

**MINUTES OF THE
WATERTOWN CITY COUNCIL**
Regular Meeting Tuesday, November 26, 2019

Mayor Steve Washburn
Deborah Everson
Lindsay Guetzkow
Adam Pawelk
Michael Walters

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 at 6:31 p.m. Tuesday, November 26, 2019 in the Council Chambers of City Hall by Mayor Steve Washburn.

Council Members present: Washburn, Michael Walters, Deborah Everson, Lindsay Guetzkow, and Adam Pawelk.

City Staff present: City Administrator Shane Fineran, City Planner Mark Kaltsas, and Clerk/Treasurer Lynn Tschudi.

Those who signed in were: Don Moldenhauer and Linda Berg.

2. Adopt Agenda

GUETZKOW MOVED, PAWELK SECONDED A MOTION TO ADOPT THE AGENDA AS PRESENTED. MOTION CARRIED 5-0.

3. Consent Agenda Discussion and Approval

All items listed under the consent agenda are considered to be routine by the City Council and will be enacted by one motion on an affirmative vote by roll call of a majority of the members present. There will be no separate discussion of these items unless a Council member or citizen so requests, in which event, the item(s) will be removed and discussed prior to the adoption of the consent agenda.

EVERSON MOVED, GUETZKOW SECONDED A MOTION TO ADOPT THE CONSENT AGENDA AS PRESENTED. MOTION CARRIED 5-0.

- A. Adopt a motion to approve City Council Workshop Minutes from November 12, 2019
- B. Adopt a motion to approve City Council Regular Meeting Minutes from November 12, 2019
- C. Consider Resolution #2019-158, Accepting Grand Funds from Compeer Financial Fund for Rural America for fire equipment
- D. Consider Resolution #2019-160, Approving prosecution contract with Carver County Attorney's Office
- E. Adopt a motion approving Pay Application #2 for the 2020 Mill & Overlay Project
- F. Consider Resolution #2019-165, Approving engagement for auditing services in 2020 with Abdo, Eck, & Meyers

4. Open Forum

5. New/Old Business

- A. 800 Angel Avenue Sanitary Sewer Connection

City Administrator Fineran said the sanitary sewer connection of the property located at 800 Angel

Avenue SW was discussed in May 2019. Fineran said the septic system has failed and is need of replacement at which time that triggers the property to connect to city sanitary sewer. Both the city and the resident contacted contractors and were unsuccessful in finding a vendor who could make the connection. Staff is recommending to delay the requirement to connect to the sanitary sewer main and allow the resident to repair the septic system.

Pawelk asked about the current condition of the septic system and if the property owner will be in compliance with Carver County. Fineran said the county will work with the resident in getting a compliant system in place. Guetzkow asked if the homeowner repairs or gets a new septic if that will prolong the requirement to connect to city sewer. Fineran explained the hurdle for not connecting now and said the connection will make sense if and when the sanitary sewer main is improved in front of 800 Angel Avenue.

WALTERS MOVED, GUETZKOW SECONDED A MOTION TO ADOPT RESOLUTION 2019-158, APPROVING DELAY IN CONNECTION TO MUNICIPAL SANITARY SEWER SERVICES FOR 800 ANGEL AVENUE SOUTHWEST. MOTION CARRIED 5-0.

B. Public Hearing and Certification of Delinquent Charges

Fineran said under law, the city can certify delinquent charges that are unpaid at the end of the year to the property taxes. Fineran said residents are given plenty of notice prior to council taking action on the certification.

EVERSON MOVED, PAWELK SECONDED A MOTION TO OPEN THE PUBLIC HEARING.

No public comment was received.

EVERSON MOVED, PAWELK SECONDED A MOTION TO CLOSE THE PUBLIC HEARING.

GUETZKOW MOVED, EVERSON SECONDED A MOTION TO ADOPT RESOLUTION 2019-161 ADOPTING CERTIFICATION OF DELINQUENT UTILITY AND OTHER CHARGES FOR SERVICES FOR PAYMENT WITH TAXES IN 2020. MOTION CARRIED 5-0.

