



Watertown City Council
Work Session
September 22, 2020
5:30 p.m.

Mayor Steve Washburn
Deborah Everson
Lindsay Guetzkow
Adam Pawelk
Michael Walters

1. Call To Order And Roll Call
2. New Business
 - 2.I. Consultant Services For 2021

Documents:

[WORKSESSION MEMO 9.22.2020.PDF](#)

3. Adjournment

309 Lewis Avenue South; P.O. Box 279, Watertown, MN 55388



To: Honorable Mayor and City Council
From: Shane Fineran, City Administrator
Date: September 22, 2020
Re: Consultant Services for 2020

The 2020 preliminary general fund budget contains additional investment in the consultant services line items for additional services and support around site inspections related to the City's site conditions policy for small lot construction and code enforcement services related to Chapter 26 of City Code regulating blight, building conditions, junk, etc. and Chapter 52 of City Code regulating zoning.

The preliminary budget allocates an additional \$13,000 to planning services and would engage Mark Kaltsas with TerraMark to assist with the identification, education, and administration of this code section within the community. The approach taken would be a more pro-active approach than currently employed by the City which is largely reactive, and complaint driven. The process would rely heavily at first on identification and education of properties where concerns exist. Additional outreach to properties of concern, website content enhancements related to education of applicable codes, initiation and management of the enforcement provisions of applicable code sections.

The preliminary budget also allocates an additional \$20,000 to engineering services and would engage Bolton & Menk to assist with additional oversight, inspection, and oversight of the City's site conditions policy related to small lot construction, or those not administered under the NPDES permit issued by Carver County. This would include bi-weekly inspections by consultant engineering staff targeting largely the best management practices encouraged by the City's policy for erosion control on distributed sites. This would supplement inspection and oversight by building inspections and public work staff weekly and would provide more technical expertise as to the effectiveness and appropriateness of the BMPs being utilized on disturbed sites. All staff would work together and communicate on appropriate follow-up and enforcement action on problem properties.

An item for discussion related to the site condition policy is if additional fines or fees shall be applied for non-compliance or repeated conditions found out of compliance. Currently the City collects a \$2,000 escrow at the time of building permit issuance to provide security for damaged infrastructure such as street, curb, sidewalk, and in the event the City needs to install erosion control measures if not undertaken by the permit holder. Non-compliance or consistent follow-up and oversight of repeat problem properties will result in greater costs associated with this model.

Enc: Memo from Mark Kaltsas, Memo from Andrew Budde



September 2020

Watertown

Nuisance Abatement Program

I.

Identification of Nuisance Types to be Reviewed

Staff will review various types of nuisances with Council to understand if there are specific focus areas and or types that should be considered or not considered.

- Residential and Commercial?
- Zoning (i.e. accessory structures, hoop structures).
- Blight (accumulation of debris, equipment, junk).
- Vehicle/recreational vehicle storage
- Property maintenance
- Building Maintenance

II.

Identify Properties with Violations

Staff will complete a visual (driving) survey of the entire City to identify nuisance and zoning violations. The visual survey will focus on easily identifiable violations. A more in-depth review will be performed for specific properties where a complaint has been filed (verbal, 311, written).

- Identify and document findings of visual survey.
- Create list and photo documentation of properties with violations.

III.

Develop Educational Web Page and Mailing

Staff will work to develop a web page that provides detailed information that will educate residents regarding general property maintenance issues. The web page and mailing would include links to the actual ordinances, illustrative examples of compliant related images and similar graphics that will aid in residents understanding of requirements.

- Prepare educational outline (illustrative, photo examples, etc.) and overview providing information relating to City Ordinances.
- Send out citywide mailing to residents.

 IV.

Send Individual Property Letters Identifying Current Violations

Staff will review various types of nuisances with Council to understand if there are specific focus areas and or types that should be considered or not considered.

