the existing environment which is residential. The Planning Commission made a favorable recommendation to adopt the ordinance as presented.

MCDONALD MOVED, GEIGER SECONDED A MOTION TO ADOPT ORDINANCE 294, AMENDING CHAPTER 62 OF THE MUNICIPAL CODE OF WATERTOWN PERTAINING TO BED AND BREAKFAST LODGING FACILITIES AND SIGNAGE PERMITTED. MOTION CARRIED 4-0.

- C. Planning Commission recommendation to approve Woodfield PUD text amendment. The Planning Commission held a public hearing Jan. 18 to review the proposed ordinance, designating Woodfield as a Planned Unit Development (PUD). The Planning Commission recommended adoption of the ordinance.

GEIGER MOVED, DUSKE SECONDED A MOTION TO ADOPT ORDINANCE 295 AMENDING CHAPTER 62 OF THE MUNICIPAL CODE OF WATERTOWN PERTAINING TO ZONING BY ADDING A NEW DIVISION 20, ARTICLE IV ESTABLISHING A NEW ZONING DISTRICT, PLANNED UNIT DEVELOPMENT-WOODFIELD RESIDENTIAL (PUD-W). MOTION CARRIED 4-0.

10. ATTORNEY'S REPORT

11. ENGINEER'S REPORT

Mandt presented engineer's report for Dave Martini, who was absent. Mandt stated that a second river crossing is being proposed near Watertown by Carver County who is going to the legislature for financial support. The City of Watertown is being asked to supply a letter of support. Mandt stated that there will be a trails plan workshop prior to the next council meeting.

12. MAYOR'S REPORT

McDonald stated that he hoped to have a proposal with cost estimates for the youth commission for the next council meeting.

13. COUNCIL MEMBER'S REPORT

- A. King stated that she had attended a Community Education Advisory Council meeting. They are trying to recruit new members.
- B. Community Center cleaning was postponed to the next meeting due to Council member Mann's absence.

14. ADMINISTRATOR'S REPORT

Mandt stated that the EDA meeting for February was rescheduled for Monday, Feb. 26. The EDA is working with eight businesses on funds for remodeling. Mandt reminded council members of the goal-setting workshop Saturday, Feb. 24 at B's Restaurant.

15. FINANCE DIRECTOR REPORT

16. COMMUNITY DEVELOPMENT REPORT

17. ADJOURNMENT

**THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT
7:57 PM.**

Respectfully Submitted,

ATTEST:

Steven Wallner
Clerk-Treasurer

K.J. McDonald
Mayor