

**MINUTES OF THE  
WATERTOWN CITY COUNCIL  
Regular Meeting Tuesday, April 22, 2008**

**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, April 22, 2008** 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, Steve Duske, Earline King and Rick Mann. Council Member Dan Geiger was absent.

The following staff members were present: City Engineer David Martini, City Attorney David Hubert, City Administrator David Mandt, City Finance Director Steven Wallner, City Planner Crystal Foust, Planning Consultant Mark Kaltsas and Public Works Supt. Doug Kammerer.

Also present were: Tim Lynch, Tom and Rhonda Dahlstrom, Cilla and Joe Diethelm, Jeff Deitering, Tara Jones, Anthony and Heather Wendling, Tony Vavoulis and Jay Smedberg.

**2. ADOPT AGENDA**

Staff asked to have Items 3O (Love Inc. request), 9E (Rezone Riverview Heights), 14A (Hartman easement) and 14B (Hockey rink letter of credit draw) added to the agenda.

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

**3. REVIEW OF CONSENT AGENDA**

- A. Minutes for April 8, 2008 meeting
- B. Pay request from Melchert, Hubert and Sjodin
- C. Request for a peddler permit from Keavy's Kool Treats
- D. Formal approval of 2008 Fee Schedule Ordinance
- E. Watertown Lions Club Charitable Gambling Permit license renewal
- F. Watertown Fire Department recommendation to appoint Nick Hoese as a member of the fire department
- G. Park Commission recommendation to purchase goal nets for hockey rink
- H. Park Commission recommendation to install basketball hoops for hockey rink
- I. Park Commission recommendation to appoint a youth commissioner
- J. Finance Committee recommendation to merge funds
- K. Forest Hills letter of credit reduction
- L. Watertown Lions Club pass through donation for fire department
- M. Utility shutoffs
- N. Claims roster
- O. Love Inc. request

Mann asked to have Item 3G pulled for discussion. He suggested stronger nets with five resin coat finish which he said would cost 30% more but last longer. The

Council decided to approve the purchase and have the Public Works Committee select the netting.

**4. CONSENT AGENDA APPROVAL**

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

**5. OPEN FORUM**

- A. Presentation of citizen petition. Eight people attended the Council meeting in support of a petition signed by 49 people requesting an ordinance against loitering and harassing/intimidating behavior in public areas and along the Luce Line Trail. In a letter attached to the petition, Tom and Rhonda Dahlstrom stated that those who signed the petition are concerned with the ongoing problem of individuals and groups of youth hanging out on the Luce Line Trail Bridge between True Value Hardware and the County Road 10 overpass. The Dahlstroms stated that the youth harass and intimidate people walking on the Trail and cross the river on the bridge. They claim the youth block access to the bridge by their presence and with their bikes on the Trail. They stated that the youth use foul language, litter the area, are smoking and drinking alcohol and chase other kids using rocks and spit at them. The letter requested an ordinance with subsequent fines and/or jail time for offenders. They submitted an ordinance that the City of Waconia has regarding public nuisances affecting peace and safety as it relates to individuals under the age of 17. Two other residents also spoke about experiences they or their children had with the youth near the bridge.

Duske stated that the problem must be resolved. He suggested community service or teaching the youth a trade so they could give back to the city and see there is a brighter future for them. King stated that she is working with a local youth group and would like to get the help of these youth to outline a youth program. Mann stated that if the youth got involved in helping with the trail system they would take pride in it. However he said it all comes from their upbringing and respect and there needs to be support from the parents. McDonald stated that the action of the youth reflects on their parents. He stated that he would be willing to call the parents and have them and their children come to a meeting with himself and representative(s) of the Carver County Sheriff's Office. He said this was done with another group a couple of years ago and it seemed to work. Watertown Deputy Derek Sanderson stated that he has talked to the youth and it appears to be a different group from the one that was causing trouble a couple of years ago. He stated that the officers will be taking aggressive action to help keep the youth from loitering in the area of the bridge. McDonald stated that he would like to work toward solidarity in the community with this issue. He said we are all interdependent on each other to make this a safe community. Duske requested that city staff review the Waconia ordinance and draft a Watertown ordinance before the next council meeting. The other council members agreed.

