

**MINUTES OF THE  
WATERTOWN CITY COUNCIL  
Regular Meeting December 28, 2004**

**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 28, 2004** by Mayor Stephen Sarvi at 6:30 PM at the Watertown City Hall.

Upon roll call the following members were present: Mayor Stephen Sarvi, Council Members Mike Crom, Steven Duske, Jennifer Randall and Nelson Tuvey.

The following staff members were present: City Administrator David Mandt, City Planner Jeremy Barnhart, City Attorney Dave Hubert, Public Works Staff Doug Kammerer, Leon Fritzke, and Mike Barthel.

Others present were: Jim Bart of the *Carver County News*, Pat Kline of Xcel Energy, Chris Heille of the Carver County Library Board, Alan von der Hoff, Rick Mann, Dennis Wabbe, and Beth Wentland.

**2. ADOPT AGENDA**

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

**3. CONSENT AGENDA DISCUSSION**

- A. Approve Minutes for the December 14, 2004 City Council Meeting
- B. Approve Planning Commission Minutes for the September 16, September 30 and October 21, 2004 Meetings
- C. Approve Park and Recreation Commission Minutes
- D. Renewal of Planning Commission Term for Jane Abbott
- E. Renewal of Park Commission Term for Steven Barthel
- F. Acceptance of Park Commissioner Michelle Steen-Guetzkow Resignation and Recommendation to Post Opening
- G. 2005 Amended Fee Schedule
- H. Request to Pay Dues for Carver County Elected Leadership Program of \$500
- I. Request for Assistant Planner's Attendance at APA Conference
- J. Pay Request from City Attorney

Duske pulled items 3.G and 3.I, Tuvey pulled 3.A, and Sarvi pulled 3.C for discussion. Item 3.G was moved to 9.F. Duske requested that Assistant City Planner bring back agenda, notes, etc. from APA Conference. Tuvey questioned the logic behind the distance for liquor stores. Sarvi would like to revisit the park plaque issue in 2005. Barnhart stated it would be added to the next available Park agenda.

4. **CONSENT AGENDA APPROVAL**

**CROM MOVED, TUVEY SECONDED A MOTION TO APPROVE THE CONSENT AGENDA AS AMENDED. MOTION CARRIED 5-0.**

5. **OPEN FORUM**

6. **CELEBRATE WATERTOWN**

A. Recognition from State Auditor's Office

Mandt presented a new release from the Minnesota State Auditor recognizing the collaborative meetings held between Watertown-Mayer Public Schools and the Cities of Watertown and Mayer as one of the twelve best practices in Minnesota in cooperative efforts of public service delivery. Sarvi thanked Council and staff for their efforts.

7. **NEW/OLD BUSINESS**

A. Xcel Energy Franchise Agreement

Mandt presented the Xcel Energy Franchise Agreement and recommendation for adoption. He stated an agreement of this type is recommended to provide a clear understanding of each party's role, accountability for service and assignment of duties and clarification of fees charged. Mandt stated that this agreement does not take away from the Right-of-Way Ordinance.

Pat Klein of Xcel Energy was present to answer questions. Sarvi asked about having overhead wire buried. Klein stated the City would be responsible for associated costs. Tuvey questioned vandalism of the downtown streetlights. Duske questioned the franchise agreement. Klein stated the franchise agreement provides the right to impose fees.

Duske questioned why only one review of this agreement. Mandt stated that this is the second draft, the first reading took place in November. Duske suggested a need for a town meeting. Duske continued, stating that the citizens should have choice either to pay a franchise fee or put the amount on their taxes. Randall questioned Duske as to why he didn't bring this up earlier. Duske stated he did but the rest of the Council didn't agree.

Sarvi asked Hubert if he had any questions or technical changes. Hubert noted several areas of consideration. Sarvi recommended a third reading allowing Hubert to review one last time. Klein thanked the Council for their time. Crom recommended setting fees for a five year period to prevent fees from increasing every year. Sarvi stated the fee is tied to the cost of street lights.

**RANDALL MOVED, TUVEY SECONDED A MOTION TO TABLE APPROVING THE XCEL ENERGY FRANCHISE AGREEMENT. MOTION CARRIED 5-0.**

B. Franchise Fee Ordinance

This item was not discussed as a result of the tabling of the Franchise Agreement.

C. Skating Rink Attendant

Mandt presented a recommendation to hire Thomas St. Aubin as an additional skating rink attendant. St. Aubin has held this position for the last several years.

