

**MINUTES OF THE
WATERTOWN CITY COUNCIL
Regular Meeting Tuesday, Oct. 9, 2007**

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, Oct. 9, 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, Earline King, Steve Duske and Dan Geiger.

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

Others present were: Dick Connell, Maria Holland, Evelyne Swanson, Charlotte Johnson, Barb Carlson, Mike Bratholdt, Mark and Susan Gould, Derek Sanderson, Beth Wentland, Kati Kuhnau, Glen and Adelle Peterson, Chris Neisen, Randy and Char Masica.

2. ADOPT AGENDA

Staff asked to have item 8c (Hockey rink master plan) added to the agenda.

DUSKE MOVED, MANN SECONDED A MOTION TO ADOPT THE AGENDA AS AMENDED. MOTION CARRIED 5-0.

3. REVIEW OF CONSENT AGENDA

Staff asked to have the invoice for Waldron and Associates, LTD, be pulled from the claims roster.

- A. Council minutes for Sept. 25, 2007
- B. Trail grant resolution
- C. Claims roster

4. CONSENT AGENDA APPROVAL

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

5. OPEN FORUM

- A. Mike Bratholdt, president of the Watertown Area Historical Society, expressed a desire to have the founder of Watertown known to the public. He stated that the WAHS would like a plaque placed by the boardwalk stating that Isaac Lewis was the founder of Watertown. The boardwalk was dedicated last year in the name of

Caleb Lewis, father of Isaac. King stated that over the years of her research of Watertown, she discovered that David Bickford and Alexander Moore located Watertown and marked trees in the area and it was later that a group of men from Minneapolis, including Caleb Lewis, came to develop Watertown. McDonald thanked those who did the research stating that it appears there were a number of founders of Watertown. McDonald stated that Foust had come up with an idea to name trails and/or parks in honor of the founding fathers of Watertown. He also suggested that the WAHS work with the Park and Recreation Commission and Planning Commission to place these plaques and solicit funds from local organizations for purchasing the plaques. Bratholdt stated that the WAHS would be happy to work with the city commissions.

6. CELEBRATE WATERTOWN

- A. Mandt stated that the trail work for Co. Rd. 24 is in progress.
- B. Mandt stated that the downtown grant program is in the final stages.
- C. Watertown Deputy Derek Sanderson gave the Council an update. He stated that citizen involvement has been great to help deter destruction of property by juveniles. He stated that Deputy Mark Randall rescued two people from Swede Lake after their car went into the water.

7. NEW/OLD BUSINESS

- A. Public hearing for Dangerous Dog Ordinance.

McDonald recessed the Council meeting and opened the public hearing.

Mandt presented background information, stating that the restrictive ordinance is based on aggression and/or behavior of the animal and does not identify a particular breed. Resident Kati Kuhnau stated that she didn't want to see an animal declared a dangerous dog to receive a second chance and asked to have this removed from the ordinance.

McDonald closed the hearing and reopened the Council meeting.

DUSKE MOVED, KING SECONDED A MOTION TO ADOPT ORDINANCE 311 (DANGEROUS DOGS) AS PRESENTED. MOTION CARRIED 5-0.

- B. Public hearing for Trapping Ordinance.

McDonald recessed the Council meeting and opened the public hearing.

Mandt presented background information. Resident Beth Wentland stated that she was impressed with the contents of the ordinance.

McDonald closed the public hearing and reopened the Council meeting.

GEIGER MOVED, MANN SECONDED A MOTION TO ADOPT ORDINANCE 312 (ANIMAL TRAPPING) AS PRESENTED. MOTION CARRIED 5-0.

- C. Snap Fitness fire sprinkler system. The Planning Commission and Council approved a site plan and conditional use permit for 605 Lewis Ave. N. in October 2006. The Council reviewed the conditional use permit Aug. 28, 2007 because the property was not in compliance with the approval in October 2006. Council appointed McDonald and Geiger as a committee to work with the applicant. A proposal has been presented and accepted by the owners of Snap Fitness and the committee to install bollards along Lewis Avenue and one tree to delineate the parking lot from Lewis Avenue. Resolution 2007-10-09-2 was presented by staff with five conditions: (1) There shall be one tree planted along Lewis Avenue; (2) The access condition is satisfied by the applicant installing bollards, as approved by the Zoning Administrator, along Lewis Avenue to delineate the parking lot and Lewis Avenue; (3) If the business expands and needs to use the north side of the building for parking or use the north door for an additional entrance, lighting, access and parking will need to be reviewed by city staff and if an agreement could not be determined, it shall be forwarded to the City Council; (4) Comply with all building and fire codes as required or applicable; (5) If the use is expanded to encompass additional square footage, the site shall be reviewed by the city and will be required to provide additional parking spaces, lighting, and landscaping as specified in the city ordinances; (6) Lighting fixtures shall not be forward throwing. For properties adjacent to residential areas like the subject property, a maximum of 250-watt light fixtures shall be permitted.

