

**MINUTES OF THE
WATERTOWN CITY COUNCIL**
Regular Meeting Tuesday, January 14, 2020

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 6:30 p.m. Tuesday, January 14, 2020 in the Council Chambers of City Hall by Vice-Mayor Mike Walters.

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

City Staff present: City Administrator Shane Fineran, Clerk/Treasurer Lynn Tschudi, City Planner Mark Kaltsas, City Attorney Scott Landsman, Utilities Superintendent Doug Kammerer, Public Works Superintendent Mike Dressel, and Building Official Scott Dornfeld.

Those who signed in: Jim Kasheimer

2. Adopt Agenda

GUETZKOW MOVED, EVERSON SECONDED A MOTION TO ADOPT THE AGENDA AS PRESENTED. MOTION CARRIED 4-0.

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.

PAWELK MOVED, EVERSON SECONDED A MOTION TO ADOPT THE CONSENT AGENDA AS PRESENTED. MOTION CARRIED 4-0.

- A. Adopt a motion to approve City Council Workshop Meeting Minutes from December 10, 2019
- B. Adopt a motion to approve City Council Regular Meeting Minutes from December 10, 2019
- C. Consider Resolution #2020-01, Approving 2020 Annual Organizational Resolution
- D. Consider Resolution #2020-04, Approving Animal Control & Impoundment Services
- E. Consider Resolution #2020-05, Approving Closing of Fund 321
- F. Consider Resolution #2020-07, Accepting Donation and Directing Use
- G. Consider Resolution #2020-08, Adopting Revisions to Employee Handbook
- H. Consider Resolution #2020-09, Approving Pay Step for Logan Pysick
- I. Consider Pay Application for Riverpointe Park Shoreline Stabilization Project

4. Open Forum

5. New/Old Business

A. 112 Jefferson Ave NW Zoning Appeal

City Administrator Fineran said the residents at 112 Jefferson Avenue NW were issued a stop work order on September 25, 2019 for work occurring without a building permit. On November 4, 2019, the residents received a letter from the city attorney for violation of construction of fences that did not meet the zoning code. Fineran said city code requires fences to have a zoning permit. The height and material is regulated in the code. The property owner's attorney stated they were appealing 1) they received oral approval from adjacent property owner 2) the city's code was improper. The resident nor the attorney were at the December 19, 2019 planning commission meeting.

EVERSON MOVED, GUETZKOW SECONDED A MOTION TO OPEN THE BOARD OF APPEALS AND ADJUSTMENTS. MOTION CARRIED 4-0.

The Vandercreeks approached the podium. They admitted they should have had a permit. They asked for clarification on the violation issued. Fineran showed a photo of the property and the fences violating the code. He explained there is a four foot metal fence in the front yard as well as a six foot privacy fence. The four foot fence is constructed of hog wire and is not allowed in the code – only chain link is allowed.

The resident stated the car wash is very noisy, thus the construction of the privacy fence.

Everson asked why a permit was not submitted as of yet. The residents replied that it was too late in the year and the ground was too hard. Everson asked Fineran what happens if a permit is submitted now. Fineran said the fence would fail inspection. There would need to be a plan for remedy. Guetzkow asked the Vandercreeks if they would be interested in applying for a variance. She also asked their intent in appealing. The resident said she is hoping the council will allow the six foot fence to stay.

Walters explained the reason the city enforces their zoning code.

Everson asked if the appeal is denied what the next steps will be. Fineran said the fences will need to be removed within 30 days. Guetzkow asked if the residents began the permit and variance process what would that do to the timeline. Fineran said the fee for a variance is \$500 and the escrow is \$1,500.

Scott Landsman gave a suggestion to council for language to use if they do decide on something other than denying the appeal.

Pawelk expressed his concern for wanting to find a middle ground for the resident. Landsman stated the resident has known about this violation for quite some time.

Everson said she really feels for the property owners however she says council is setting a precedence for future councils and residents. Pawelk agreed with Everson. He stated the homeowner had ample time to remedy the situation.

EVERSON MOVED, PAWELK SECONDED A MOTION TO APPROVE RESOLUTION 2020-02, DENYING THE APPEAL FROM ENFORCEMENT OF THE ZONING CODE AGAINST THE PROPERTY LOCATED AT 112 JEFFERSON AVENUE NORTH. MOTION CARRIED 4-0.

