



Watertown City Council

Mayor Steve Washburn
Lindsay Guetzkow
Adam Pawelk
Michael Walters
Dan Schuette

3/9/2021 - Minutes

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 in the Council Chambers of City Hall at 6:31 p.m. Tuesday, March 09, 2021 by Mayor Steve Washburn.

Council Members present: Washburn, Michael Walters, Lindsay Guetzkow, Dan Schuette, and Adam Pawelk.

City Staff present: City Administrator Shane Fineran, Administrative Services Director Lynn Tschudi, Public Utilities Superintendent Doug Kammerer, City Engineer Andrew Budde, and City Planner Mark Kaltsas.

Those who signed in: Art Plante, Mike Icks, Deb Wasser, Gina Wasser, Deb Banks, Rob and Linda Berg, Brandon Butorac.

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

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

3.A. Adopt A Motion To Approve City Council Regular Meeting Minutes From February 23, 2021

3.B. Adopt A Motion To Approve City Council Work Session Meeting Minutes From February 23, 2021

3.C. Consider Resolution #2021-25, Seasonal Irrigation System Maintenance

3.D. Consider Resolution #2021-26, Solicitation Of Quotes For Carpet, Tables, And Chairs

3.E. Adopt A Motion To Approve Pay Application #2 – 2020 CIPP Project

3.F. Consider Resolution #2021-27, Solicitation Of Quotes For 2021 Pavement Maintenance

3.G. Consider A Motion To Adopt Resolution #2021-28 Transfer Of Funds

4. Open Forum

5. New/Old Business

5.A. River Ridge Sketch Plan

City Planner Mark Kaltsas introduced the sketch plan review submitted by John Arthur Homes LLC (Applicant) for River Ridge located on the east side of CSAH 10 between the Tuscany Village and Sugarbush subdivisions. The property is located between two residential developments and fully surrounds the Lutheran Elementary School. The property is currently zoned Agriculture but is guided by the City's comprehensive plan as low density residential. The applicant would like the City to consider the development of 84 single-family lots developed under the provisions of a PUD. There are 27 lots proposed on the north side and 57 lots proposed on the south side. Kaltsas reviewed the proposed setbacks:

North Side:

- 27 Lots
- Average of all lots on north side is ~13,000 SF per lot
- Average width of all lots on north side is ~74 feet wide
- 7.5' side yards
- 25' front yards
- 20' rear yards

South Side:

- 57 Lots
- Average of all lots on south side is ~8,000 SF per lot
- 55' wide (28 lots) 66' wide (29 lots)
- 7.5' side yards
- 25' front yards
- 20' rear yards

City Planner Kaltsas noted that the purpose of a sketch plan review is to provide feedback to the developer from Council. Planning Commission identified access to the homes as an issue. With 27 homes on the north and 57 to the south, there needs to be an additional access to those south homes. Kaltsas reviewed the possible exits for the development. The Planning Commission would like to see a trail to connect the two sides of the development to lead residents to the Sugarbush park and Madison Trail. Kaltsas said the next steps would be for the developer to consider the comments from Council and possibly provide a preliminary plat.

Mayor Washburn asked Council if they feel there should be a second access to the development. Council Member Pawelk said yes, to serve the number of homes there needs to be at least two accesses. Pawelk said option 1 or 2 per Kaltsas' drawing would be the most sensible. Guetzkow is in favor of option 1 for a second access. Guetzkow voiced her concern for increased traffic at the County Road 10/Madison Street intersection if more homes are built. She would like to see the speed analyzed on CSAH 10. Council Member Walters is in favor of option 1 and would like to see a trail added at option 3. He agreed with Guetzkow's concern for traffic and pedestrian safety. Council Member Schuette is in favor of access 1 and would like to see turn lanes added and or speed limits addressed through this section of CSAH 10.

Pawelk said a trail connection along CSAH 10 to connect into the Sugarbush/Madison Street trail would make sense. Kaltsas showed on a map the various areas a trail could be placed. The drawback to a trail along CSAH 10 is the City does not have right away along the entire strip. Guetzkow asked if the development will be built around the Sugar Bush lift station. Kaltsas said the lift station would be in the road right of way. Walters does not feel the Wetland trail needs to be paved immediately. He would like to see a trail along CSAH 10 as well as a pedestrian crosswalk added.

Mayor Washburn asked Council if they are comfortable with the proposed densities of the north and south sides. Pawelk said he was surprised to see the south side as dense as proposed. Kaltsas said the intent is to create compatible property sizes to those adjacent to them in the Tuscany Village. Kaltsas said the lots will be similar in size to the Tuscany Village but with a slightly different product. Guetzkow asked if there has been any thought as to if this will be an association-maintained development. Walters agreed that the south side is a bit dense. He is also concerned about the tree loss. Council discussed the potential tree loss on the proposed development.

