

**MINUTES OF THE
WATERTOWN CITY COUNCIL
Regular Meeting Tuesday, August 11, 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, August 11, 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 Earline King. Council Member Steven Duske was absent.

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

Also present were: Tucker Plumstoad, Rob Wilkening, Leon Fritzke, Jeff Boehlke.

2. ADOPT AGENDA

Wallner asked to have Item 6A1 (Public hearing for Christ Community Lutheran School loan application) added to the agenda.

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

3. REVIEW OF CONSENT AGENDA

- A. Council minutes for July 28, 2009 meeting
- B. Minutes from Community Park workshop July 28, 2009
- C. Minutes from Highway 25/County Road 20 workshop of July 28, 2009
- D. Pay request from Prairie Restorations, Inc for riverbank stabilization
- E. Approval of Resolution 2009-08-11-1 consenting to the reorganization of Charter Communications
- F. Approval for Luce Line Lodge to close a portion of Lewis Avenue Sunday, September 6 for a Labor Day street dance
- G. Pay request from M K Land Corporation

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

4. OPEN FORUM

- A. Watertown Deputy Greg Gowan updated the Council on items he has been handling the past month

5. CELEBRATE WATERTOWN

6. NEW/OLD BUSINESS

A-1. Public hearing for issuance and sale of school facility revenue note

McDonald recessed the Council meeting and called the public hearing to order.

No public comment was given so McDonald closed the public hearing and reconvened the council meeting.

Wallner stated that the city was being used as a conduit for the school to obtain a lower interest rate on the loan. There will be no liability for the city in the event the school defaults on the loan. Wallner stated all legal expenses would be paid by Christ Community Lutheran School.

MARTINEZ MOVED, MANN SECONDED A MOTION TO ADOPT RESOLUTION 2009-08-11-3 APPROVING THE ISSUANCE AND SALE OF A SCHOOL FACILITY REVENUE NOTE, SERIES 2009 AUTHORIZING THE EXECUTION OF DOCUMENTS RELATING THERETO FOR CHRIST COMMUNITY LUTHERAN SCHOOL. MOTION CARRIED 4-0.

A. Water's Edge Townhome Mowing

Water's Edge resident Kim Emon contacted the Planning staff concerning city code requirements for cutting and removal of grass, weeds and noxious vegetation in the area behind Water's Edge. Emon raised health concerns relating to mosquito and tick borne illnesses in regards to children playing in the area. Staff conducted site visits and talked with Emon about the issue. Wallner stated that the area in question is below the grade of the townhomes and the play area and is an outlet for storm run-off. The lawn around the units and playground is mowed and maintained. City staff found that the area behind the townhomes is intentionally left natural so as to allow overflow from the culvert during rain events to properly drain. Wallner stated that staff is concerned for the health and welfare of its residents, however it is unclear that this area, as it is currently maintained, presents any greater risk than the wetland immediately adjacent to the property. Staff also determined that the site is a drainage area which is being properly maintained. The manager of the complex has said that they didn't mow this area because it is wet, but they would consider it for the budget next year.

King stated that she walked through the area on Monday after the wet weather over the weekend and found the area was dry. She stated that Emon should keep on monitoring the area and keep in touch with the owner. McDonald stated that the area appears to handle runoff from rain and the landscape is allowed to grow more to deter erosion. McDonald stated that he would be willing to go with Emon to talk to the owner and hear the rationale for not mowing the area.

B. Rosewood Estates Bituminous Wear Course

C. Industrial Park Bituminous Wear Course

Foust stated the two above items were being handled in the next couple of weeks. The wear course was to be installed within one year of substantial completion of the project. Over a year has passed for both projects.

D. Discussion of Ordinances 341 and 342 permitting golf carts and setting a fee

This item was first discussed at the July 28, 2009 council meeting. Foust presented information to the Council that stated Minnesota law does allow local units of government to authorize motorized golf carts and certain four-wheel ATVs to use city streets and highways under their jurisdiction. These vehicles can be allowed via a special permit issued by the city. Insurance requirements match that of other passenger automobiles, including liability coverage and personal injury protection under the Minnesota No Fault Auto Insurance Act.

McDonald stated that he favored an ordinance allowing golf carts and believes with rules and regulations in place along with enforcement there would be no problem. He stated that he didn't think there would be that many people using golf carts in the city. The question about golf carts crossing the bridge arose and Foust stated that the county would need to be contacted since the bridge falls under the jurisdiction of the county. Mann stated that he had not been approached by anyone about this item and would like to see a petition presented to see how many people are actually interested. He stated that golf carts can present a traffic problem with their slow speed. He believes the council needs to decide the purpose of the golf cart ordinance and what is a legal street vehicle. He suggested waiting to see how the ordinance is working in Delano (who allows golf carts) and see how many permits they issue.