**6. CELEBRATE WATERTOWN**

- A. Carver County Commissioner Tim Lynch announced to the Council that the County Board approved \$1.9 million for improvements to County Road 20 from Paul Avenue to County Road 10. This will include a trail along County Road 20 and an underpass under County Road 20 to connect Paul Avenue with Forest Hills. Construction would begin in 2009.
- B. Kammerer stated that the Watertown-Mayer High School horticulture class will be doing several projects within the city this spring and summer. He also stated that Girls Scouts and parents helped to pick up trash in the area of City Center Park and Pocket Park over the past weekend.

7. **NEW/OLD BUSINESS**

8. **CITY STAFF REPORTS**

9. **COMMITTEE REPORT**

- A. Personnel Committee recommendation for Public Works seasonal helpers. Kammerer stated that the Personnel Committee and City Staff met to discuss summer employment. It was decided to rehire two of last year's employees—Mike Loehrs and Logan Pysick—starting May 5, 2008 at \$9 per hour.

**MCDONALD MOVED, MANN SECONDED A MOTION TO REHIRE MIKE LOEHRS AND LOGAN PYSICK AS SEASONAL PUBLIC WORKS EMPLOYEES AT \$9.00 PER HOUR. MOTION CARRIED 4-0.**

- B. Planning Commission recommendation to approve 2030 Comprehensive Plan. In accordance with the requirements of the Land Use Planning Act and following an involved process of meeting with the public, elected officials and appointed task force, the City has prepared a draft 2030 Comprehensive Plan. Staff has received feedback on all components of the draft plan. The task force recommended that the draft plan be presented to the Planning Commission and City Council for review and approval. Staff received a recommendation from the Planning Commission to adopt the 2030 Comprehensive Plan and send it to the City Council for their review. Council commended staff for their work and presentation of the Comprehensive Plan.

**DUSKE MOVED, MANN SECONDED A MOTION TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION TO ADOPT THE 2030 COMPREHENSIVE PLAN AND SUBMIT IT TO SURROUNDING GOVERNMENTS AND THE METROPOLITAN COUNCIL FOR INFORMATIONAL REVIEW. MOTION CARRIED 4-0.**

- C. Planning Commission recommendation to approve Verizon Wireless CUP. Verizon Wireless is requesting conditional use permit approval to build a wireless communication monopole and shelter at the Public Works facility at 700 Lewis Ave. N. In addition, a 12x30 ft. equipment building is proposed adjacent to Co. Rd. 27. No one attended a public hearing held March 13, 2008.

Planning Commission recommended to the Council to approve the conditional use permit to construct a wireless monopole and building subject to eight conditions.

Duske stated that he was not comfortable approving a resolution for the CUP without seeing the lease agreement and being sure both parties are satisfied. Wallner stated that the city attorney is reviewing the lease. Duske stated that he was concerned about hot spots around the tower and that warning signs should be posted. Tony Vavoulis of Buell Consulting, Inc. stated that the only hot spot he is aware of would be in front of the panel. He stated that the wireless communication industry is heavily regulated, that employees are well trained and safety is a huge issue for Verizon. He stated that the company does not create random hot spots.

**MANN MOVED, KING SECONDED A MOTION TO APPROVE THE CONDITIONAL USE PERMIT TO ALLOW VERIZON WIRELESS TO DO A SITE PLAN, BUILDING DESIGN AND LEASE AGREEMENT. MOTION CARRIED 4-0.**

- D. Planning Commission recommendation to approve lot split and rezone at 709 Jefferson Ave. SW. Gary Kirt, the property owner, is requesting a lot split or boundary adjustment and rezoning of the property to C-2 (General Commerce). The property is currently zoned Industrial (I-1) on the east and Agricultural (A-1) on the west. The property line runs through the most westerly building. The property does comply with the C-2 regulations. City staff recommends the lot boundary adjustment in line with the north property line, contingent upon a legal description and revised survey submitted for approval. The boundary adjustment can be reviewed again once a site plan and future plans are complete. The property is currently for sale.