**CROM MOVED, RANDALL SECONDED A MOTION TO APPROVE HIRING THOMAS ST. AUBIN AS A SKATING RINK ATTENDANT AT \$8.50 PER HOUR. MOTION CARRIED 5-0.**

**8. CITY STAFF REPORTS**

A. Pay Request from Insituform Technologies Inc.

Mandt presented a recommendation to approve a pay request from Insituform Technologies, Inc for work completed on the 2004 CIPP Sanitary Sewer Rehabilitation Project in the amount of \$53,348.39. Tuvey asked if the slip lining has helped. Kammerer stated that it has helped dramatically. Duske asked how much is left to be done. Kammerer stated eight blocks are completed each year and they have several years left.

**DUSKE MOVED, CROM SECONDED A MOTION TO APPROVE PAYMENT OF \$53,348.39 TO INSITUFORM TECHNOLOGIES, INC. FOR WORK COMPLETED ON THE 2004 CIPP SANITARY SEWER REHABILITATION PROJECT. MOTION CARRIED 5-0.**

B. Pay Request from Ebert Construction

Mandt presented a final pay request from Ebert Construction in the amount of \$46,116.70 for completion on the Public Works Facility Addition.

**DUSKE MOVED, CROM SECONDED A MOTION TO PAY EBERT CONSTRUCTION \$46,116.70 FOR WORK COMPLETED ON THE PUBLIC WORKS FACILITY ADDITION. MOTION CARRIED 5-0.**

**9. COMMITTEE REPORT**

A. Utility Department Job Descriptions

Kammerer presented the revised Utility Operator I, Utility Operator II and Utility Superintendent job descriptions. The Utility Operator I and II job descriptions replace the Water/Wastewater Operator and Water/Wastewater Trainee job descriptions. Kammerer stated that the descriptions are in relation to the licenses the employee holds. Once a Utility Operator I qualifies for all necessary licenses, the recommendation would be made to move up to Utility Operator II at their next review date and be on a 6-month probation.

**DUSKE MOVED, CROM SECONDED A MOTION TO APPROVE THE UTILITY OPERATOR I, UTILITY OPERATOR II, AND THE UTILITY SUPERINTENDENT JOB DESCRIPTIONS CONTINGENT ON CHANGING WEIGHT REQUIREMENT TO 150 LBS. ON ALL THREE. MOTION CARRIED 5-0.**

B. Utility Operator II

Kammerer presented a recommendation to change Mike Barthel's job description to Utility Operator II. He stated he meets all of the criteria for this position. The Utility Operator II position equals the rate of pay as the former Water/Wastewater Operator position.

**DUSKE MOVED, CROM SECONDED A MOTION TO CHANGE MIKE BARTHEL TO UTILITY OPERATOR II, STARTING AT GRADE 6, STEP 5+, WITH A REVIEW FOLLOWING A SIX-MONTH PROBATIONARY PERIOD. MOTION CARRIED 5-0.**

C. Post Utility Operator I Position

Kammerer presented a request to advertise to hire an additional Utility Operator I.

**CROM MOVED, SARVI SECONDED A MOTION TO ADVERTISE TO HIRE AN ADDITIONAL UTILITY OPERATOR I. APPLICATIONS WILL BE ACCEPTED THROUGH FEBRUARY 1, 2005. MOTION CARRIED 5-0.**

D. Post Clerk Treasurer Position

Mandt presented a recommendation from the Personnel Committee to post the City Clerk/Treasurer position internally. He stated that many of the recent hires have been the result of internal postings. Mandt stated the position was included in the 2005 budget that was approved by the Council at its December 14<sup>th</sup> meeting. Duske argued against a fulltime position saying that a part-time position had been discussed when the budget was originally proposed in August. Mandt stated that the clerk-treasurer position started out as part-time until the Council directed staff to look at other options. Mandt stated that other staff members are taking on clerk/treasurer responsibilities in addition to their own or those jobs are not getting done at all.

Mandt stated that Wallner was hired as the clerk/treasurer in 2000 and was appointed Finance Director in 2003. Randall stated she believes Wallner could be used more efficiently in the role of finance director if the clerk/treasurer duties could be handled by someone else. Mandt offered a comparison of City Hall responsibilities in 1997 versus today. He stated the city has already exceeded the 2020 population projection of 3,350. Utility bills have increased from 700 to 1200 per month and building permits are up from 113 to 237 and new homes have increased from 15 to 71.

