

**MINUTES OF THE
WATERTOWN CITY COUNCIL
Regular Meeting Tuesday, July 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, July 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, Rick Mann, Jodi Martinez and Steven Duske. Council Member Earline King was absent.

The following staff members were present: City Engineer David Martini, Senior Planner Crystal Foust and Acting Administrator/City Clerk-Treasurer and Finance Director Steven Wallner.

Also present were: Becky Matuska, Ann Rosso, Chad Hoppke, Chad Matuska, John and Peggy Sinkel, Sabrina Gustafson, Rhonda Rosenow-Dahlstrom, Joshua Rosenow, Barb Carlson, Alice Kelzer, Gladys Cornell, John and Arlayne Hermann, Abby Arthur, Andrew Hatling.

2. ADOPT AGENDA

Wallner asked to have items 4A (Use of Riverpointe Park by Youth Commission) and 4B (Hwy. 25 project response) added to the agenda and have items 6A (Site plan for 701-709 Jefferson Avenue SW) and 6B (Rezone 701-709 Jefferson Avenue SW) pulled from the agenda.

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

3. REVIEW OF CONSENT AGENDA

- A. Council minutes for July 14, 2009 meeting
- B. Park Commission minutes from July 9, 2009
- C. Pay request from City Building Official – MNSPECT
- D. Pay request from City Attorney – Melchert, Hubert, Sjodin
- E. Pay request from Hoff, Barry, Kozar attorneys
- F. Pay request from M K Land – planning consultant
- G. Request for waste hauler permit for Organic Disposal, LLC
- H. Pay Request No. 2, 3 and 4 for William Mueller & Sons for river trails
- I. Approval of Ordinance 339 adding the Commission on Aging to the city's official board and commissions
- J. Approval of Resolution 2009-07-28-1 appointing City Clerk Steven Wallner as Data Practices Authority

MANN MOVED, MARTINEZ SECONDED A MOTION TO ADOPT THE CONSENT AGENDA. MOTION CARRIED 4-0.

4. **OPEN FORUM**

- A. Andrew Hatling and Abby Arthur of the Watertown Youth Commission asked the Council about using Riverpointe Park for an event possibly in August. Several people have volunteered to be chaperones.

DUSKE MOVED, MARTINEZ SECONDED A MOTION TO ALLOW THE YOUTH COMMISSION TO HOLD THE EVENT AT RIVERPOINTE PARK. MOTION CARRIED 4-0.

- B. Becky Matuska and Ann Rosso proposed alternative options for the Hwy. 25 project. Their options were (1) Reduce the sidewalk from eight feet to a five feet; (2) Utilize the existing city owned alleys and improve them, maintaining residents' accesses as an alternative to a sidewalk on Highway 25; (3) Install a turn lane on the east side of Highway 25 and install the planned sidewalk on the west side of Highway 25. Martini explained the reasoning behind the city's planning for the project. He stated that the city would take into consideration the options presented by Matuska and Rosso.
- C. John Hermann represented a group of condominium owners on Green Avenue Southeast who wish to have steel roofing on their units. Presently, this is not allowed. Hermann explained the advantages of the steel roof to the Council. McDonald stated that the city would look into allowing this type of roofing.

5. **CELEBRATE WATERTOWN**

6. **NEW/OLD BUSINESS**

- C. Approval of Ordinance 340 Right-of-Way usage.

Foust stated that the city needs a right-of-way usage section added to the Municipal Code making the property owner assume the risk of damage including but not limited to landscaping, gardens, or plantings including nursery and inanimate materials, lawn irrigation systems and pet containment systems that are installed or encroach on city owned right-of-way.

MANN MOVED, MARTINEZ SECONDED A MOTION TO ADOPT ORDINANCE 340 AMENDING THE MUNICIPAL CODE BY ADDING A NEW SECTION TO ARTICLE I REGARDING RIGHT-OF-WAY USAGE. MOTION CARRIED 4-0.

- D. Extension of building permit incentive program to King's Highland

Chad Hoppke with RE/MAX Edge, realtor for King's Highland, approached the city regarding possible building permit incentives for new homes. Foust stated that the lots that the incentive program would be applied are the most visible off of Castle Ridge Road and the lookout lots along Knight Lane. They would like to be able to apply the incentive to any lot if someone was interested. Under the King's Highland covenants, there is a minimum home size of 2,200 square feet. It is important to the developers' representatives to keep within the development covenants and keep the property value and unique characteristics of the neighborhood intact.

MANN MOVED, MARTINEZ SECONDED A MOTION TO INCLUDE KING'S HIGHLAND IN THE BUILDING PERMIT INCENTIVE PROGRAM WITH THE SAME DEFERMENT AND REDUCTIONS OFFERED TO FOREST HILLS. THE PROGRAM WILL END DECEMBER 31, 2009. MOTION CARRIED 4-0.

