

**MINUTES OF THE  
WATERTOWN CITY COUNCIL  
Regular Meeting Tuesday, November 10, 2009**

**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 10, 2009** 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, Steve Duske, Earline King and Dan Geiger.

The following staff members were present: City Engineer David Martini of Bolton & Menk, Inc., Public Works Supt. Doug Kammerer and Acting Administrator/City Clerk-Treasurer and Finance Director Steven Wallner.

Also present were: Rich and Cindy Raymond, Thomas Burandt, Lance Bjorlin.

**2. ADOPT AGENDA**

Wallner asked to have Item 3D (Lions request for use of Highland Park and downtown areas for Rails to Trails July 23-24, 2010) added to the consent agenda; Item 6B (Tuscany Village) pulled from the agenda; and move Item 7A (Request to post Planning and Park Commission vacancies) shifted to 3E on the consent agenda.

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

**3. REVIEW OF CONSENT AGENDA**

- A. Council minutes for October 27, 2009 meeting
- B. Approve 2010 Liquor Licenses
- C. Approve pay request from City Community Development Consultant – MK Land
- D. Lions Club request for use of Highland Park and downtown area for Rails to Trails July 23-24
- E. Request to post Planning and Park Commission vacancies

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

**4. OPEN FORUM**

- A. Tom Burandt requested a certificate of occupancy for a unit he purchased in Tuscany Village. He said he was told by the building inspector that the stucco on his unit needed to be completed. At their last meeting, the Council agreed to hold off on issuing any certificates of occupancy until they had talked with Richard Lerew of Lakeland Construction Finance. Wallner stated that this is a different situation involving a third party who is not involved with Lakeland. He stated that he didn't see any reason not to issue a certificate of occupancy if Burandt followed the building codes and set up an escrow account with the city. Duske stated that he had several issues and didn't think a certificate of occupancy should be issued until the council

talked with representatives of Lakeland at the next council meeting. Among the issues he mentioned included a possible street assessment. Duske stated that the developer's agreement should be followed. Geiger stated that when he was previously on the Council, the building inspector stated that work needs to be completed before issuing a certificate of occupancy. He stated that a certificate of occupancy shouldn't be dependent on whether the public improvements need to be completed or not. McDonald stated that he was in support of Burandt receiving a certificate of occupancy as long as the city building inspector approves the exterior work and Burandt sets up an escrow account with the city. McDonald stated that he expected to see Burandt at the next council meeting when the Council would also be talking with Lerew of Lakeland Construction Finance.

5. **CELEBRATE WATERTOWN**

A. Recognition of the Watertown Commission on Aging

McDonald read from the plaque that was given to the Watertown Commission on Aging by Carver County Board Tuesday, October 27. Members of the Commission on Aging were recognized and applauded for their work.

6. **NEW/OLD BUSINESS**

A. Reconsideration of Peddler's Permit for USVico, Inc.

The request for a peddler's permit was first presented to the Council at the October 27, 2009 meeting. Prior to that meeting, Wallner had received a phone call from a resident stating that two representatives of the company had been soliciting in Watertown and that they were aggressive. Wallner stated that this was before the application was presented to the Council and he wanted someone from the business to speak to the Council. Lance Bjorlin, owner of the company, told the Council that his representatives are usually over the age of 35 and tend not to be aggressive. He stated that people's perception of aggressive may be different. He stated that his company has been involved with hundreds of home projects within 20 miles of Watertown in the past.

**MCDONALD MOVED, GEIGER SECONDED A MOTION TO APPROVE A PEDDLER'S PERMIT APPLICATION FOR USVICO, INC. OF HOWARD LAKE. MOTION CARRIED 5-0.**

7. **COMMITTEE REPORT**

8. **CONSULTANTS' REPORTS**

A. City Engineer

1. Joint Powers Agreement for Highway 25 Project.

Martini presented the joint powers agreement between Carver County and the City of Watertown for design and construction of Hwy. 25 and Co. Rd. 10 project. Geiger stated that he wanted to see how the money would be distributed, particularly with regard to the county administering their funds.

The Council agreed to put off any decision on this item until the next council meeting.

2. Resolution Assigning Wetland Conservation Act Authority to City Engineer Bolton & Menk, Inc.

Martini stated that recent changes in the Wetland Conservation Act rules require cities to pass a resolution assigning Wetland Conservation Act decision making authority to selected staff members or consultants. He stated that as in the past, all decisions would be made in collaboration with representatives from the Soil and Water Conservation District, Board of Water and Soil Resources, Department of Natural Resources and Army Corps of Engineers.

**GEIGER MOVED, KING SECONDED A MOTION TO APPROVE RESOLUTION 2009-11-10-1 AUTHORIZING BOLTON & MENK, INC. AS THE CITY'S AUTHORITY TO IMPLEMENT THE WETLAND CONSERVATION ACT. MOTION CARRIED 5-0.**

**9. MAYOR'S REPORT**

- A. McDonald vocalized his concern about the federal government undermining the city's authority though it's spending. He fears that the federal government could eventually make decisions which normally should be handled by the city.

**10. COUNCIL MEMBERS' REPORTS**

- A. Mann referred to the peddler's permit issued earlier by stating that there are several local contractors through which residents could hire for the same work.
- B. Duske reminded everyone of Veteran's Day and to remember all veterans who have and are serving the country.

**11. STAFF REPORTS**

- C. Public Works
  1. Update on projects
  2. Snow Plow Policy

Kammerer updated the Council on the snow plow policy to be followed this season. He also asked about advertising for hockey rink warming house attendants.

**DUSKE MOVED, MANN SECONDED A MOTION TO ADVERTISE FOR WARMING HOUSE ATTENDANTS. MOTION CARRIED 5-0.**

- D. Finance Director

1. Wallner reminded council members of the budget workshop Tuesday, November 17, 2009.
2. Request for approval of voucher list/claims roster

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

**12. ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 7:30 PM.**

**ATTEST:**

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Steven Wallner  
Clerk-Treasurer

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K.J. McDonald  
Mayor