

**MINUTES OF THE  
WATERTOWN CITY COUNCIL  
Regular Meeting September 28, 2004**

**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, September 28, 2004** by Mayor Stephen Sarvi at 6:30 PM at the Watertown City Hall.

Upon roll call the following members were present: Mayor Stephen Sarvi, Council Members Mike Crom, Jennifer Randall and Nels Tuvey. Steven Duske was absent.

The following staff members were present: City Administrator David Mandt, City Finance Director Steven Wallner, City Planners Jeremy Barnhart and Chelsea Rasmussen, City Attorney Dave Hubert, City Engineer Dave Martini, City Building Official Dean Mau, Utility Superintendent Doug Kammerer, Fire Chief Ned Schroeder, and Liquor Operations Manager Beau Hickman.

Others present were: Jim Bart of the *Carver County News*, Darin Berger of Carver County HRA, Elroy Vidland, Rick Mann, KJ McDonald, Beth Wentland, Rodney Herzog, John Milar, Allen von der Hoff, Chad Eischens, John Radde and Scott Jensen.

**2. ADOPT AGENDA**

**CROM MOVED, RANDALL SECONDED A MOTION TO ADOPT THE AGENDA AS AMENDED. MOTION CARRIED 4-0.**

**3. CONSENT AGENDA DISCUSSION**

- A. Approve Minutes for the September 13, 2004 City Council Meeting
- B. Approve Pay Request from City Attorney
- C. Approve Pay Request from City Engineer
- D. Request for City Administrator Attendance at LMC Annual Conference
- E. Approve Minutes for the August 19, 2004 Planning Commission Meeting
- F. Request for Support Letter for CROW Watershed Grant Request
- G. Citizen Request for Partial Removal of Park Bushes
- H. SW Quadrant Property Negotiation Update
- I. Set Date for Downtown Design Standards Workshop
- J. Training for City Deputy
- K. Approval of Additional Election Judges for General Election

(Item D was removed, Items J and K were added)

Sarvi pulled Item 3.F for discussion. Sarvi stated he would like Mandt to reword the letter before mailing.

4. **CONSENT AGENDA APPROVAL**

CROM MOVED, RANDALL SECONDED A MOTION TO ADOPT THE CONSENT AGENDA. MOTION CARRIED 4-0.

5. **OPEN FORUM**

6. **CELEBRATE WATERTOWN**

A. Liquor Store Update

Hickman presented a year to date report including comparative information for the first eight months. 2004 sales are up 19% over 2003. Hickman states that profits for the first eight months of 2004 are \$10,846.

7. **NEW/OLD BUSINESS**

A. Downtown Development Grant Update

Mandt introduced Darin Berger of Carver County HRA. Berger stated there is \$750,000 in grant monies available and they've already received several applications from business owners. Crom stated the City also received a lead abatement grant for \$20,000. This is a community-wide grant. Crom encouraged Berger to forward information to the *Carver County News* office and also for staff to put in newsletter and on cable TV channel.

B. Riverbend Landmark Center Update

Dr. Jensen presented his latest vision for the 200 Lewis Ave. S property. He's decided to raze the current building. The foundation work will begin in December and building will begin next year. He stated the new building is pretty much the same footprint as the remodeling of the present building. He hopes to have the building complete by October 2005. The building will be sprinkled and there will be an elevator.

Duske asked what changed that caused the building to be razed. Jensen stated there are water problems in the basement and the roof is not load bearing.

Sarvi asked Jensen how a six-month delay would affect him. Jensen stated he will work with the contract and is willing to discuss with staff.

Sarvi stated it's a great plan and it helps open the downtown area to the river.

C. Watertown Lions Storage Building Agreement

Barnhart presented a long-term agreement between the City and the Watertown Lions Club to locate a storage building at the Public Works site.

**TUVEY MOVED, CROM SECONDED A MOTION TO APPROVE A LONG TERM AGREEMENT BETWEEN THE CITY OF WATERTOWN AND THE WATERTOWN LIONS CLUB TO LOCATE A STORAGE BUILDING AT THE PUBLIC WORKS SITE. MOTION CARRIED 4-0.**

D. Modifications to Ordinance 252

Mandt presented the proposed revisions to the City's Fire Ordinance. Sarvi stated he's concerned that the fees be minimal or at no cost. Mandt stated the fees will be set when the council adopts the fee schedule in January. Hubert stated the original Ordinance #252 will need to be amended in its entirety and a new ordinance adopted.

**CROM MOVED, RANDALL SECONDED A MOTION TO AMEND ORDINANCE #252 IN ITS ENTIRETY. MOTION CARRIED 4-0.**

E. Space Needs Analysis

Crom presented a need for a space needs study for City Hall as a result of a recent workshop.

