

**MINUTES OF THE  
WATERTOWN CITY COUNCIL**  
Regular Meeting Tuesday, February 11, 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, February 11, 2020 in the Council Chambers of City Hall by Mayor Steve Washburn.

Council Members present: Washburn, Mike Walters, Lindsay Guetzkow, and Adam Pawelk.

City Staff present: City Administrator Shane Fineran, City Engineer Andrew Budde, City Planner Mark Kaltsas, City Attorney Scott Landsman, and Clerk/Treasurer Lynn Tschudi.

Those who signed in: Don Moldenhauer, Rob & Linda Berg, Tim & Trina Staloch.

2. Adopt Agenda

PAWELK MOVED, WALTERS 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.***

WALTERS MOVED, PAWELK 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 January 28, 2020
- B. Adopt a motion to approve City Council Regular Meeting Minutes from January 28, 2020
- C. Consider Resolution #2020-19, Appointing Commission members to Planning and Parks and accepting resignation
- D. Consider Resolution #2020-20, Approving fee waiver request for Watertown Royalty fundraiser event
- E. Consider Resolution #2020-21, Approving inspection and service agreement for partition wall system

4. Open Forum

5. New/Old Business

A. Recognition of Parks Commissioner Tim Staloch

City Administrator Fineran said Park Commissioner Tim Staloch is moving out of state and will no longer be able to serve on the Park Commission. Tim served as a great addition to the Park Commission. Staloch approached council and said he and his wife have enjoyed living in Watertown for the past five years. He now appreciates how a city operates. Council thanked Staloch and took pictures.

B. Conditional Use Permit Revocation - 676 Industrial Blvd

City Administrator Fineran said in 2013, Adult Training and Habilitation (ATHC) applied for a Conditional Use Permit (“CUP”) for outdoor storage. ATHC no longer owns the property at 676 Industrial Boulevard and has no interest in the property. Crius Construction Corporation (Crius Corp) is the current tenant at the building located at 676 Industrial Boulevard, Watertown, MN 55388.

In November of 2019, the owner of Crius Corp applied for a CUP to allow for outdoor storage at the Property and for site plan approval. By resolution 2019-163, the City Council denied the application.

On December 26, 2019, Fineran inspected the Property and observed violations of the existing CUP such as many items being stored outside. Fineran said he also observed additional fencing, which is unpermitted and was not approved in the site plan.

On January 8, 2020, the City Attorney send the Tenant and the Owner a Notice of City Code Violation. Fineran said code violations were requested to be corrected by January 24, 2020.

Fineran stated failure to comply with any CUP will result in possible revocation. Fineran stated the original CUP was for scrap metal, tires and six containers in a designated area within a fence. Crius Corp is not compliant currently as there are additional items beyond what is approved being stored outside. Staff is recommending revocation of the conditional use permit originally granted for 676 Industrial Boulevard. Fineran shared photos of the property with council.

Pawelk asked for clarification of the constructed fence. Fineran stated a building permit would need to be pulled for a fence, and engineered material used for one of that height. Kaltsas said those screening issues would have been worked out within the conditional use site plan process.

Guetzkow clarified that a conditional use permit follows the property. If a new owner would like to do something different, they need to apply for a site plan process and CUP.

Walters asked if there has been any communication from Crius Corp and or efforts to comply. Fineran said there has been communication but no compliance on the existing property.

Washburn clarified that to be in compliance the Tenant would need to move everything that is not scrap metal and tires or they would need apply for site plan review and conditional use permit. Fineran said yes, that is what they tried to do in fall of 2019. Kaltsas said there is no permitted outdoor storage of vehicles, however there is designated staff parking.

**GUETZKOW MOVED, PAWELK SECONDED A MOTION TO OPEN THE PUBLIC HEARING. MOTION CARRIED 4-0.**

Representatives of Crius Corp Juan Martinez and Janet Buckston addressed council to share a letter from the owner of Crius Corp Mark Elliott. Martinez explained that most of the items have been removed since the last photos were taken. Buckston explained a semi driver parked at the loading dock while he is in town for a few days. Martinez said that when the site plan was applied for in 2019, an engineer was hired who did a poor job, thus the CUP being denied. Buckston stated the tanks stored outside are empty. She said they refurbish them and sell them. Council discussed the outdoor tanks on the side of the building. Guetzkow asked if they have a timeline for the new CUP and site plan application. Martinez said they are still waiting for an engagement letter from their new

engineer.

Fineran informed the council he received one written comment from Randy Masica.

Jerald Baird addressed council. Baird is concerned about what is in the tanks. He does not like all the tractor trailers and is concerned about the heavy trucking activity that will increase in the spring. Baird is concerned about the decline in property values due to the business operated by Crius Corp.

Don Moldenhauer addressed council. Moldenhauer agreed with Baird. He wanted council to know that there were many times that trailers were parked on the street last summer. He would also like to know about the containment of the materials in the tank.

**PAWELK MOVED, GUETZKOW SECONDED A MOTION TO CLOSE THE PUBLIC HEARING. MOTION CARRIED 4-0.**

Pawelk asked what the next available steps are. Attorney Landsman said after the CUP is revoked, the next step would be enforcement action with the court system. Guetzkow asked how a 30 day window to get in compliance impacts the submission of a new site plan and CUP. Landsman said they are unrelated items. They still need to follow the enforcement action.