Watertown Deputy Greg Gowan stated that in Buffalo Lake where he was chief of police, the issue became a "can of worms" because people were altering vehicles to see if they fit the golf cart ordinance. He stated that he didn't see a problem with overall enforcement if the ordinance was written with provisions that Delano included.

No action was taken at this time.

7. **COMMITTEE REPORT**

A. Park Commission recommendation for repair and replacement of equipment at Madison-Green Park

This item was first discussed at the July 28, 2009 council meeting. The Park and Recreation Commission has recommended to purchase and install park equipment in the amount of \$5,564.15 as quoted from Earl F. Anderson. The cost of labor is \$1,400 but staff has learned that it could save \$650 in installation costs if it decided to hire a community build supervisor to oversee the Public Works personnel with the installation of the equipment. The cost for the community build supervisor is \$750. If the city chooses this option, the quote would be \$4,914.15. The Park and Rec Commission has expressed that the equipment should be replaced due to safety reasons.

Foust stated that it is city policy to get at least two quotes, but in this case when replacement equipment is needed, one must go back to the original manufacturer. The warranty of the play structure at Madison-Green has expired, but liability is extant. Foust stated that the Park and Rec Commission has seen the need to replace park equipment at Madison-Green over the past few years.

McDonald stated that he and Mann looked at the park equipment and agree that it is not an emergency to replace the equipment as far as safety is concerned. Mann stated that he looked at park equipment at Highland Park as well and believes there is equipment in good and poor condition at both locations. Mann stated that he respects the good work done by the Park and Rec Commission but believes it would be better to use the \$5,500 toward replacing the entire park equipment at Madison-Green than replace some of the equipment now. McDonald and Martinez agreed that it would be best not to put the money into replacing equipment now when in a year or two the entire park equipment would be replaced. Mann stated that he would like to see representatives of the Council and Park and Rec Commission meet with the original manufacturer to talk about issues with the Madison-Green Park. The Council agreed and authorized Foust to post the meeting.

B. Resolution 2009-08-11-2 authorizing the 2009 Livable Communities Demonstration Account Grant Application

The grant pertains to the downtown redevelopment and the potential project which would include senior apartments, market rate apartments, commercial and office space and the extension of Lewis Avenue to Fremont Street. City staff recommended the Council approve the resolution. McDonald and Mann expressed their hesitancy to ask the Federal Government for funds when they appear to be broke and are putting the burden on the taxpayers. McDonald stated that if the funds are allocated by the state and within a balanced state budget, which is approved by the legislature and the governor, then he could support it.

MARTINEZ MOVED, KING SECONDED A MOTION TO ADOPT RESOLUTION 2009-08-11-2 IDENTIFYING THE NEED FOR LIVABLE COMMUNITIES DEMONSTRATION ACCOUNT FUNDING AND AUTHORIZING AN APPLICATION FOR GRANT FUNDS. MOTION CARRIED 4-0.

8. **CONSULTANTS' REPORTS**

9. **MAYOR'S REPORT**

A. McDonald stated that a resident had asked him if the city would be hosting any town meetings on the federal health care plan being proposed by President Obama. He told the resident that none was planned here, but that they should go to any of the town meetings and also voice their opinions with their federal representatives and senators.

10. **COUNCIL MEMBERS' REPORTS**

A. King stated that she was on two ride-alongs with local deputies during the past week.

11. **STAFF REPORTS**

A-1. Terramark estimate for Y intersection concept plan

Wallner stated that Mark Kaltsas of Terramark had put together an estimate of \$1250 to \$2100 for a concept plan for the Y intersection in conjunction with the improvements on County Road 20. Wallner stated that he believed the cost could be closer to the \$1250 figure. Mann stated that he believes in the plan for the improvements.

MARTINEZ MOVED, KING SECONDED A MOTION TO ACCEPT TERRAMARK'S ESTIMATE FOR A CONCEPT PLAN FOR THE Y INTERSECTION OF COUNTY ROAD 20. MOTION CARRIED 4-0.

C-1 Recycling Center

Public Works Supt. Doug Kammerer gave a report on the Doug Kugler Memorial Recycling Center. The hours have been changed and city staff is working with the Boy Scouts and Ecology Club to operate it during the open hours.

D-1 Request for approval of voucher list/claims roster

MCDONALD MOVED, KING 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 7:55 PM.

ATTEST:

Steven Wallner
Clerk-Treasurer

K.J. McDonald
Mayor