GEIGER MOVED, MANN SECONDED A MOTION TO ADOPT RESOLUTION 2007-10-09-2 WITH SIX CONDITIONS, AMENDING RESOLUTION 2006-10-24-03 FOR THE APPROVAL OF A CONDITIONAL USE PERMIT PREMISSABLE BY SECTION 62-124 OF THE CITY CODE RELATING TO CONDITIONAL USE PERMITS FOR SNAP FITNESS. MOTION CARRIED 5-0.

- D. Notice of violation for 613 Co. Rd. 10. City received complaints in August regarding the accumulation of items on the property. A letter was sent to the resident of the code violation. The city received phone calls and had correspondence with the property owner and neighboring property. Due to a hardship the property owner would incur in attempting to clean up his property, the city issued a fence permit Sept. 11, 2007, waiving the fence fee. The fence is incomplete at this time. The property owner believes he has made every effort to clean up his property and to resolve the concerns of the city and code violation.

DUSKE MOVED, KING SECONDED A MOTION TO ACCEPT THE PROPERTY AS MITIGATED WITH ADDITION OF FENCING. MOTION CARRIED 5-0.

8. CITY STAFF REPORTS

- A. Approval of Well Head Protection Plan Part 1. Kammerer presented the draft copy of the Part 1 report which delineates the wellhead protection

area and drinking water supply management area for the city. Staff met with Steve Robertson of the Department of Health and reviewed the report and made minor revisions. After Council approval, a public hearing must be held. Following the public hearing, the Department of Health will begin Part II of the Wellhead Protection plan. The plan must be completed by Jan. 9, 2009.

GEIGER MOVED, KING SECONDED A MOTION TO APPROVE PART I OF THE WELLHEAD PROTECTION PLAN. MOTION CARRIED 5-0.

- B. Slip lining for 2007. Kammerer presented the background on slip lining which helps eliminate the infiltration/inflow problem. Staff recommended that the Council authorize the city engineer to prepare plans and specs for bids.

DUSKE MOVED, MANN SECONDED A MOTION TO AUTHORIZE BOLTON & MENK, INC. TO PREPARE PLANS AND SPECIFICATIONS TO GO OUT FOR BIDS FOR THE 2007 SLIP LINING PROJECT. MOTION CARRIED 5-0.

- C. Grove Avenue hockey rink master plan. Foust presented the information on two quotes received for bituminous trail and parking lot, quotes for lighting/electrical work and quote for site restoration and drainage. Council members Mann and Geiger were appointed by the Council to work on the improvements. Staff recommended authorizing the rink committee to qualify both bidders and award low bid for bituminous and site work for less than \$50,000.

MCDONALD MOVED, GEIGER SECONDED A MOTION TO AUTHORIZE THE RINK COMMITTEE TO MAKE THE SELECTION ON THE BITUMINOUS PARKING LOT AND TRAIL FOR LESS THAN \$50,000. MOTION CARRIED 5-0.

- D. Residents of Riverpointe subdivision stated concerns they had with the proposed amphitheater seating and possible danger for children and concern about how it would look with the rest of the pond/park area. Foust stated that the Park and Recreation Commission attempted not to take away from the aesthetic look of the park. Mandt stated that the idea was to keep it as natural and passive as possible. McDonald encouraged the residents to work with the city on the park projects by attending future meetings.

9. COMMITTEE REPORT

10. ATTORNEY'S REPORT

11. ENGINEER'S REPORT

- A. Approval of Industrial Park utility extension bid. Martini stated that there were 13 bidders for the project with Kuechle Underground, Inc. as apparent low bidder at \$301,723. Martini recommended awarding the contract to the

low bidder contingent on the developer paying for the balance of the project costs above \$250,000 and obtaining signed easements from the property owners adjacent to the project.

DUSKE MOVED, KING SECONDED A MOTION TO AWARD THE INDUSTRIAL PARK UTILITY PROJECT CONTRACT TO KUECHLE UNDERGROUND, INC. WITH THE APPARENT LOW BID OF \$301,723 CONTINGENT ON THE DEVELOPER PAYING FOR THE BALANCE OF THE PROJECT COSTS ABOVE \$250,000 AND OBTAINING SIGNED EASEMENTS FROM THE PROPERTY OWNERS ADJACENT TO THE PROJECT. MOTION CARRIED 5-0.

12. **MAYOR'S REPORT**

13. **COUNCIL MEMBER'S REPORT**

14. **ADMINISTRATOR'S REPORT**

15. **FINANCE DIRECTOR REPORT**

- A. Wallner informed the Council that at the next Council meeting he would have a bond resolution for fire trucks and equipment.

16. **PLANNER REPORT**

17. **ADJOURNMENT**

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 8:51 PM.

Respectfully Submitted,

ATTEST:

Steven Wallner
Clerk-Treasurer

K.J. McDonald
Mayor