

**MINUTES OF THE
WATERTOWN CITY COUNCIL
Regular Meeting Tuesday, Oct. 23, 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. 23, 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 and Dan Geiger. Council member Steve Duske was absent.

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: Jon Rohs of Watertown Partners LLC and Norman Gartner of Newton Development LLC.

2. ADOPT AGENDA

Staff asked to have items 3E (Resolution 2007-10-23-2) and 8B (1210 Waters Way code violation pulled from the agenda. Martini asked to have Item 11C (Co. Rd. 24 Trail Project) added to the agenda.

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

3. REVIEW OF CONSENT AGENDA

- A. Council minutes for Oct. 9, 2007
- B. Pay request from City Attorney
- C. Pay request from City Building Official
- D. Recommendation to approve Ordinance 311
- F. Claims Roster

4. CONSENT AGENDA APPROVAL

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

5. OPEN FORUM

- A. Watertown Deputy Derek Sanderson informed Council about some youth who are eating the seeds from Jimsonweed (Datura) to become drug induced. He said the weed is legal but is poisonous and can cause brain damage.

McDonald stated that he has had reports of people complaining about kids harassing people trying to cross the Luce Line bridge. He asked Sanderson for more patrolling of the area.

- B. Paul Glasser requested a permit to remove trees to place fill in an area on his property. He is attempting to sell the property along Co. Rd. 10. Foust informed him that he would need an easement for his driveway access. Glasser said he has contacted an attorney about obtaining the easement. McDonald stated that this item could be resolved at a meeting on Friday, Oct. 26 when discussion would also take place about sewer and water issues involving his property.

6. **CELEBRATE WATERTOWN**

7. **NEW/OLD BUSINESS**

- A. Tuscany Village. Mandt gave the Council an update on Tuscany Village. Items to be completed include but are not limited to: Completion of the landscaping; storm water inspection, cleaning and correction as necessary; raising of sanitary sewer manhole 12 and final grading around the structure; sanitary sewer cleaning and correction as necessary; curb and gutter replacement; bituminous milling and placement of the wear course; completion of the trail construction; repair of the lift station access trail; completion of the as-built plans; completion of all items not completed in the fall of 2007 due to weather delay; and extension of the letter of credit to Aug. 1, 2008.
- B. Request from Rohs Way to reduce development requirements. Jon Rohs asked why the Council required so much escrow when much of the engineering and preliminary work has been completed. He stated that he is losing money every day due to the slow housing market. Mandt stated that money is retained in the event the project is not successful and the city has to take care of the property. He stated that the money is not completed released until the project is finished. Wallner stated that the Council could reduce the escrow amount for engineering and legal fees from \$10,000 to \$5,000. McDonald suggested to Rohs that he become involved in the city's marketing plan.

GEIGER MOVED, MANN SECONDED A MOTION TO REDUCE THE ESCROW FOR ENGINEERING AND LEGAL FEES FROM \$10,000 TO \$5,000. MOTION CARRIED 4-0.

8. **CITY STAFF REPORTS**

- A. Recommendation to approve Resolution 2007-10-23-1. Foust informed the Council about the resolution which would approve the request from Newton Development LLC to extend the preliminary plat approval for Riverview Heights for one year until Oct. 24, 2008.

MANN MOVED, KING SECONDED A MOTION TO ADOPT RESOLUTION 2007-10-23-1 APPROVING THE REQUEST BY NEWTON DEVELOPMENT LLC TO EXTEND THE RIVERVIEW HEIGHTS PRELIMINARY PLAT APPROVAL ONE YEAR UNTIL OCTOBER 24, 2008 SUBJECT TO THE

FOLLOWING CONDITIONS: (1) COMPLETION OF AND COMPLIANCE WITH ALL REQUIREMENTS SET FORTH IN THE CITY ORDINANCE CODE, WRITTEN POLICIES, RESOLUTIONS AND REGULATIONS; AND (2) COMPLETION OF AND COMPLIANCE WITH THE CONDITIONS SET FORTH IN RESOLUTION 2006-10-24-4 APPROVING THE PRELIMINARY PLAT FOR RIVERVIEW HEIGHTS. MOTION CARRIED 4-0.

9. COMMITTEE REPORT

- A. Cable Commission recommendation to approve restated joint and cooperative agreement modifying the 1985 agreement. Mandt updated the Council on the roles of each agency.

GEIGER MOVED, KING SECONDED A MOTION TO ACCEPT THE RESTATED JOINT AND COOPERATIVE AGREEMENT FOR THE ADMINISTRATION OF CABLE COMMUNICATIONS SYSTEMS, REPLACING THE CURRENT AGREEMENT. MOTION CARRIED 4-0.

10. ATTORNEY'S REPORT

11. ENGINEER'S REPORT

- A. Projects in progress. Martini presented information about the city projects involving the city engineering firm Bolton & Menk, Inc.
- B. Pay request from city engineer.

GEIGER MOVED, MANN SECONDED A MOTION TO APPROVE THE PAY REQUEST FROM BOLTON & MENK, INC. TOTALING \$28,640. MOTION CARRIED 4-0.

- C. Co. Rd. 24 Trail Project. Martini updated the Council on the progress of the trail. He recommended a change order in the project for \$1,600 worth of top soil.

GEIGER MOVED, KING SECONDED A MOTION TO APPROVE A CHANGE ORDER IN THE CO. RD. 23 TRAIL PROJECT FOR \$1,600 WORTH OF TOP SOIL. MOTION CARRIED 4-0.

12. MAYOR'S REPORT

13. COUNCIL MEMBER'S REPORT

14. ADMINISTRATOR'S REPORT

- A. Mandt reported on a number of items including: Forest Hills tree project, easement for Tuvey's Meat & Music; marketing plan with Herald Journal; and update on hockey rink contracts for lighting, paving and quotes for warming house. The hockey rink is expected to go up Nov. 5 with help from Public Works and staff. He will be bringing a final report on HD Waterworks to the next meeting.

15. FINANCE DIRECTOR REPORT

16. PLANNER REPORT

17. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT
8:05 PM.

Respectfully Submitted,

ATTEST:

Steven Wallner
Clerk-Treasurer

K.J. McDonald
Mayor