**KING MOVED, MANN SECONDED A MOTION THAT UPON COUNCIL APPROVAL OF A SITE PLAN, THE COUNCIL WILL AGREE TO REZONE THE PROPERTY AT 709 JEFFERSON AVENUE SOUTHWEST TO C-2 AND APPROVE AN APPROPRIATE LOT SPLIT. MOTION CARRIED 4-0.**

- E. Riverview Heights rezoning. The Planning Commission reviewed a request in May 2006 to rezone the property from A-1 (Agricultural) to R-1 (Residential). At a Council meeting in June, the developer requested that the rezoning be reviewed when the preliminary plat was considered. The preliminary plat was approved and is valid until Oct. 24, 2008. The rezoning was not discussed or approved by the Council although the Planning Commission did have a favorable recommendation to approve the rezoning. A public hearing was held April 10, 2008 at which three property owners from Kings Meadows attended. In general, the property owners were in favor of the rezoning.

**DUSKE MOVED, MANN SECONDED A MOTION TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE REZONING OF RIVERVIEW HEIGHTS FROM A-1 TO R-1, CONSISTENT WITH THE COMPREHENSIVE PLAN. MOTION CARRIED 4-0.**

10. **ATTORNEY'S REPORT**

11. **ENGINEER'S REPORT**

- A. Project Update.  
B. Request for payment.

**MANN MOVED, KING SECONDED A MOTION TO APPROVE PAYMENT TO BOLTEN & MENK, INC. IN THE AMOUNT OF \$4,656.50. MOTION CARRIED 4-0.**

**12. MAYOR'S REPORT**

**13. COUNCIL MEMBER'S REPORT**

- A. King stated that she had attended the Watertown-Mayer Community Education Advisory Council meeting. They discussed wider use of all three school buildings.
- B. Duske stated that it would be helpful if residents notified the city when their neighbors moved out following a foreclosure. The mortgage company is not required to notify the city, but if the city knows of the foreclosure, they can contact the mortgage company to shut off the water and prevent a possible leak in the winter due to frozen pipes.

**14. ADMINISTRATOR'S REPORT**

- A. Hartman drainage and utility easement. Mandt stated that this was received the day of the council meeting. Council members agreed that they would like time to review it. The item will be on the agenda for the May 13, 2008 meeting.
- B. Hockey rink letter of credit draw. Expert Asphalt provided a letter of credit for the hockey rink project which expires May 1, 2008. The city has required an extension of six months to allow the rink surface to be replaced according to conditions submitted by Braun Intertec. Expert has until April 25, 2008 to extend the letter of credit. In the event the contractor refuses to extend the letter of credit, it will automatically expire May 1, 2008.

**MANN MOVED, KING SECONDED A MOTION TO APPROVE THE STAFF'S RECOMMENDATION TO AUTHORIZE DRAWING THE FULL AMOUNT (\$51,000) OF THE LETTER OF CREDIT ON APRIL 28, 2008 IF EXPERT ASPHALT DOES NOT PROVIDE THE CITY WITH A SIX-MONTH EXTENSION BY 4:30 P.M. FRIDAY, APRIL 25, 2008. MOTION CARRIED 4-0.**

**15. FINANCE DIRECTOR REPORT**

**16. PLANNER REPORT**

- A. Foust reminded the Council of the Walk Watertown Action Committee meeting Thursday, April 24, 2008. The Committee will discuss the future goals and objectives.

**17. ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 8:36 PM.**

Respectfully Submitted,

**ATTEST:**

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Steven Wallner  
Clerk-Treasurer

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K.J. McDonald  
Mayor