Schuette asked what the minimum square foot lot is in the PUD-TV. Kaltsas said there is no minimum but the twin lots are about 4,000 per side. He showed how the proposed lots would line up with the existing Tuscany lots. Schuette said if the lots are being matched in each area that is what matters. Washburn agreed that lot continuity in each area is important as well as continuity in building materials.

Washburn asked Council about the importance of saving the trees. Council discussed the importance of either saving trees or re-planting trees in the development.

Art Plante with Jon Arthur Homes approached Council. He expressed the key for this project to be successful is to keep the project affordable. The demand is stronger than availability so that is desirable for Jon Arthur Homes. Their goal is to have a selling price of \$350,000, but the cost of the land and commodities are driving up the prices to \$375,000 to \$400,000. The developer addressed the second access to the south development. He continued to review his notes on the sketch plan and reasons for keeping the development at a reasonable cost so it can go to preliminary plat.

Mayor Washburn asked Council about the developer using vinyl siding rather than wood for the homes and working a phased approach for building. Council is in favor with a phasing approach. Pawelk, Guetzkow and Walters are flexible with the siding options. Schuette and Washburn want to see wood siding used.

5.B. Ordinance 424 & 425- Amending Chapter 2, Article IV, Division 9 -Mixed Use-Business, Residential, Light Industrial Zoning District And Official Zoning Map.

City Planner Mark Kaltsas explained that the City has been working with the developer of the business/industrial park regarding the potential to develop a portion of the area designated as Subzone C into "Auto Condos". As a part of this discussion, it was noted that this area has been re-guided by the recently adopted 2040 Comprehensive Plan and the adopted MU-BRLI (Mixed-use Business, Residential, Light Industrial) ordinance.

The City has discussed that the MU-BRLI ordinance was developed to provide flexibility for a multitude of uses. The City believes this is a good time to consider deploying this ordinance across the existing business/industrial park property. For the ordinance to be implemented, this area would have to be rezoned from PUD-BP (Planned Unit Development – Business Park) to MU-BRLI (Mixed-use Business, Residential, Light Industrial). Kaltsas said the rezoning of this property would not impact any of the existing properties and would provide more flexibility within this area for future development. It would also start the process of establishing a unifying standard for the entire area guided by the Comprehensive Plan for mixed use.

In addition to the rezoning of the property, the City has prepared a draft ordinance amendment to include Auto Condos as a permitted use within Subzone C.

The City has also reviewed the types of uses that are being requested of the City and the lack of availability of business/warehouse land and noted that it could be useful for the City to consider adjusting the line that distinguishes between Subzones B and C within the business/industrial park. This would provide for two additional lots that could be used for light industrial and "square up" the line within this area. Kaltsas showed this area on a map. The reason for this change and consideration would be the continued request for small lots to accommodate warehouse uses with some allowable outdoor storage. Light manufacturing and warehousing is not currently permitted within Subzone B. The

City continues to hear from small contractors and trades professionals looking for space to construct a shop/office space in Watertown.

Kaltsas said the Planning Commissioners discussed in detail the auto condo concept and found that it could be an innovative and compatible land use within those areas of the Highway 25 Corridor guided for Subzone C. Commissioners wanted to make sure that the proposed language was adequate to prohibit short-term living conditions within the units.

WALTERS MOVED, GUETZKOW SECONDED A MOTION TO APPROVE MODIFIED ORDINANCES 424 & 425. MOTION CARRIED 5-0.

5.C. Butternut Lane Street Light Request

City Administrator Fineran explained that a resident in the Forest Hills development reached out to request a streetlight in a dark portion of the development. Xcel Energy provided a preliminary location for the light and distance from other streetlights and determined this request could warrant another light based on facts and calculations. Fineran said the City would pay to install the decorative light and pay the monthly fee for operation.

Council Member Pawelk wants to make sure the City is using guidelines for granting streetlights so that there is a process being followed. Schuette asked what the reason was for the request. Fineran said it was for safety and it felt dark.

GUETZKOW MOVED, WALTERS SECONDED A MOTION TO APPROVE RESOLUTION 2021-22 APPROVING BUTTERNUT LANE STREET LIGHT INSTALLATION. MOTION CARRIED 5-0.

5.D. 2020 Mill & Overlay Liquidated Damages

City Engineer Andrew Budde said the 2020 Mill & Overlay project required final completion by October 2, 2020. The City holds a clause for liquidated damages in their contracts if projects are not completed on time. GMH Asphalt achieved substantial completion 16 days after the required date of August 31, 2020. The amount the City does not feel they should pay is \$18,320. Engineer Budde said the contractor has been paid most contract except the retainage. Council Member Schuette asked what change orders were made during the contract that would have extended the project. Budde said there were only small change orders made.

Brandon Butorac, VP of GMH Asphalt approached Council. He stated the company does not get liquidated damages because Cities normally work with the contractor. Butorac stated that they were instructed to either start before or after Rails to Trails. Being that they started after what would have been Rails to Trails, they were now dealing with delays due to COVID. Butorac explained the delays they experienced because of the Xcel crew being in town at the same time. He explained various other reasons for the 16-day delay and does not feel they should pay the damages of \$18,320.