- E. Permitting golf carts within the City of Watertown and establishing a fee

Foust stated that city staff has researched the use of golf carts in the city limits by checking with staff at Delano and Waverly and Watertown Deputy Greg Gowan, who has been employed in other cities. Foust stated that Gowan likes the regulations in Delano in regard to permit requirement, insurance requirement and only persons 18 years of age or older be allowed to drive. He stated that he didn't see a problem with allowing anyone over 18 years of age to drive the golf cart instead of permitting a specific driver. McDonald stated that he favored the proposed ordinance for allowing the use of golf carts. Mann stated that he did not favor the use of golf carts. He stated that there were liability issues with insurance. He stated he had not heard from anyone wanting to use golf carts in town. Duske stated that he had seniors ask him about it. Duske recommended that the city staff look at a state law that takes affect Aug. 1 that will allow certain vehicles on county and city roads without an ordinance. He stated that the Council may not have to adopt an ordinance. He favors the golf carts if they have a designated area. Mann stated that golf carts will be a deterrent to traffic because of their slower speed. This is the first reading for this item and it will be brought back to the Council at another meeting. Foust will look into the questions and statements brought up by the Council for the next reading.

McDonald recessed the meeting.

McDonald reopened the meeting after a five minute recess.

7. COMMITTEE REPORT

- A. Replace and/or repair Madison-Green park equipment

Foust stated that she received a quote of \$5,564.15 from Earl F. Anderson to replace park equipment at Madison-Green Park. She stated that the replacement of the equipment is due to safety concerns brought up during last year's Park and Recreation Commission park walk-through. The major items in need of removal or replacement include a slide, clatter-bridge, chain ladder and panel to place on the top platform of the play structure after the slide has been removed. The money to fund these replacements would be taken from the city's general fund as a budgeted item. The Park and Recreation Commission made a recommendation to the Council to approve the purchase of new park equipment and installation in the amount of \$5,564.15.

Mann stated that he would like to see the existing park equipment before making a decision. He also questioned the cost of the clatter-bridge. Duske stated he is concerned about how long the city can keep the park equipment on the property which is leased from Trinity Lutheran Church. Foust stated that if the park equipment were moved to another site, the city would have to fix the non-conforming parts. As it is now, the equipment can be replaced or repaired to

cover safety concerns. Duske pointed out that Madison-Green is one of the parks most used in the city. McDonald recommended that the Council table the item.

- B. Planning Commission annual report for 2008

Foust distributed the report for council review. No action was necessary.

8. CONSULTANTS' REPORTS

- A. 1. Engineer's Progress Report

- A. 2. Engineer's Pay Request

MARTINEZ MOVED, MCDONALD SECONDED A MOTION TO ACCEPT THE PAY REQUEST FROM BOLTON & MENK, INC. FOR \$43,043.50. MOTION CARRIED 4-0.

9. MAYOR'S REPORT

- A. McDonald read an anonymous letter from a resident. He urged people to come to the Open Forum portion of the council meeting if they had something to say. He requested city staff to look at some of the situations brought up in the letter.

- B. McDonald asked if the Toastmaster's Club could meet in the Community Center every Friday morning at no charge.

MARTINEZ MOVED, MANN SECONDED A MOTION TO ALLOW THE TOASTMASTER'S CLUB TO MEET IN THE COMMUNITY CENTER EVERY FRIDAY MORNING AT NO COST. MOTION CARRIED 4-0.

10. COUNCIL MEMBERS' REPORTS

11. STAFF REPORTS

- B. Senior Planner

- 1. Foust asked the Council for comments on the workshop held prior to the council meeting. Foust stated that she hoped to have a concept by the end of the year. Duske stated that if a referendum is held, it should be on the same day as the general election to save costs. Mann also stated that he preferred having a referendum on the same day as the general election.

- D. Finance Director

- 1. Conduit financing for Christ Community Lutheran School

Wallner informed the Council about a request from Christ Community Lutheran School to discuss the possibility of the school financing their debt by way of a conduit financing through the City of Watertown. The financing would be for an amount not to exceed \$1.4 million. This financing provides for no risk on the part of the city and all legal costs are paid by the borrower. The only requirement for the city is to hold a public hearing Aug. 11, 2009 and the mayor and clerk to sign certain documents.

2. Request to approve voucher list/claims roster

MARTINEZ MOVED, MANN SECONDED A MOTION TO APPROVE THE VOUCHER LIST/CLAIMS ROSTER. MOTION CARRIED 4-0.

12. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 8:04 PM.

ATTEST:

Steven Wallner
Clerk-Treasurer

K.J. McDonald
Mayor