

**MINUTES OF THE
WATERTOWN CITY COUNCIL
Regular Meeting Tuesday, June 10, 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, June 10, 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, Dan Geiger, Steve Duske, Earline King and Rick Mann.

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

Also present was: David Kind.

2. ADOPT AGENDA

DUSKE MOVED, KING SECONDED A MOTION TO ADOPT THE AGENDA. MOTION CARRIED 5-0.

3. REVIEW OF CONSENT AGENDA

- A. Minutes for May 27, 2008 meeting
- B. Pay request from building official
- C. David Kind utility account request
- D. Pay request from MK Land
- E. Request for approval of lawful gambling permit
- F. Personnel Committee recommendation for summer hours
- G. Claims roster

Duske asked to have Item 3G pulled for discussion.

Mandt stated that David Kind be allowed to speak to Item 3C during the Open Forum.

4. CONSENT AGENDA APPROVAL

KING MOVED, GEIGER SECONDED A MOTION TO ADOPT THE CONSENT AGENDA. MOTION CARRIED 5-0.

5. OPEN FORUM

- A. David Kind stated that he disagreed with the Council's decision to deny him a waiver of the disconnection/reconnection penalty assessed to him for non-payment of his delinquent utility account. Kind stated that he did not receive the letter notifying him of the shutoff of his water service. He stated that before taking

such action, the city should have sent him a certified letter or made a call to his residence to notify him. McDonald stated that if the Council were to grant him a waiver, they would have to do the same for the others who were notified of having their water shutoff. McDonald stated that he sympathized with Kind but would not call for a motion to rescind the waiver because he knew it would be rejected. Kind stated that he had made the extra effort of coming in the morning after the water was shut off to pay the penalty. Kind was in arrears three months when the shutoff notice was sent to him by the city. Duske suggested the city adopt a policy of returning \$100 to Kind and others if they made the rest of their utility payments for the year. Mann disagreed. McDonald suggested that staff should reexamine the process for the future.

6. CELEBRATE WATERTOWN

- A. Mandt stated that the Watertown-Mayer High School horticulture class had done an excellent job of landscaping around town on city property.
- B. McDonald stated that he and his wife, Barbara, had celebrated their 50th wedding anniversary in the Community Center with an open house and that approximately 300 or more people had attended.

7. NEW/OLD BUSINESS

- A. Fire hydrant installation at 610 County Road 10. Property owner did not appear for the meeting. Council decided to not make any decision until the property owner was present.
- B. Swimming pool waiver – 241 Arnica Drive. Staff received a pool permit for the residence listed. The pool is 52 inches high and the fence is 22.5 inches high for a total of approximately six feet. The current city code requires all pools to have a mechanical cover or a four-foot non-climbable fence. Most pool manufacturers have the fence included with the pool and the fence is installed directly around the pool and water. This does not satisfy the fence requirement as stated in the city code. Staff suggests the code differentiate between in-ground and above-ground pools. Inflatable pools are not regulated by the city. Staff requests City Council consider the request for a pool fence waiver and authorize staff to further research pool requirements and consider recommending a change to the pool requirements for above-ground pools to be reviewed by the Planning Commission and City Council.

DUSKE MOVED, GEIGER SECONDED A MOTION TO DIRECT STAFF TO AMEND THE ZONING ORDINANCE AS IT PERTAINS TO ABOVE GROUND POOLS. MOTION CARRIED 5-0.

- C. Staff request for approval to submit pre-application for Livable Communities Demonstration Account Grant to Metropolitan Council. City staff has been working to take the next steps for the downtown redevelopment project and came up with this grant application which must be submitted by June 16. The primary opportunities for funding would be: Land acquisition, building demolition and public infrastructure design costs. The grant requires no matching funds.

MCDONALD MOVED, MANN SECONDED A MOTION TO MAKE A PRE-APPLICATION SUBMITTAL FOR A GRANT FUNDING AMOUNT FOR THE PURPOSE OF ACQUIRING PROPERTIES WITHIN THE REDEVELOPMENT AREA OF THE DOWNTOWN. THE AMOUNT OF FUNDING REQUESTED WILL BE DETERMINED BY STAFF FOLLOWING A MORE IN-DEPTH ESTIMATE OF ELIGIBLE COSTS. MOTION CARRIED 5-0.

8. CITY STAFF REPORTS

- A. City Hall/Community Center irrigation system. Staff solicited quotes from firms for an irrigation system that was initially recommended by the Parks and Recreation Committee. Staff has had difficulty keeping grass established around the building over the past several years. Staff also has solicited quotes for installation of concrete edging at City Hall. The estimated cost is between \$7 and \$9 a linear foot. It is estimated that there is 230 linear feet in front and on the side of City Hall. The existing elevation creates a slope from the front of the building to the sidewalk. The mulch runs onto the sidewalks. Duske stated that he is concerned about moisture problems. Kaltsas stated that the irrigation system would be set up to not overlap when operating. Geiger stated that he is not in favor of an irrigation system because he thinks the cost is too high. Mann suggested changing the grade around City Hall. Duske stated that it would not be easy to make changes once the decision was made on a certain color of edging. Mandt stated that the city has received comments about the poor grass conditions around City Hall over the past five years. He stated that if the Council did not like the irrigation system, Kaltsas could be asked to come up with a landscape plan without grass. The consensus was to proceed with quotes for curbing and have Kaltsas do another landscape plan without grass.

9. COMMITTEE REPORT

- A 1. Craig Carlson tendered his resignation at Utility Operator I, effective June 13, 2008. He has worked for Public Works for 2 ½ years.