GUETZKOW MOVED, EVERSON SECONDED A MOTION TO CLOSE THE BOARD OF

APPEALS AND ADJUSTMENTS. MOTION CARRIED 4-0.

EVERSON MOVED, GUETZKOW SECONDED A MOTION TO OPEN THE REGULAR CITY COUNCIL MEETING. MOTION CARRIED 4-0.

B. Ordinance #417, Commercial/Industrial Flexible Zoning

City Planner Mark Kaltsas explained the area along Highway 25 currently has a mix of uses from agriculture to commercial. The planning commission is looking to create a flexible, yet consistent use of land use along that corridor. Kaltsas said some similar concepts are used in the existing industrial park. The mixed use zoning district would have 3 sub zones: A, B, C. Kaltsas explained what each subzone could include for potential businesses. He showed council on a map where each zone would exist along Highway 25. Kaltsas highlighted some key concepts of the mixed use business district. He showed photographs of various mixed use examples. Kaltsas said the Planning Commission has drafted an ordinance to develop a new zoning district that will hopefully allow flexibility in land use. Kaltsas noted that current property owner land zoning would be maintained until a new business came forward.

Pawelk asked if there is any possible negative impact to existing residents on the east side of Highway 25. Kaltsas said the new zoning requirements hopefully will preserve property values along Highway 25. This includes limiting parking to the back of the buildings, etc. Everson asked about businesses and signs along Highway 25. Kaltsas said the sign ordinance was just re-done and will apply to this corridor.

PAWELK MOVED, EVERSON SECONDED A MOTION TO ADOPT ORDINANCE 417 AMENDING CHAPTER 62 OF THE WATERTOWN CITY CODE RELATING TO THE CREATION OF A NEW MIXED-USE ZONING DISTRICT (MIXED-USE BUSINESS, RESIDENTIAL, LIGHT INDUSTRIAL: MU-BRLI). MOTION CARRIED 4-0.

EVERSON MOVED, GUETZKOW SECONDED A MOTION TO ADOPT RESOLUTION 2020-10, ADOPTING THE HIGHWAY 25 MIXED-USE DESIGN GUIDELINES. MOTION CARRIED 4-0.

C. Capital Project #CI002 – Dump/Plow Truck Replacement

Capital project CI002 is for a dump/plow truck replacement for the public works department. Public Works Superintendent Mike Dressel shared with council the number of repairs that have been needed on the current vehicle over the past 12 months. He also said the truck does not spread salt very well. Dressel said he would like to purchase a truck similar to the dump/plow truck that was bought a couple years ago so that drivers are familiar with the vehicle.

Guetzkow agreed that a plow truck is no good in winter weather if it is not working.

Council agreed that they are comfortable soliciting quotes for the vehicle.

GUETZKOW MOVED, EVERSON SECONDED A MOTION TO ADOPT RESOLUTION 2020-03, AUTHORIZING THE SOLICITATION OF QUOTES FOR HEAVY DUMP TRUCK. MOTION CARRIED 4-0.

D. Capital Project #UC004 – Utility Light Pick Up

Doug Kammerer said Capital Project UC004 utility light pick-up is to replace a Chevy truck with 130,000 miles. In August the vehicle was totaled out by the insurance company due to hail damage and the city purchased it back. The utility department is looking to purchase a one ton 2020 truck with a crew cab. Kammerer said it will be a standard truck with a spray liner in the bed.

EVERSON MOVED, GUETZKOW SECONDED A MOTION TO ADOPT RESOLUTION 2020-06, AUTHORIZING THE SOLICITATION OF QUOTES FOR LIGHT DUTY PICK-UP TRUCK. MOTION CARRIED 4-0.

6. Other Reports

Fineran updated that the ice rink is open. Fineran reminded residents of the presidential primary election on March 3, 2020. Absentee voting is available at Carver County government center.

Pawelk updated there is a Park Board meeting January 15 at 6:30.

7. Claims

GUETZKOW MOVED, EVERSON SECONDED A MOTION TO ADOPT CLAIMS AS PRESENTED. MOTION CARRIED 4-0.

A. Approve 2019 Claims

B. Approve 2020 Claims

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. Members of the public are welcome to attend.

PAWELK MOVED, EVERSON SECONDED A MOTION TO ADJOURN THE MEETING AT 8:09. MOTION CARRIED 4-0.