- Letters would identify the violation and provide educational information relating to current requirements and how-to bring property into compliance.
- Provide property owners a reasonable amount of time (30-60 days) and opportunity to cure the violation.
- Ask property owners to notify the City once property is in compliance.
- Provide property owners with opportunity to discuss violations with staff.

 V.

Conduct Second Review and Inspection

Staff will complete a second visual (driving) survey of the entire City to identify any remaining nuisance and zoning violations.

- Remove compliant properties from the list.
- Send a second notification letter notifying non-compliant properties that violation has not been mitigated.
- Provide non-compliant properties with a shorter compliance period (15-30 days).
- Provide notification of exact violation and possible citations.
- Ask property owners to notify the City once property is in compliance.

 VI.

Conduct Third Review and Inspection

Staff will complete a third visual (driving) survey of those properties that have not connected with the City to confirm abatement.

- Remove compliant properties from the list.
- Send violation letters to remaining properties with citation or date of hearing to determine action.
- Hold hearing for remaining properties and follow up with citations if necessary.



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September 17, 2020

Shane Fineran
City of Watertown
309 Lewis Ave NW
Watertown, MN

RE: SWPPP Inspections

Dear Shane,

The Minnesota Pollution Control Agency (MPCA) is responsible for permitting the National Pollution Discharge Elimination System - Construction Stormwater permits, often called NPDES-Construction Storm Water permit. This permit is required when construction sites disturb more than once acre of soil. The permit requires the preparation of a Storm Water Pollution Prevention Plans (SWPPP) which is required to include various elements on how the site will be protected from erosion both during construction (temporary) and after construction is complete (permanent). This may include detailed calculations related to storm water flows and also identifies Best Management Practices for erosion such as silt fence placement, inlet protection, ect. Inspection are also required to ensure that contractors are meeting the necessary requirements of the SWPPP. On larger projects this is typically the responsibility of the contactor or owner of the project and must keep records of the inspections throughout the duration of the project and until the permit is closed.

The Carver County Watershed Management Organization (WMO) has similar but slightly more restrictive requirements as the NPDES permit. The WMO has inspectors that periodically visit construction sites covered by their permits to ensure compliance.

In Watertown there have been developments completed meeting all the requirements and then due to market conditions homes were not constructed and the NPDES and WMO permits have been closed because the sites have been stabilized. Now lots are being sold to various home builders, but fall under the minimum land disturbance thresholds of one acre and essentially fly under the radar of both the NPDES and WMO permits. These sites can still be a source of significant erosion and nuisance issues in the neighborhood if Best Management Practices are not followed by the contractor. The city has started collecting a \$2000 refundable deposit on all building permits to ensure that damage is not done to existing streets, sidewalk, curb, and that BMP's are being followed for erosion control. To help ensure BMP's are being implemented and maintained the City has requested an estimate from Bolton & Menk to complete the inspections and help with the enforcement issues. Inspections would be completed on the following assumptions:

1. Regular inspections every 2 weeks during the months of April thru October (15 inspections per year). Inspections are not needed during frozen conditions.
2. As needed inspections after 0.5" rainfall or larger that don't coincide with regular inspections (5 inspections per year)
3. As needed inspections as identified by City staff that would view the sites 2-3 times a week and don't coincide with other inspections (2 inspections per year)

Name: SWPPP Inspections

Date: September 17, 2020

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4. Approximately 30-35 building permits per year with an average of 15 active inspection sites per visit.
5. Each inspection visit would take about 5 hours of field time (15 min per site plus 1 hour travel) and 3 hours of follow up paperwork/correspondence.

Bolton & Menk would provide inspection reports to the home builders that are out of compliance and require corrective action. From a budgeting perspective this could total up to approximately \$20,000 per year, but is largely influenced by the number of active building permits.

Sincerely,

Bolton & Menk, Inc.

A handwritten signature in black ink that reads "And Bud". The signature is written in a cursive, slightly slanted style.

Andrew Budde
City Engineer