

**MINUTES OF THE
WATERTOWN CITY COUNCIL
Regular Meeting Tuesday, December 8, 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, December 8, 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., Senior Planner Crystal Foust and Acting Administrator/City Clerk-Treasurer and Finance Director Steven Wallner.

Also present was: Cory Mitteness.

2. ADOPT AGENDA

Wallner presented information to the Council on Item 3D of the Consent Agenda.

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

3. REVIEW OF CONSENT AGENDA

- A. Council Minutes for November 24, 2009 meeting
- B. Pay request from City Attorney – Melchert, Hubert, Sjodin, PPLP
- C. Approval of waiver of Community Center Rental Fee for WAYM fundraiser
- D. Approval of hiring hockey rink attendants
- E. Authorization for December Second Half Claims Payment

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

4. OPEN FORUM

5. CELEBRATE WATERTOWN

- A. Wallner commended the businesses for the holiday open houses held Friday, Dec. 4.

6. NEW/OLD BUSINESS

- A. Public hearing on proposed 2010 budget

McDonald recessed the council meeting and opened the public hearing.

Wallner gave a presentation on the 2010 city budget.

McDonald closed the public hearing after hearing comments from the Council. There were no public comments.

McDonald reopened the council meeting.

7. COMMITTEE REPORT

- A. Wallner stated that he is redoing the job description for the City Administrator position. He is using some information from the City of Delano. The job description will be presented to the Personnel Committee and Council before advertising for the position.

8. CONSULTANTS' REPORTS

- A. City Engineer

- 1. Highway 25 Cooperative Construction Agreement

Martini presented information on the proposed construction agreement with the Minnesota Department of Transportation in conjunction with the Hwy. 25 project. It is necessary for the City and Carver County to approve the agreement along with a resolution authorizing its officers to sign and execute the agreement on their behalf. The County will be responsible for receiving bids and awarding the contract with concurrence by the State. The County will be responsible for construction engineering and inspection. The City is responsible for maintenance of the storm sewer, utilities, walkways, trails and retaining walls.

DUSKE MOVED, GEIGER SECONDED A MOTION TO ADOPT RESOLUTION 2009-12-08-1 ENTERING INTO A COOPERATIVE CONSTRUCTION AGREEMENT WITH THE STATE DEPARTMENT OF TRANSPORTATION RELATING TO THE STATE HIGHWAY 25 PROJECT. MOTION CARRIED 5-0.

9. MAYOR'S REPORT

- A. McDonald thanked those who participated in the Christmas tree lighting ceremony. He mentioned the free Christmas dinner for senior citizens that will be held Tuesday, Dec. 15 in the Community Center. He also congratulated the Watertown Area Historical Society for its display in the skywalk.

10. COUNCIL MEMBERS' REPORTS

- A. King stated that she had attended several of the business open houses Friday, Dec. 4.

11. STAFF REPORTS

- A. City Administrator

- 1. Approval of the Personnel Handbook

MCDONALD MOVED, KING SECONDED A MOTION TO APPROVE THE PERSONNEL HANDBOOK FOR THE CITY OF WATERTOWN. MOTION CARRIED 5-0.

2. Approval of the 2010 Policing Contract

Wallner presented the 2010 contract with Carver County which is identical to the 2009 contract. Cost of policing will be \$189,907 including contingencies for overtime.

GEIGER MOVED, DUSKE SECONDED A MOTION TO APPROVE THE 2010 CONTRACT FOR POLICING SERVICES WITH CARVER COUNTY SHERIFF'S OFFICE. MOTION CARRIED 5-0.

B. Senior Planner

1. Subdivision Development Agreement Updates

Foust presented excerpts from development agreements for subdivisions that still have landscaping work to be completed. They are Forest Hills, Rohs Way and Rosewood Estates. The City holds a Letter of Credit for work not completed but the deadline for this work has lapsed. Staff recommended that berm/buffer trees be completed when the homes are constructed. Staff recommended that development agreements be amended to reflect new deadlines. Staff recommended that trees in the right-of-way be planted as lots are developed, but when a certain percentage of lots are developed, all trees would have to be planted. Staff would work with the developers to amend the development agreements to reflect a more accurate deadline and time frame.

Duske suggested that buffer trees be planted prior to construction to help buffer the work being done. He also questioned why trees should be placed in the boulevard. He suggested that the trees be placed further back on the property to help avoid the tree roots from breaking the curb. Foust stated that trees have been planted in the boulevard in the past to provide greenery to the subdivision and give it the same look as the older parts of town. Geiger asked who was responsible for damaged boulevard trees during construction. Martini stated that the builder is responsible. Martini also stated that more effort has been made in the past to select trees that do not have root systems that will damage the curb as they grow. McDonald stated that these items were worth exploring and should be examined by the Planning Commission and brought back to the Council.

D. Finance Director

1. Adoption of 2010 General Fund Budget

DUSKE MOVED, MANN SECONDED A MOTION TO ADOPT RESOLUTION 2009-12-08-2 ADOPTING THE FINAL 2010 GENERAL FUND BUDGET TOTALING \$1,694,968. MOTION CARRIED 5-0.

A. Elimination of Assistant Planner Position

Wallner stated that the Personnel Committee had recommended that the position of assistant city planner be eliminated due to the complete loss of local government aid from the state and additional economic deficiencies.

DUSKE MOVED, KING SECONDED A MOTION TO ELIMINATE THE ASSISTANT CITY PLANNER POSITION. MOTION CARRIED 5-0

2. Adoption of 2010 Tax Levy

GEIGER MOVED, MANN SECONDED A MOTION TO ADOPT RESOLUTION 2009-12-08-3 ADOPTING THE FINAL 2009 TAX LEVY FOR THE CITY IN THE AMOUNT OF \$1,688,615. MOTION CARRIED 5-0.

3. Adoption of 2010 EDA Levy

KING MOVED, MCDONALD SECONDED A MOTION TO ADOPT RESOLUTION 2009-12-08-4 ADOPTING THE FINAL 2009 TAX LEVY FOR THE WATERTOWN ECONOMIC DEVELOPMENT AUTHORITY. MOTION CARRIED 5-0.

4. Request for approval of voucher list/claims roster.

MANN 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 7:31 PM.

ATTEST:

Steven Wallner
Clerk-Treasurer

K.J. McDonald
Mayor