**CROM MOVED, SARVI SECONDED A MOTION TO HAVE STAFF ADVERTISE A REQUEST FOR PROPOSAL FOR A SPACE NEEDS STUDY FOR CITY HALL. MOTION CARRIED 4-0.**

**8. CITY STAFF REPORTS**

A. Salt and Sand Shed Quotes

Kammerer presented information of the cost on a sand/salt shed. He stated preliminary quotes ranged from an all-wood structure at \$36,000 to a concrete structure with no roof at \$19,000. He stated Greystone Construction can add a roof for an additional \$29,000. Kammerer stated he thinks he can have the roof added for less.

Sarvi questioned the capacity. Kammerer stated it will hold 375 ton. Sarvi suggested Kammerer obtain a complete bid for the entire structure including the roof and bring that information back to the council for approval.

B. Update on Water/Wastewater Addition

Kammerer provided an update on the Public Works building expansion. He stated it's complete except for the sprinkler system and that should be done within a week of start.

C. Grading of Tuscany Village

Rasmussen presented a request from the developer of the Tuscany Village subdivision to begin preliminary grading operations prior to formal approval of the final plat. Chelsea stated that the Council has allowed this in the past with the understanding that all risk was born by the developer.

**CROM MOVED, TUVEY SECONDED A MOTION TO ALLOW DEVELOPER TO BEGIN PRELIMINARY GRADING OPERATIONS OF TUSCANNY VILLAGE PRIOR TO FORMAL COUNCIL APPROVAL OF THE FINAL PLAT SUBJECT TO THE FOLLOWING CONDITIONS:**

- **PERMISSION TO GRADE AND LANDSCAPE SHALL NOT BE CONSIDERED AS AN APPROVAL OF THE FINAL PLAT, GRADING OR LANDSCAPE.**
- **GRADING MAY ONLY BE PERFORMED ON OWNER'S PROPERTY.**
- **ALL GRADING IS DONE AT THE DEVELOPER'S SOLE RISK.**
- **PRIOR TO COMMENCING GRADING OPERATIONS, ALL SILT FENCING, EROSION CONTROL, AND TREE PROTECTION FENCING IS IN PLACE AND APPROVE THEM THE CITY ENGINEER AND CITY PLANNER.**
- **PROVISION OF A LETTER OF CREDIT IN AN AMOUNT SUFFICIENT TO GUARANTEE STABILIZATION OF SITE FOLLOWING FRADING, INCLUDING SEEDING, SILT FENCE MAINTENANCE.**

**MOTION CARRIED 4-0.**

**9. COMMITTEE REPORT**

**A. Enforcement of Right-of-Way Signage**

Barnhart presented a recommendation from the Planning Commission to more aggressively enforce the sign ordinance relative to signage in the right-of-way. He stated that based on prior Council direction, staff has actively removed signs in the right-of-way at the "Y" intersection, at City Center Park, and City Parks. The Planning Commission would like the right-of-ways enforced as well.

Tuvey questioned how to deal with campaign signs. Barnhart stated candidates will be notified and be allowed time to move them. He stated staff will remove real estate signs. Crom stated he feels better to remind candidates to remove the signs after the election and simply inform them of the ordinance. Sarvi stated he feels signs in parkland should be removed. Wentland questioned the width of the setback. Barnhart stated it's generally 15 feet in the residential districts. Wentland asked if the same applies to real estate signs as well. Barnhart stated yes, because of liability reasons but balanced with realtor benefit. von der Hoff said he agrees with Crom on campaign signs.

Sarvi instructed staff to mail letters to candidates informing them of the sign ordinance relating to signage in the right-of-way.

**B. Master Sign Approval for 228 Lewis Ave. S.**

Rasmussen presented the master sign plan for the building located at 228 Lewis Ave. S. She stated the Planning Commission recommends approval subject to conditions.

**TUVEY MOVED, CROM SECONDED A MOTION TO APPROVE THE MASTER SIGN PLAN FOR THE PROPERTY LOCATED AT 228 LEWIS AVENUE SOUTH SUBJECT TO THE FOLLOWING CONDITIONS:**

- ALL FUTURE SIGNS, TO THE MAXIMUM OF FOUR, BE 18 SQUARE FOOT SIGNS ON THE WEST FAÇADE, SUBJECT TO THE INCLUSION OF WOOD BORDER.
- ALL FUTURE LIGHTING FOR SIGNAGE BE CONSISTENT IN STYLE AND MANNER.
- A SEPARATE SIGN PERMIT IS PULLED FOR EACH SIGN APPROVED IN THE HASTER SIGN PLAN. IF THE APPLICANT WISHES TO CHANGE THE LAYOUT OR SIZE OF THE SIGNS IN THE FUTURE, AN APPROVED PLAN AMENDMENT BY THE PLANNING COMMISSION AND CITY COUNCIL WILL BE REQUIRED.

