

**MINUTES OF THE
WATERTOWN CITY COUNCIL
Regular Meeting Tuesday, November 9, 2010**

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, November 9, 2010** 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, Steve Duske, Dan Geiger, Earline King and Rick Mann.

The following staff members were present: City Engineer Dave Martini, City Administrator Luke Fischer, Senior Planner Crystal Foust and Finance Director/City Clerk Steven Wallner.

Also present were: Stephen Crowder and Michael Walters.

2. ADOPT AGENDA

DUSKE MOVED, KING SECONDED A MOTION TO ADOPT THE AGENDA. MOTION CARRIED 5-0.

3. REVIEW OF CONSENT AGENDA

- A. Accept resignation from firefighter Jason Turner
- B. Approve Chamber of Commerce Holiday Open House participation
- C. Approve Forest Hills landscaping letter of credit reduction
- D. Approve letter of credit reduction for Forest Hills development
- E. Approve Personnel Policy amendments
- F. Authorize staff to request proposals for IT services
- G. Approve pay request for City Attorney – Hoff, Barry & Kozar
- H. Approve pay request for Kuechle Underground
- I. Approve pay request for Community Development Consultant – MK Land Corp
- J. Approve annual licenses/permit renewals
- K. Release letter of credit for Kings Highland
- L. Approve City Council meeting minutes for 10-26-2010 meeting

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

4. OPEN FORUM

- A. Frank Speedling of GFS Construction, Inc. asked the Council if they would be offering any more permits in the Incentive Program. The City had offered 10 in Forest Hills. GFS had obtained the last one available. Mann stated that the program should be re-evaluated. He stated that the program was made available to help builders during a depressed economy but the city also needs to protect the investment in the community. McDonald and Geiger also agreed that the request was worthy of the Council's consideration.

5. CELEBRATE WATERTOWN

- A. Fischer stated that the Chamber of Commerce is having a holiday open house Friday, Dec. 3 to promote the businesses in Watertown. A tree lighting ceremony will also be held that evening.
- B. McDonald mentioned that the Halloween open house downtown was a huge success. He thanked those who helped at City Hall. He also mentioned that there would be Veterans' Day ceremonies at the public school and Christ Community Lutheran School.
- C. Wallner mentioned that the election Nov. 2 went well and thanked all the election judges for their work.

6. NEW/OLD BUSINESS

- A. Executive Closed Session – Sherman Matter
- B. Executive Closed Session – Hartman Communities

Kim Kozar of Hoff, Barry & Kozar explained to the Council the reasoning behind the closed sessions. The first session was closed to consider legal options with regard to Mary Sherman's unlawful occupation of city property and claim of adverse possession, including but not limited to initiating legal action for ejectment. The second session was closed to consider legal options with regard to Hartman Communities breach of contract including but not limited to initiating legal action.

DUSKE MOVED, MANN SECONDED A MOTION TO CLOSE THE REGULAR COUNCIL MEETING AND GO INTO EXECUTIVE SESSION. MOTION CARRIED 5-0.

DUSKE MOVED, KING SECONDED A MOTION TO REOPEN THE REGULAR MEETING. MOTION CARRIED 5-0.

7. COMMITTEE REPORT

8. CONSULTANTS' REPORT

- A. City Engineer
 - 1. Pay Request No. 5 from Chard Tiling & Excavating for work completed on Co. Rd. 20 project

GEIGER MOVED, KING SECONDED A MOTION TO APPROVE PAY REQUEST NO. 5 FROM CHARD TILING & EXCAVATING IN THE AMOUNT OF \$352,637.71 FOR WORK COMPLETED ON THE COUNTY ROAD 20 PROJECT. MOTION CARRIED 5-0.

9. MAYOR'S REPORT

McDonald stated that he intended to educate people about preventing local government from losing control at the local level due to excessive control from the federal government.

10. COUNCIL MEMBERS' REPORTS

- A. Geiger stated that he had walked the new trail along County Road 20 and found it to be very good.
- B. King stated that the Make a Difference Day held for Veterans Nov. 6 was a success.

11. STAFF REPORTS

- A. City Administrator
 - 1. Fischer stated that the work on the Downtown Redevelopment project is progressing. The fertilizer plant was torn down this past week under the demolition contract awarded to Wickenhauser Excavating.
- D. Finance Director
 - 1. Approve Claims Roster/Voucher List

GEIGER MOVED, KING SECONDED A MOTION TO APPROVE THE CLAIMS ROSTER/VOUCHER LIST. MOTION CARRIED 5-0.

12. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 7:23 PM.

ATTEST:

Steven Wallner
Clerk-Treasurer

K.J. McDonald
Mayor