Washburn clarified with staff that Crius Corp would still be able to operate if the CUP was revoked. Staff confirmed yes. Washburn asked if the employee vehicles parked in the parking spaces is permitted. Kaltsas said he would have to verify the overnight and available employee parking. He said site plan approvals look at employee parking, logistical uses of parking, storage, screening, etc. Washburn asked about the fence. Kaltsas said any fence requires a building permit. Originally an eight foot fence was permitted at the property and there was an additional fence constructed on top of it. Washburn asked what happens to the fence if the CUP is revoked. Kaltsas said they would have to remove the fence within the 30 days.

Pawelk asked about removal of the outdoor tanks. Kaltsas said that during a CUP evaluation, nature of business is analyzed. He clarified how that would be determined for safety.

Washburn asked how long a traditional CUP process takes. Kaltsas said statutorily the city has 60 days, however if the application is incomplete, the 60 days would not start until the application is complete.

Pawelk would like to find a middle ground for Crius Corp.

Washburn said the two items that give him heartburn are the tank and the fence. He thinks 30 days is unreasonable. He would like to see about 75-90 days allowed in order to be in full compliance. He would like complete compliance immediately for everything other than the tank, fence and the compactor. Washburn asked Landsman for language to alter the resolution at hand.

**GUETZKOW MOVED, WALTERS SECONDED A MOTION TO ADOPT RESOLUTION 2020-24, REVOKING THE CONDITIONAL USE PERMIT ALLOWING OUTDOOR STORAGE OF EQUIPMENT AND MATERIAL GOODS FOR THE PROPERTY LOCATED AT 676 INDUSTRIAL BOULEVARD, AS AMENDED. MOTION CARRIED, 4-0.**

Assistant Chief Hanson addressed council to seek approval to solicit interest in fire fighter recruitment. Hanson explained the fire department is authorized 30 fire fighter positions. There are currently five vacant positions they would like to fill.

Pawelk asked where residents can find additional information. Hanson said there were postcards mailed within the city limits and information is available on Facebook.

PAWELK MOVED, WALTERS SECONDED A MOTION TO ADOPT RESOLUTION 2020-22, AUTHORIZING RECRUITMENT FOR FIRE FIGHTERS. MOTION CARRIED 4-0.

#### D. Capital Project FC002-Grass Rig & FC010-Polaris UTV

Assistant Chief Hanson said the fire department is looking to replace the Grass Rig and the UTV. The grass rig will be replaced with a GMC Sierra and have enhanced safety equipment as well as a slide in pump.

The 6-wheeler will be replaced with a side by side Polaris UTV. Hanson explained the Polaris will be outfitted with tracks and allow for better maneuverability. The UTV will include a trailer to pull it with.

The GMC Sierra, equipping the apparatus, Polaris Ranger, trailer, mobile radio and equipment total \$130,071.40. Hanson said they would like approval up the total budgeted amount that was approved on the 2020 Capital Improvement Plan of \$137,318. This will allow for additional expenses when outfitting the vehicles with the proper equipment.

Guetzkow asked if the old Grass Rig will be sold. Hanson said yes, both old vehicles will be sold after the new ones are in service. Pawelk asked about the large variance in the outfitting of the truck. Hanson explained the variance. Pawelk asked if there is a trailer for the 6-wheeler. Hanson said yes. Fineran said it could be sold or used in a different department in the city.

GUETZKOW MOVED, WALTERS SECONDED A MOTION TO ADOPT RESOLUTION 2020-23, AUTHORIZING THE ACQUISITION OF GRASS RIG AND UTV APPARATUS AND NECESSARY EMERGENCY EQUIPMENT. MOTION CARRIED 4-0.

#### E. Trail & Sidewalk Master Plan Update

City Engineer Budde said council originally reviewed the Trail & Sidewalk Master Plan on January 28, 2020 when they found some costs that seemed low. Budde explained that the original numbers used showed segments that would be constructed in conjunction with a street reconstruction project. Budde added more information to include stand-alone cost information.

Washburn thanked staff for the additional work on the Plan.

PAWELK MOVED, GUETZKOW SECONDED A MOTION TO ADOPT THE TRAIL & SIDEWALK MASTER PLAN. MOTION CARRIED 4-0.

#### 6. Other Reports

Budde updated that the County will construct the weir at the Wetlands this spring. After that, easement documents will be executed and vegetation will need to be planted.

Fineran updated that February and March will be busy for the Planning Commission as there were two site plans received.

Pawelk updated the Park Commission will meet next week to discuss a concept idea for Sugar Bush Park.

Guetzkow reported the EDA met to discuss site plans for Hecksel Machine and Stonwerk. They also discussed possible grant funds from Carver County CDA to assist with some expenses at those businesses. Fineran explained to council the purposed of the grant funds. Guetzkow also noted there will be another Developers Day in April.

Walters updated on the Chamber Meeting. He said County Road 24 will be widened in 2021 as informed at the Chamber Meeting. Walters said council met with legislatures to show them why Watertown needs grant funding for the waste water treatment facility. He commended city staff on their presentation of materials in an effort to get the full amount of the grant.

Washburn updated council is beginning their lobbying efforts for the waste water treatment facility funding. Washburn updated the CDA is struggling to find a developer for the land they own in the Forest Hills Development.

7. 2019 & 2020 Claims

PAWELK MOVED, GUETZKOW SECONDED A MOTION TO ADOPT THE 2019 & 2020 CLAIMS AS PRESENTED. MOTION CARRIED 4-0.

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. Members of the public are welcome to attend.***

GUETZKOW MOVED, WALTERS SECONDED A MOTION TO ADJOURN THE MEETING AT 8:31 PM. MOTION CARRIED 4-0.

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Steve Washburn, Mayor

ATTEST: \_\_\_\_\_  
Lynn Tschudi, Clerk/Treasurer