

**MINUTES OF THE  
WATERTOWN CITY COUNCIL  
Regular Meeting Tuesday, April 28, 2009**

**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 28, 2009** 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, Jodi Martinez, Earline King, Rick Mann and Steven Duske.

The following staff members were present: Senior Planner Crystal Foust, Planning Consultant Mark Kaltsas, City Engineer David Martini and City Clerk-Treasurer and Finance Director Steven Wallner.

Also present were: Marcus Zbinden, Jason Telander, Justin Rath, Richard Schimmel, Kay Thul, Dan Dailey, Curt Whisler, Josh Hoover, Pat Neaton.

McDonald stated that the meeting would end at 8:00 p.m. due to a closed session for a personnel issue. McDonald stated that any business not finished during the regular meeting time would be held over to the next council meeting.

**2. ADOPT AGENDA**

Wallner asked that Item 4A (Town Deputy update) be added to the agenda and that Items 7A (Planning Commission recommendation to deny text amendment request) and 11D-2 (Building permit incentive program) be pulled from the agenda. Wallner asked that Item 11D-1 be moved up after the engineer's report in order to have action taken on it before the meeting is adjourned at 8:00 p.m.

**DUSKE MOVED, MANN SECONDED A MOTION TO ADOPT THE AGENDA AS AMENDED. MOTION CARRIED 5-0.**

**3. REVIEW OF CONSENT AGENDA**

- A. Council minutes for April 14, 2009 meeting
- B. Pay request from M K Land

**DUSKE MOVED, MANN SECONDED A MOTION TO ADOPT THE CONSENT AGENDA. MOTION CARRIED 5-0.**

**4. OPEN FORUM**

- A. Watertown Deputy Greg Gowan gave the Council an update on recent calls he has made in the community.

**5. CELEBRATE WATERTOWN**

- A. Wallner stated that there would be Community Clean Up from 8 to 11 a.m. Saturday, May 2.
- B. Mann stated that the Watertown Lions were having a fundraising event Friday evening, May 1 at the Community Center. Proceeds would go toward Rails to Trails Festival.

6. **NEW/OLD BUSINESS**

7. **COMMITTEE REPORT**

- B. Planning Commission recommendation for site plan: Watertown Eco-Site.
- C. Planning Commission recommendation to rezone 709 Jefferson Ave. SW.

Gary Kirt, owner of buildings at 701-709 Jefferson Avenue SW, wishes to located two industrial businesses, R W Farms LLC and Adult Training and habilitation Center in two buildings at the location. The purpose of locating the businesses there is to establish Watertown Recycling. R W Farms will provide employment through Adult Training and Habilitation Center to 25 individuals in a cooperative agreement with Carver County Social Services and Carver County Environmental Services. Recycling operations at the Watertown site will consist of material collection, sorting and processing. The Watertown Recycling would replace the city recycling center at Public Works. Property is zoned light industrial to the east and agriculture to the west. The Planning Commission and City Council discussed the proposed rezoning and lot split in April 2008 and recommended the applicant come forward with a site plan before pursuing rezoning and lot split approval. The applicant has now come forward with a site plan concept.

The existing building is predominately constructed of steel. The applicant has requested a waiver of the requirement to incorporate at a minimum 30% brick, stone or similar material in the building design. Existing access is off of Jefferson Avenue. Applicant has proposed to not alter the location but pave two access drives off of Hwy. 25 (Jefferson Avenue). Applicant has indicated that existing exterior lighting will be replaced or removed as needed with fixtures and wattage that meets city code. Applicant proposes 32 trees on the south side of the property to replace those cut down on the west side to satisfy the boulevard tree requirement.

Staff recommended tabling the site plan for 701-709 Jefferson Avenue and directed the applicant to apply for a variance in which the Planning Commission and Council will consider this request.

Duske had questions about drainage and landscaping. He stated that he would like to see the parking area paved.

**DUSKE MOVED TO TABLE THE SITE PLAN. MOTION CARRIED 5-0.**

**MARTINEZ MOVED, KING SECONDED A MOTION TO ADOPT ORDINANCE 335 AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY REZONING**

**CERTAIN PROPERTY AT 701-709 JEFFERSON AVENUE SOUTHWEST FROM AGRICULTURE/OPEN SPACE (A-1) TO LIGHT INDUSTRIAL (I-1).**

Discussion followed the motion and second to rezone. Justin Rath of NAI Welsh Companies, commercial real estate representative for 701-709 Jefferson Ave. SW, stated that he didn't want to see the property rezoned if it meant it would force the owners to do upgrades on the property.