**DUSKE MOVED, TUVEY SECONDED A MOTION TO EXTERNALLY POST THE POSITION OF A PART-TIME CLERK/TREASURER. MOTION FAILED 2-3. SARVI, CROM AND RANDALL VOTED NAY.**

**DUSKE MOVED, RANDALL SECONDED A MOTION TO POST THE CLERK/TREASURER POSITION EXTERNALLY FOR A TWO WEEK PERIOD. MOTION CARRIED 4-1. CROM VOTED NAY.**

E. Severance Package for Liquor Store Employees

Mandt presented the proposed severance package for Liquor Operations Manager Beau Hickman and Liquor Store Clerk Nancy Felt.

**SARVI MOVED, TUVEY SECONDED A MOTION TO APPROVE THE SEVERANCE PACKAGE AS PRESENTED FOR LIQUOR OPERATIONS MANAGER BEAU HICKMAN AND LIQUOR STORE CLERK NANCY FELT. MOTION CARRIED 4-1. DUSKE VOTED NAY.**

F. 2005 Amended Fee Schedule

Barnhart presented the amended items for the 2005 Fee Schedule. He described the additions.

**DUSKE MOVED, SARVI SECONDED A MOTION TO DELETE THE RENTAL HOUSING INSPECTION FEES FOR 2005. MOTION FAILED 1-4. SARVI, CROM, RANDALL AND TUVEY VOTED NAY.**

**CROM MOVED, RANDALL SECONDED TO SET THE RENTAL HOUSING INSPECTION FEES AT \$25 FOR THE FIRST UNIT AND \$10 FOR EACH ADDITIONAL UNIT. MOTION CARRIED 4-1. DUSKE VOTED NAY.**

10. **ATTORNEY'S REPORT**

11. **ENGINEER'S REPORT**

12. **MAYOR'S REPORT**

Mayor Sarvi invited Chris Heille of the Carver County Library Board to address the Council regarding budget cuts. Heille thanked Sarvi for inviting him and urged the Council to attend the Carver County Board Meeting to stress the importance of continued funding for the Watertown library. Heille pointed out that the Watertown Library is your library. Duske recommended sharing this information with the school district for their added support. Sarvi requested that he be notified of the next County Board Meeting.

Sarvi acknowledged Crom and Tuvey for their time and commitment as council members. Crom expressed his appreciation to the community stating it has been a pleasure serving on the City Council.

13. **COUNCIL MEMBER'S REPORT**

Duske informed the council that he met with the Sheriff and discussed the 2005 police contract and budget.

Tuvey expressed his pleasure in serving the community stating there were many "good times".

Randall thanked the council members for their support.

**14. ADMINISTRATOR'S REPORT**

**A. Reo Road Cable Installation**

Mandt presented a request from Charter for clarification on installation of a cable TV drop for Reo Rd. He stated that one property owner on the north side of the road has requested service, but the remaining residents are not in favor of the construction project. Charter has been alerted by the Better Business Bureau that the resident has lodged a complaint for not being allowed access to hook up to cable. Charter is asking for direction from the City Council.

Denis Wabbe, 715 Reo Rd, stated he does not want cable TV in his right-of-way. Wabbe noted that he is concerned with repairing/ replacing irrigation, grass. Barnhart noted that the ROW, public property, is reserved for utility extensions and the ROW ordinance was developed to protect adjacent property owners from these same concerns.

**DUSKE MOVED, SECONDED BY RANDALL TO DIRECT MANDT TO DRAFT A LETTER TO CHARTER COMMUNICATION DIRECTING THEM TO BORE UNDER THE STREET RATHER THAN INTERRUPT THE RIGHT OF WAY. (5-0)**

**The council directed staff to provide neighbors with a copy of the letter.**

**15. CITY PLANNER'S REPORT**

**16. FINANCE DIRECTOR REPORT**

**A. Approval of Voucher list/Claims Roster**

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

**17. CLOSED SESSION**

Sarvi closed the Council Meeting at 9:25 PM to discuss personnel issues. The meeting was re-opened at 10:07 PM.

A. Annual Review of City Administrator

**SARVI MOVED, CROM SECONDED A MOTION TO APPROVE A ONE STEP ANNUAL PERFORMANCE INCREASE FOR CITY ADMINISTRATOR DAVE MANDT TO GRADE 12, STEP 6 (\$70,565.00). MOTION CARRIED 5-0.**

**18. ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS, CROM MOVED, RANDALL SECONDED A MOTION TO ADJOURN THE MEETING AT 10:12 PM. MOTION CARRIED 5-0.**

Respectfully Submitted,

**ATTEST:**

\_\_\_\_\_  
Steven Wallner  
Clerk-Treasurer

\_\_\_\_\_  
Stephen Sarvi  
Mayor