Council Member Pawelk asked if the delays were discussed with Budde along the way as related to COVID or any of the change orders. Pawelk asked what the additional engineering costs were related to the changes/delays. Budde said the delays were discussed via email, but the never requested an extension. There were days during the summer when the Bolton and Menk inspector arrived at the job when the contractor was not there. Those are the types of costs that are passed along to the City.

Guetzkow explained that the roads were tore up and then they sat for weeks which is an inconvenience to the residents.

Schuette said that other cities do enforce liquidated damages. Cities create contracts for a reason and Schuette said what he has heard shows that the City is due the fees.

Mayor Washburn agreed that this past year was difficult due to COVID but the contractor should have communicated the completion issues sooner.

Council directed staff to continue to seek liquidated damages.

5.E. Capital Project #UC036 – Heavy Maintenance Of Sterling Jet Vactor

Utilities Superintendent Doug Kammerer said the utilities jetter was purchased in 2003. The jetter is used in a variety of ways. Kammerer said in 2020 the water pump needed repair. After repairing the water pump, MacQueen determined other items that needed to be repaired on the jetter. Kammerer is asking for heavy maintenance to be completed in the amount of \$33,000. A new jetter is not scheduled to be purchased until 2027. Pawelk asked how long these repairs will extend the life of the jetter. Kammerer said the motor is running great for now, so he is hoping to make it last until 2027.

GUETZKOW MOVED, SCHUETTE SECONDED A MOTION TO ADOPT RESOLUTION 2021-23, APPROVING QUOTE FOR HEAVY MAINTENANCE OF STERLING JET VACTOR. MOTION CARRIED.

5.F. Utility Capital Project #UC038 – Utility Truck With Service Body And Crane

Utilities superintendent Doug Kammerer solicited quotes for a truck with a body and crane. The budgeted amount for this project was \$100,000 with the total acquisition being quoted at \$95,963.84.

PAWELK MOVED, GUETZKOW SECONDED A MOTION TO ADOPT RESOLUTION 2021-24, AUTHORIZING THE ACQUISITION OF TRUCK CHASSIS, SERVICE BODY, AND CRANE. MOTION CARRIED 5-0.

5.G. Private Event Space Re-Opening Plan

City Administrator Fineran said the most recent state guidance is suggesting the Community Center space could be open for private rental. Fineran said staff is recommending opening Room B in addition to rentals currently permitted in Room A. Under the provided guidance multiple events shall not occur simultaneously, but the combined Room A and Room B configuration would allow for greater capacity and space for social distancing for civic or private event use.

Fineran reviewed the requirement for using the Community Center space.

Parameters for Use

1. Room A and B meeting space will be made available: Monday through Thursday: 5:00 p.m. to 11:00 p.m. Friday, Saturday, Sunday: 7:00 a.m. to 11:00 p.m.
Room A and B has a maximum capacity of 50 participants (per state guidance for private events).
Room C will not be available for use and are reserved for city use only. Standing meeting nights of the City or other governmental partners will not be available for meeting scheduling in any meeting rooms.
2. Groups must complete the Community Center Rental Application, provide a certificate of insurance as noted in section 9 of the agreement, pay applicable damage/cleaning deposit, and complete the Field and Facility User Information form, and provide a COVID-19 Preparedness Plan (not required by private groups).
3. Reservations will be on a first come/first served basis.
4. User is responsible for cleaning, set-up and takedown.

City Administrator Fineran explained that the Carver County Public Health and Watertown Pharmacy currently have the Community Center reserved through mid-May for possible vaccination clinics.

Pawelk supports the parameters set forth by staff as well as leaving the reservation for Carver county Health through the beginning of May. Guetzkow asked if the 50 users apply to non-profit groups as well. Fineran said yes. Guetzkow would like to see the Community Center open for the graduation rentals.

Schuette asked if there is a clause in the rental agreement related to COVID. Fineran said yes and a damage deposit is required. Mayor Washburn would like to see the Community Center available to the most residents of Watertown so he is leaning toward leaving the rentals open to the Carver County Health. Council would like to prioritize the Community Center to vaccines but re-visit this in a month.

6. Other Reports

City Administrator Fineran updated that the Highway 25 open house was hosted by MNDot. The project will begin in April.

Washburn updated there is a vaccine clinic in Waconia March 10. Washburn submitted a letter of support for a Highway 212 project. He said Washburn and Fineran were invited to present the WWTF to the capital investment committee at the Capitol.

7. Claims

PAWELK MOVED, WALTERS SECONDED A MOTION TO ADOPT THE 2021 CLAIMS AS PRESENTED. MOTION CARRIED 5-0.

7.A. Claims Roster

8. Adjournment

PAWELK MOVED, SCHUETTE SECONDED A MOTION TO ADJOURN THE MEETING AT 9:29 PM. MOTION CARRIED 5-0.

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