

**MINUTES OF THE
WATERTOWN CITY COUNCIL
Regular Meeting Tuesday, Aug. 14, 2007**

Prior to the regular council meeting, Council member Steve Duske moved and Council member Rick Mann seconded a motion to have a closed meeting at 5 p.m. to consider drawing on the letter of credit for Tuscany Village and to discuss legal strategy in defending threatened litigation. Others in attendance were Council member Dan Geiger, Mayor K. J. McDonald, City Administrator David Mandt, City Planner Crystal Foust, Attorney George C. Hoff, Attorney Kimberly B. Kozar and City Attorney David Hubert. Hoff presented a written memo dated Aug. 14, 2007 describing the need for absolute confidentiality which was made a part of the record. Hoff provided a short summary of the memo. The closed session was adjourned at 6:23 p.m.

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, Aug. 14, 2007** 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, Dan Geiger and Steve Duske. Earline King was absent.

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

Others present were: Terry VanWatermulen, Mark Sagstetter, Gary Harding, Hubie Widmer, Steve Burns, Mike Crom.

2. ADOPT AGENDA

Staff asked to have item 3G (Recommendation to approve training for Doug Kammerer) pulled from the agenda. Staff asked to have two items added to the agenda: 3J – Donation for Watertown Lions Club from Hollywood Booster Club for Rails to Trails Festival and 8A (4) – Dangerous Dog Ordinance. Duske asked to have item 3E moved to 7B.

GEIGER 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 24, 2007
- B. Special Council minutes for July 25, 2007
- C. Pay request from building official
- D. Park and Recreation Commission recommendation to approve purchase of picnic tables for \$5,000 as received from Watertown Lions Club

- F. Recommendation to proceed with Supplement 7 Code Codification
- H. Request for approval of block party
- I. Claims Roster
- J. Hollywood Booster Club donation to Watertown Lions Club for Rails to Trails Festival

Geiger asked to have items 3C and 3F pulled for discussion

4. CONSENT AGENDA APPROVAL

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

5. OPEN FORUM

6. CELEBRATE WATERTOWN

- A. Watertown Lions Club report on Rails to Trails Festival. Crom stated that the Rails to Trails Festival was a success with an estimated 3,500 people attending. He said early indications are the Festival had more revenue than expenses. The next Festival is set for the weekend of July 18-19, 2008. Duske stated that some downtown businesses were interested in bringing the Festival back downtown. Crom stated that the downtown area does not lend itself to some of the events. McDonald stated that the Chamber is looking into having a separate weekend for Taste of Watertown and other events. Duske stated that the Rails to Trails weekend coincides with the playoffs for the town baseball team and could pose some problems. Harding stated that the Lions checked and could find no other weekend that would work for the barbeque contest. He also stated that the large tent that is rented is set up on Wednesday and needs to be up until Monday. Crom stated that there are five sponsors already on board for next year who are counting on the Festival being the weekend of July 18-19. McDonald suggested that a committee be set up to iron out any details concerning Rails to Trails next year. McDonald and Duske will represent the city on the committee.

7. NEW/OLD BUSINESS

- A. Citing a declining housing market, Steve Burns, developer for Rosewood Estates, has asked for an extension for completing all improvements and the wear course until Sept. 15, 2008. According to Section 12.01 of the development agreement, the improvements and wear course must be completed by Sept. 15, 2007.

DUSKE MOVED, GEIGER SECONDED A MOTION TO GRANT AN EXTENSION TO SEPT. 15, 2008 TO COMPLETE THE IMPROVEMENTS AND WEAR COURSE IN ROSEWOOD ESTATES. MOTION CARRIED 4-0.

- B. Watertown Fire Relief Assn. annual report. Wallner presented the annual report and 2006 audit at the council meeting. The audit showed a net surplus of just over \$1,200 when all benefits and association related expenses were taken into account. The Relief Association is requesting a \$300 per year of active service increase from \$1,700 to \$2,000, which would be effective Jan. 1, 2008. Wallner

stated that the increase would not, at this time, require additional support from the City of Watertown beyond the annual appropriation of \$15,000. Duske questioned the \$300 increase. Wallner stated that from 2001 to 2003, the amount was \$1,432. In 2004 the amount was increased to \$1,500. In 2005 the amount was increased to \$1,650 and in 2006 it was \$1,700. Funds for the increase come from investments. Wallner stated that the Relief Association Board of Trustees and its financial advisor have performed admirably in restoring the fund following the financial turmoil of 1999-2002. Duske stated that he would rather see an increase of \$150 per year of service for 2008 to give the city some room in the event the investments do not do well.