C. Bremer Bank Sign Waiver

City Planner Mark Kaltsas said Bremer Bank is asking for a sign waiver for a sign that does not meet required setbacks and size. Kaltsas described the property located in the central business district. Kaltsas said a similar agenda item was brought forward in 2014 when Bremer changed their branding. Kaltsas said Bremer is requesting to take down the sign and erect a new sign. Bremer is also asking for internally illuminated signs on the building. Kaltsas explained the directional signs are only changing the face, not needing a waiver. The wall sign will meet all requirements other than the internal lighting. The pylon sign does not meet the current sign requirement, however it is consistent with what is currently located at the bank.

Planning commission discussed the waiver at the November 21 meeting. They recommended approving the waiver as presented by the applicant, allowing both signs to be illuminated.

Walters recapped comments made at the planning commission meeting.

Washburn asked for clarification on the “grandfather” process granted in 2014. Kaltsas explained at that time, Bremer was allowed illumination on the building sign and part of the new pylon sign.

Pawelk stated the sign has been in existence for quite some time, so he is in favor of approving the waiver. Walters is in favor of the waiver. He explained he appreciates the quaint effect of the central business district sign requirements, however he believes signs are hard to read after dark.

Washburn said he is concerned allowing the illuminated signs close to residential homes.

Guetzkow asked what action could be taken if residents are opposed in the future. Kaltsas said a condition could be added, otherwise the sign is constructed as approved.

PAWELK MOVED, WALTERS SECONDED A MOTION TO ADOPT RESOLUTION 2019-164, APPROVING A WAIVER FROM THE SIGN ORDINANCE AS REQUESTED BY BREMER BANK FOR THE PROPERTY LOCATED AT 301 TERRITORIAL STREET EAST. MOTION CARRIED 4-1, WASHBURN VOTING NEY.

D. 676 Industrial Boulevard Conditional Use Permit

Kaltsas said the city is in receipt of a site plan amendment and a conditional use amendment at 676 Industrial Boulevard. The applicant is requesting to increase outdoor storage. A public hearing was held at the October planning commission meeting where no recommendation was made to council. At the November planning commission meeting, there was additional information and public comment. Currently at 676 Industrial Blvd, there is a CUP to allow limited outdoor storage of specific items. The applicant is asking for extension of the fence and inclusion for additional storage. Being that this location is in Subzone B, a CUP is required for outdoor storage. The applicant provided the planning commission a list of requested items to be stored outside. Kaltsas shared photos of the subject property showing the large amount of items being stored outside. The items include: tanks, vehicles, equipment. The items are being stored in the required employee parking spaces. Kaltsas also pointed out a newer fence constructed on top of the existing fence. The commission ultimately is recommending to deny the request from the applicant.

Pawelk asked what the applicant could do for screening of the outdoor storage. He also asked if there is a way they are able to store anything indoors. Pawelk noted the storage of items on the adjacent lot.

Guetzkow is curious what the long-term plan is for the applicant. She was hoping the applicant was in attendance to answer those questions.

Mayor Washburn opened the floor for comment.

Property owner to the west of the property, Don Moldenhauer, expressed his concern for the contents of the tank. He was asking if the applicant had containment measures for the tanks.

Gerald Baird, resident near 676 Industrial Blvd addressed council. He expressed his concern for the heavy truck traffic and the hazardous materials.

Linda Berg, property owner of the industrial park, approached council. She shared that the applicant has a purchase agreement to purchase the adjacent property, where he is planning to erect buildings

to store the additional equipment.

Guetzkow asked what will happen if council denies the CUP. Fineran said they would have to reapply. He explained that the current CUP runs with the property, not the owner. The city would then have authority to enforce violation of the current CUP. Kaltsas explained that the council is not able to table the item due to the timeline in which they are required to make a decision. Kaltsas and Fineran explained that communication with the applicant has been very difficult.