**MOTION CARRIED 4-0.**

**10. ATTORNEY'S REPORT**

A. Xcel Easement

Hubert presented a request to establish an Xcel Energy gas line easement on the city retained portion of land behind 200 Lewis Avenue South.

**CROM MOVED, RANDALL SECONDED A MOTION TO APPROVE THE EXCEL ENERGY GAS LINE EASEMENT AND HAVE CITY ADMINISTRATOR EXECUTE. MOTION CARRIED 4-0.**

**11. ENGINEER'S REPORT**

A. Pay Request from GMH Asphalt

Martini presented a pay request from GMH Asphalt Corp. for work completed on the 2004 Street Reconstruction Project through September 7, 2004 in the amount of \$27,436.52.

**CROM MOVED, TUVEY SECONDED A MOTION TO APPROVE PAYMENT TO GMH ASPHALT CORP FOR WORK COMPLETED ON THE 2004 STREET RECONSTRUCTION PROJECT IN THE AMOUNT OF \$27,436.52. MOTION CARRIED 4-0.**

**12. MAYOR'S REPORT**

Sarvi suggested the Council authorize staff to schedule a meeting with Gerald Hendricks to negotiate a short-term lease of his building. Mandt will schedule a meeting. Sarvi and Randall will attend.

**13. COUNCIL MEMBER'S REPORT**

- A. Randall requested that a Councilmember replace her at the Community Education meeting on October 14<sup>th</sup>. Crom volunteered.

**14. ADMINISTRATOR'S REPORT**

- A. County Road 10 Bridge Update

Mandt provided a brief update on the Co. Rd. 10 Bridge Replacement Project. He stated the approved City cost is \$94,418. There was only one change order for the paving of the trail at a cost of \$6,600. The original lighting cost was \$30,000 that was reduced to \$17,800. Mandt also presented information on sealing the surface to make removing graffiti easier. He stated he's in the process of receiving bids. He's anticipating between \$1,000 and \$3,000.

**SARVI MOVED, CROM SECONDED A MOTION TO AUTHORIZE STAFF TO ENTER INTO AN AGREEMENT WITHIN GOOD JUDGEMENT TO SEAL THE CONCRETE SURFACE OF BRIDGE. MOTION CARRIED 4-0.**

- B. Review of 2004 Goals/Projects

Mandt provided an update on projects and goals for 2004.

- C. Candidate Forum

Mandt informed the Council of the Chamber of Commerce sponsored Candidate Forum on Wednesday, October 13, 2004 starting at 6:00 pm. Dr. Scott Jensen will moderate.

**15. CITY PLANNER'S REPORT**

**16. FINANCE DIRECTOR REPORT**

- A. Approval of Voucher list/Claims Roster

**CROM MOVED, RANDALL SECONDED A MOTION TO APPROVE THE VOUCHER LIST/CLAIMS ROSTER. MOTION CARRIED 4-0.**

- B. Capital Asset Policy

Wallner presented a draft of a capital asset policy to be adopted by the council. According to the draft policy, which needs to be approved in order to meet the GASB 34 guidelines, the city will capitalize any asset valued at \$2,500 or greater. Computer software will be capitalized if the value exceeds \$1,000.

Crom questioned not raising the capitalization limit to \$5,000. Wallner responded stated that the League of Minnesota Cities has suggested a capitalization limit of \$1,500 but that by increasing the limit to the \$2,500 does not really impact the total value of capitalized assets and that a higher level would have a minimal impact.

**CROM MOVED, RANDALL SECONDED A MOTION TO ADOPT THE CAPITAL ASSET POLICY. MOTION CARRIED 4-0.**

C. Budget Workshop

Wallner stated there is a Budget Workshop scheduled for Wednesday, October 6, 2004 at 6:30 pm.

D. Resolution Calling for Preparation of Assessment Roll

**RANDALL MOVED, CROM SECONDED A MOTION CALLING FOR PREPARATION OF ASSESSMENT ROLL FOR THE 2004 STREET RECONSTRUCTION PROJECT. MOTION CARRIED 4-0.**

17. **ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS, RANDALL MOVED, TUVEY SECONDED A MOTION TO ADJOURN THE MEETING AT 8:44 PM.**

Respectfully Submitted,

**ATTEST:**

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Steven Wallner  
Clerk-Treasurer

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Stephen Sarvi  
Mayor