DUSKE MOVED TO APPROVE A \$150 PER YEAR OF SERVICE BENEFIT INCREASE. THE MOTION DIED FOR A LACK OF A SECOND.

GEIGER MOVED, MANN SECONDED A MOTION TO APPROVE THE ANNUAL WATERTOWN FIRE RELIEF ASSOCIATION REPORT AND APPROVE A BENEFIT INCREASE FROM \$1,700 PER YEAR OF SERVICE TO \$2,000 PER YEAR OF SERVICE TO BE EFFECTIVE JAN. 1, 2008. MOTION CARRIED 3-1. DUSKE VOTED NAY.

8. CITY STAFF REPORTS

- A. Update on ordinances in draft form.
 - (1) Minnesota State Building Code
 - (2) Trapping Ordinance
 - (3) Fire inspections
 - (4) Dangerous Dog Ordinance

Mandt informed the Council that public hearings would have to be held or action taken at the next meeting on the above items.

9. COMMITTEE REPORT

- A. Planning Commission recommendation to approve site plan amendment for Riverpointe. Applicant is proposing to construct four 4-unit, single level townhome buildings on Lots 3-6, Block 1 to replace the previously approved four 6-unit, two-story townhome buildings. The Watertown Planning Commission recommended approval of the site plan amendment.

GEIGER MOVED, MANN SECONDED A MOTION TO ACCEPT THE PLANNING COMMISSION RECOMMENDATION TO APPROVE THE SITE PLAN AMENDMENT TO ALLOW CONSTRUCTION OF FOUR 4-UNIT SINGLE LEVEL TOWNHOME BUILDINGS ON LOTS 3-6, BLOCK 1 OF RIVERPOINTE. MOTION CARRIED 4-0.

- B. Amendment to Riverpointe development agreement. This outlines changes to the existing ordinance which includes park dedication on lots 3-6, Block 1. The aggregate amount of \$9,360 collected from the original 24 units will remain the same. Each unit will be required to pay \$585 per unit.

GEIGER MOVED, MANN SECONDED A MOTION TO ACCEPT STAFF RECOMMENDATION TO APPROVE THE FIRST AMENDMENT TO THE RIVERPOINTE DEVELOPMENT AGREEMENT OUTLINING CHANGES TO THE EXISTING ORDINANCE WHICH INCLUDES PARK DEDICATION ON LOTS 3-6, BLOCK 1. MOTION CARRIED 4-0.

- C. Grove Avenue hockey rink master plan. At a previous meeting, the City Council directed staff to develop a master plan for improvements to the hockey rink area. The existing hockey rink boards are in need of repair or replacement. The Park Commission prioritized a list of improvements. (1) Hockey rink boards and associated site work including grading for a recreational rink, any relocation of lighting poles, and drain tile in order to accommodate a full-size hockey rink. Site work would enhance the leisure ice rink and create a more definitive area. The proposal would also include lighting for a leisure ice rink. (2) Warming house with restrooms, parking and trail. (3) Permanent surfacing for hockey rink. Park Commission recommended staff discuss with the DNR the possibility of partnership for a kiosk with seating wall, signage and restroom facility. Staff will create a plan and get bids to complete the work. Also included in the master plan are two basketball hoops in the area of the hockey rink. The Park Commission reviewed several rink choices including two used units. The Park Commission recommended seeking bids for hockey boards and associated site work as listed in No. 1 above. The Park Commission also discussed the size of the hockey rink. The existing rink is 85x186 ft. An official hockey rink is 85x200 ft. Duske suggested a smaller than official size rink because the hockey association is not using the existing rink for games. McDonald stated that an official size rink would accommodate league play if the association so desired. Kaltsas stated that the city could seek bids on a full size rink and if the cost was too much, they could reduce the size of the rink. Steve Burns offered to do the grading for the recreational rink at no charge.

MANN MOVED, GEIGER SECONDED A MOTION TO ACCEPT THE PARK COMMISSION'S RECOMMENDATION TO SEEK BIDS FOR HOCKEY RINK BOARDS AND ASSOCIATED SITE WORK, ANY RELOCATION OF LIGHT POLES AND DRAIN TILE TO ACCOMMODATE AN OFFICIAL SIZE HOCKEY RINK. SITE WORK WOULD ENHANCE THE LEISURE ICE RINK AND INCLUDE LIGHTING FOR THE LEISURE ICE RINK. MOTION CARRIED 4-0.