**MARTINEZ WITHDREW HER MOTION TO ADOPT ORDINANCE 335 REZONING CERTAIN PROPERTY AT 701-709 JEFFERSON AVENUE SOUTHWEST. KING SECONDED THE MOTION TO WITHDRAW.**

Duske suggested that the owners and/or Rath go through the items recommended by the Planning Commission and submit a site plan to the Planning Commission.

D. Luce Line Trail donation – Proposal of horse corrals

The Luce Line Trail Association (LLTA) informed the Council Feb. 10, 2009 that they would like to donate \$1,500 to the city to be used to benefit the Luce Line Trail and City of Watertown. They suggested corrals to allow people who ride horses on the Trail to leave them in the corrals while they are doing business in town. The Council accepted the donation and directed the representatives of the LLTA to work with the Park and Recreation Commission to decide how best to use the donation.

The Park and Recreation Commission recommended putting horse corrals in Pocket Park. City staff spoke with the DNR Trails and Waterways Division as a resource for similar park applications. They advised the city to consider insurance liability, maintenance and vandalism issues and safety of adjacent trail users. The LLTA has offered to put up the corrals. The Park and Recreation Commission recommended approval of the horse corrals in Pocket Park along the Luce Line Trail pending staff checking on increased insurance liability. City staff recommended that if the Council moves forward with the corrals, the LLTA should maintain it. City Staff also recommended that the city reserve the right to take the corrals down if the city decides that it is not in the best interest of the city to keep them.

Foust stated at the council meeting that the city's insurance group suggested horse owners using the corral should be willing to sign a waiver of liability in favor of the city. She stated that there are concerns about those who would use the corrals and not have signed a waiver of liability. She also stated that the DNR has concerns about unattended horses. Deb Rockney of the LLTA stated that chains could be used to lock the horses in the corrals when the owner is not there. She stated that the liability of the horse is on the owner. Duske asked if one waiver could be used for everyone in the LLTA. Martinez suggested that signs be posted warning people about possible dangers. There were also concerns about how much feces would be produced and how it would be cleaned up.

**MCDONALD MOVED, DUSKE SECONDED A MOTION TO APPROVE THE HORSE CORRALS IN POCKET PARK. MOTION CARRIED 5-0.**

8. **CONSULTANTS' REPORTS**

A. City Engineer

1. Projects in Progress. Martini gave the Council a progress report.
2. Bolton & Menk, Inc. pay request.

**MANN MOVED, MARTINEZ SECONDED A MOTION TO APPROVE THE PAY REQUEST FROM BOLTON & MENK, INC. FOR \$21,416.76. MOTION CARRIED 5-0.**

9. **MAYOR'S REPORT**

10. **COUNCIL MEMBERS' REPORTS**

- A. King stated that she attended the Watertown-Mayer Community Education Advisory meeting at which they discussed the search for a certified Community Education director.

11. **STAFF REPORTS**

D. Finance Director

1. Request for approval of voucher list/claims roster

**DUSKE MOVED, MANN SECONDED A MOTION TO APPROVE THE VOUCHER LIST/CLAIMS ROSTER. MOTION CARRIED 5-0.**

2. Request to authorize Clerk-Treasurer to issue cigarette license to new store owner of former Budget Mart (Marathon) if they apply before the next council meeting.

**MCDONALD MOVED, MANN SECONDED A MOTION TO AUTHORIZE THE CLERK-TREASURER TO ISSUE CIGARETTE LICENSE TO NEW OWNER OF FORMER BUDGET MART IF THEY APPLY BEFORE THE NEXT COUNCIL MEETING. MOTION CARRIED 5-0.**

B. Senior Planner

1. Kaltsas stated that a meeting was held with downtown development property owners.
2. Foust stated that the Co. Rd. 20 Task Force meeting would be held at 6 p.m. Monday, May 4 for area property owners.

**McDonald presented a certificate of appreciation to Kay Thul, former Planning Commission member, for her years of service.**

12. **ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 8:00 PM.**

**ATTEST:**

\_\_\_\_\_  
Steven Wallner  
Clerk-Treasurer

\_\_\_\_\_  
K.J. McDonald  
Mayor