Pawelk is concerned that the applicant is currently not in compliance with outdoor storage and are not present to offer explanation. Guetzkow was hoping to find a way to work with Crius Corporation. Washburn expressed his disappointment for not hearing from the applicant. He would really like to see development go forward in the Industrial Park.

Pawelk asked what the city will do to address the nonconforming situations at the property. Fineran said letters will be sent with timeline requirements to become compliance with the current CUP.

PAWELK MOVED, GUETZKOW SECONDED A MOTION TO ADOPT RESOLUTION 2019-163, DENYING THE REQUEST FOR A CONDITIONAL USE PERMIT AMENDMENT AND SITE PLAN REVIEW AMENDMENT TO ALLOW OUTDOOR STORAGE OF EQUIPMENT AND MATERIAL GOODS FOR THE PROPERTY LOCATED AT 676 INDUSTRIAL BOULEVARD. MOTION CARRIED 5-0.

E. Public Hearing and Adoption of Ordinance 415 - Amending Municipal Code Chapters 26 and 62

Fineran said Ordinance 415 would amend municipal code chapters 26 and 62. These chapters are dealing with blight, parking, outdoor storage, etc. Fineran explained that the goal is to make sure the enforcement is consistent for violations.

GUETZKOW MOVED, EVERSON SECONDED A MOTION TO OPEN A PUBLIC HEARING.

Fineran noted he had one question from a resident regarding recreational vehicle storage.

GUETZKOW MOVED, EVERSON SECONDED A MOTION TO CLOSE A PUBLIC HEARING.

GUETZKOW MOVED, PAWELK SECONDED A MOTION TO ADOPT ORDINANCE 415, AMENDING WATERTOWN CITY CODE CHAPTERS 26-ENVIRONMENT, REGARDING NUISANCES AND NUISANCE VIOLATION ENFORCEMENT AND CHAPTER 62-ZONING, ARTICLE II, DIVISION II, REGARDING ZONING APPEALS. MOTION CARRIED 5-0.

F. Sunset Ridge Playground - Phase 1

Fineran said the Sunset Ridge playground in the Forest Hills Development is an identified project in the 2020 CIP. The vision is to have a phasing plan for the current playground based on development. The 8th Addition of Forest Hills added approximately \$60,000 additional park dedication to be used on equipment. Fineran explained if the contract for equipment is locked in now, the city is guaranteed 2019 pricing.

EVERSON MOVED, GUETZKOW SECONDED A MOTION TO ADOPT RESOLUTION 2019-162, APPROVING QUOTE FROM FLAGSHIP RECREATION FOR SUNSET RIDGE PLAYGROUND EQUIPMENT PHASE 1. MOTION CARRIED 5-0.

6. Other Reports

Fineran reminded residents that vehicles parked on the streets will be ticketed and towed if parked on the city streets during the hours of 2 am to 6 am or during large snow events. He said the disc golf course project is moving ahead on the clearing and grubbing. Public information session for the 2020 budget will be held Tuesday, December 3 at 6:30pm.

Pawelk updated that the park commission completed a project prioritization at their last meeting. Staff will be using this information to focus on the projects that were voted most important by the commission.

Guetzkow updated that the community education committee met to discuss the construction at the Community Learning Center.

Everson updated that WCCO reported that Watertown was the second fastest growing city.

Washburn updated the senior holiday dinner is December 3rd. The tree lighting ceremony is December 7th. Washburn also updated how important the 2020 Census is to Watertown as the population approaches 5,000 people.

7. Claims

GUETZKOW MOVED, PAWELK SECONDED A MOTION TO APPROVE THE CLAIMS ROSTER FOR THE 2019 BUDGET. MOTION CARRIED 5-0.

8. Adjournment

Members of the City Council and City staff may convene directly following the adjournment of the meeting at the Luce Line Lodge in a purely social event. Membes of the public are welcome to attend.

EVERSON MOVED, WALTERS SECONDED A MOTION TO ADJOURN THE MEETING AT 8:26 PM. MOTION CARRIED 5-0.

Steve Washburn, Mayor

ATTEST: _____
Lynn Tschudi, Clerk/Treasurer