GEIGER MOVED, KING SECONDED A MOTION TO ACCEPT CRAIG CARLSON'S RESIGNATION AS UTILITY OPERATOR I EFFECTIVE JUNE 13, 2008. MOTION CARRIED 5-0.

- A 2. The Public Works Committee met after Craig Carlson submitted his two-week notice. At the time Public Works employee Ned Schroeder showed interest in the Utility Operator I position. Staff gave Schroeder a week to spend some time doing the duties in the Utility Department. Schroeder has the minimum qualifications for the position. Schroeder indicated he would be interested in the position. The Personnel Committee met June 4, 2008 and agreed to the transfer of Schroeder from Senior Maintenance Worker to Utility Operator I at Grade 9 Step 5 (\$43,023). Schroeder would have a six-month probationary period with this position.

MCDONALD MOVED, GEIGER SECONDED A MOTION TO ACCEPT THE RECOMMENDATION OF THE PERSONNEL COMMITTEE AND CITY STAFF TO TRANSFER NED SCHROEDER FROM SENIOR MAINTENANCE WORKER TO UTILITY OPERATOR I POSITION AT GRADE 9 STEP 5 (\$43,023). MOTION CARRIED 5-0.

- A 3a. With Ned Schroeder transferring to the Utility Department, it opens up his position as Senior Maintenance Worker. Mike Loehrs has indicated his desire to move from seasonal temporary worker into this position. He has worked with the city during the past year doing some of the duties required by Senior Maintenance Worker. The Personnel Committee recommended hiring Loehrs for this position at Grade 7 Step 1 (\$34,044).

MCDONALD MOVED, GEIGER SECONDED A MOTION TO ACCEPT THE RECOMMENDATION OF THE PERSONNEL COMMITTEE TO HIRE MIKE LOEHRAS AS SENIOR MAINTENANCE WORKER AT GRADE 7 STEP 1 (\$34,044) WITH A SIX-MONTH PROBATIONARY PERIOD. MOTION CARRIED 5-0.

- A 3b. With Mike Loehrs transferring to Senior Maintenance Worker, staff recommended hiring a seasonal part-time worker to replace Loehrs. Staff recommended hiring Mark Winkel, who was an intern with the city earlier this spring in the Utility Department.

GEIGER MOVED, KING SECONDED A MOTION TO HIRE MARK WINKEL AS SEASONAL SUMMER WORKER UNTIL THE END OF SEPTEMBER AT A RATE OF \$9 PER HOUR. MOTION CARRIED 5-0.

- B. Trail Committee recommendation to set scope and authorize staff to get quotes for the Landings Lane sidewalk. The City has a 15-foot right-of-way in the Landings development. The sidewalks coming into the development from Rohs Way are eight feet from the curb. The Trails Committee recommended cutting the driveways along Landings Lane and constructing the sidewalk through the driveways. City staff recommended putting the sidewalk at a minimum of five feet from the curb to have a larger area to work with in the right-of-way for grade and slope changes. Staff would like a policy set in place for driveway replacement.

GEIGER MOVED, DUSKE SECONDED A MOTION TO APPROVE THE SCOPE AND SPECIFICATIONS OF THE SIDEWALK IN THE LANDINGS AND AUTHORIZE STAFF TO PREPARE NECESSARY DOCUMENTS TO SOLICIT QUOTES. MOTION CARRIED 5-0.

- C. Trail Committee recommendation to set scope and authorize staff to initiate bid process for downtown river trails. The Trails Committee determined a scope and alignment for the trails along the Crow River. Staff requested clarification on the undecided items for the trails. Curb and gutter is required per ordinance for parking lots. Staff suggested that if the Council chooses to waive the curb and gutter that they consider concrete wheel stops along the river for the parked cars.

DUSKE MOVED, KING SECONDED A MOTION TO ADOPT RESOLUTION 2008-06-10-1 APPROVING THE SCOPE AND SPECIFICATIONS OF THE RIVER TRAIL PROJECT AND AUTHORIZING STAFF TO SOLICIT BIDS. MOTION CARRIED 5-0.

10. **ATTORNEY'S REPORT**

11. **ENGINEER'S REPORT**

- A. Project updates

12. MAYOR'S REPORT

- A. McDonald stated that Congress had successfully rejected a bill that would have taxed oil profits of major oil companies. He stated this was good because the cost would have been passed onto the consumer. He urged residents to let their legislators know what they want done.

13. COUNCIL MEMBER'S REPORT

- A. Duske stated to McDonald that even though he agrees with him on many issues, he doesn't believe the Council meetings are the place to express political views. He suggested a letter to the editor would be better. McDonald responded by stating that this is the forum for speaking out. He stated that if anyone disagrees he or she can express their views at the open forum.

14. ADMINISTRATOR'S REPORT

- A. Mandt stated that the town deputy has been directing traffic at the corner of Territorial and Lewis during the hours when there are a lot of vehicles. He stated that the Sheriff's Office may be assisting by providing other officers for this service during the time Hwy. 7 is closed.
- B. Mandt stated that He, Mark Martini and Mark Kaltsas met with Carver County Engineer Roger Gustafson on options for County Road 20.

15. FINANCE DIRECTOR REPORT

16. PLANNER REPORT

- A. Foust stated that there would be a meeting Friday, June 13, 2008 to explore the possibility of a Food Fair/Farmers Market this year.
- B. Foust gave an update on the tree program.
- C. Foust stated that Planner Karyn Islam has been writing letters to property owners of unmowed lawns.

17. ADJOURNMENT

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

Respectfully Submitted,

ATTEST:

Steven Wallner
Clerk-Treasurer

K.J. McDonald
Mayor