- D. Downtown sidewalk project. Kammerer informed the Council about seeking quotes from contractors for removal and replacement of damaged sidewalks in the downtown area. Kammerer stated that he had received only one quote as of Aug. 9 from Klein Underground. Staff recommended hiring Klein Underground to complete the 2007 sidewalk maintenance program for \$24,910 with the possibility of adding the sidewalk across from City Hall at \$6951.75. The funds will come from the Downtown Project Fund.

MANN MOVED, DUSKE SECONDED A MOTION TO ACCEPT THE STAFF'S RECOMMENDATION TO HIRE KLEIN UNDERGROUND TO COMPLETE THE 2007 SIDEWALK MAINTENANCE PROGRAM FOR \$24,910 LESS THE BUILDING PERMIT FEE. A COMMITTEE WILL DETERMINE IF ADDITIONAL WORK QUOTED BY THE CONTRACTOR WILL BE ADDED. MOTION CARRIED 4-0.

- E. Park and Recreation Commission recommendation for park irrigation. Foust and Wallner presented information on submitted bids for sprinkler systems in the parks in Forest Hills, Kings Highland and Riverpointe. Bids were submitted by Aqua Pro of Watertown and Environmental Landforms or Delano. The Park and Recreation Commission recommended approval of the low bid from Aqua Pro. Mann questioned whether 9 volt batteries would be adequate to run the system.

MANN MOVED, GEIGER SECONDED A MOTION TO TABLE THE ITEM UNTIL THE NEXT COUNCIL MEETING. AFTER FURTHER DISCUSSION, MANN AND GEIGER WITHDREW THE MOTION.

MANN MOVED, DUSKE SECONDED A MOTION TO ACCEPT THE PARK COMMISSION'S RECOMMENDATION TO APPROVE THE LOW BID OF \$13,285 FROM AQUA PRO FOR SPRINKLER SYSTEMS IN PARKS AT RIVERPOINTE, KINGS HIGHLAND AND FOREST HILLS. CITY STAFF WAS AUTHORIZED TO SEE IF NINE VOLT BATTERIES WILL BE ADEQUATE FOR THE SYSTEMS. MOTION CARRIED 4-0.

10. ATTORNEY'S REPORT

11. ENGINEER'S REPORT

- A. Review of proposed trail projects. Martini went over the estimates for four trail and sidewalk segments: (1) Sidewalk construction through the Landings between Rohs Way and Riverpointe. (2) Trail construction along the Crow River through the landings to Rivepointe. (3) Trail construction along Co. Rd. 24 between Arnica Drive and Paul Avenue. (4) Trail construction along Mill Avenue between Territorial Street and Forest Hills.

DUSKE MOVED, GEIGER SECONDED A MOTION TO AUTHORIZE THE CITY ENGINEER TO SEEK QUOTES FOR THE TRAIL CONSTRUCTION ALONG CO. RD. 24 BETWEEN ARNICA DRIVE AND PAUL AVENUE. MOTION CARRIED 4-0.

12. MAYOR'S REPORT

- A. McDonald announced the grand opening for the playground in Kings Highland will be sometime in September.
- B. McDonald stated that the frames are ready for the photographs that will be hung in the hallways of City Hall/Community Center.
- C. McDonald stated that he would like to have historical films he has produced put on Channel 12 cable television.

13. COUNCIL MEMBER'S REPORT

- A. Duske announced that the Watertown Senior Commission will have a Bingo Bash Wednesday, Sept. 12.

14. ADMINISTRATOR'S REPORT

- A. Mandt stated that the new website is up and available for the public.
- B. Mandt stated that the Cable Commission is asking for modifications for the cable franchise.
- C. Mandt stated that a tour of the new elementary school will be held during the Chamber meeting Aug. 15.
- D. Mandt stated that city staff is exploring the possibility of having as many committee meetings as possible on the same night. More on this at a future meeting.

15. FINANCE DIRECTOR REPORT

- A. Wallner stated that he has received quotes from four auditing firms who are interested in the city's 2007 audit.
- B. Wallner announced that the first budget workshop would be held Thursday, Aug. 16. The public is invited to participate.

16. CITY PLANNER REPORT

- A. Foust stated that the city has received a \$2,000 grant for the Comprehensive Plan update.

17. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 8:34 PM.

Respectfully Submitted,

ATTEST:

Steven Wallner
Clerk-Treasurer

K.J. McDonald
Mayor