

UNAPPROVED MINUTES
WATKINS CITY COUNCIL
THURSDAY, AUGUST 9, 2018

Mayor Eder called the regular meeting to order at 7 p.m. at City Hall.

MEMBERS PRESENT: Mayor Frank Eder, Tootz Tschumperlin, Marc Wirz

MEMBERS ABSENT: Sue Unterberger, Brenda Carlson

MOTION BY TSCHUMPERLIN TO APPROVE THE AGENDA, SECONDED BY WIRZ. MOTION CARRIED.

MOTION BY WIRZ TO APPROVE THE CONSENT AGENDA, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Items on the Consent Agenda were minutes of the July 12, 2018 regular meeting, July 2018 financial report, Resolution #2018-19, Resolution Accepting Donations, Resolution #2018-20, Resolution Approving Transfers, Sheriff's monthly report and delinquent water bills for shut off.

Public Forum- Scott Swanson asked when the zoning ordinance amendment would be discussed. Mayor Eder noted this item was on the agenda later on.

Ambulance Bills- Jody Bauer reported one bill from Central McGowan that was over \$1,000 was for their tank lease.

MOTION BY WIRZ TO APPROVE THE AMBULANCE BILLS FOR PAYMENT AS PRESENTED, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Northstar Behavioral Health zoning amendment application – A public hearing was held August 1st on the application to amend Chapter XVI, R-1 Residential District, Section 16.02 H, of the Zoning Ordinance to allow for residential facilities licensed under Chapter 245G as a use requiring a conditional use permit. At the planning commission meeting that followed the hearing, the board recommended to the city council not to amend the Ordinance to allow for this use. The city has 60 days to act on the application and can extend that one time for an additional 60 days. The city must give written notice to the applicant of an extension and the reason for the extension. The city attorney has recommended the council give written notice to extend the timeline up to 60 days so the planning commission may get its written findings of fact to the city council at its September meeting.

MOTION BY WIRZ TO EXTEND THE TIMELINE 45 DAYS TO TAKE ACTION ON THE ZONING AMENDMENT APPLICATION, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Tyler Hansen, with LTD Broadband, noted they are interested in bringing high-speed, wireless Internet to the city and surrounding area by placing antennas on the water tower. The company is based out of Albert Lea. They are approaching area cities asking to use space on their water tower and power (roughly \$5/month of electric usage) in exchange for free Internet service at all city buildings. Public Works Director Steve Geislinger noted he would need to check and be sure it wouldn't interfere with anything for the water treatment plant or the 911 system. Tyler noted they would make sure everyone

would be on a different channel. They would probably install on the railing of the tower instead of the top. Geislinger will check with the engineer and Meeker County.

Chuck Unterberger reported the VFW would like to construct a shelter at the VFW Park. They have been donating to the City for this purpose and have \$14,000 in the account. Chuck figured it would be about 28' x 32'. The supplies would come from Faber Building. A land use permit would be needed.

MOTION BY WIRZ TO MAKE THE FUNDS DONATED FOR THE PURPOSE ACCESSIBLE UP TO WHAT IS IN THE ACCOUNT, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

A draft ordinance prepared by Councilor Unterberger to allow for keeping chickens was reviewed.

1) *Definitions*

- a. *Chicken means a farm bird that serves as a source of eggs or meat.*
- b. *Coop means the structure for the keeping or housing of chickens permitted by the ordinance.*
- c. *Hen means a female chicken.*
- d. *Rooster means a male chicken.*
- e. *Run means a fully-enclosed and covered area attached to a coop where the chickens can roam unsupervised.*

2) *The keeping of domesticated chickens is permitted on single-family residential properties within all residential zoning districts subject to the following requirements:*

- a. *Any person wishing to keep chickens in the City of Watkins on a property zoned as residential shall first obtain a Certificate of Compliance from the City. **(can also require an initial permit or an initial and annual permit, i.e. Any person desiring to obtain a backyard chicken permit must make a written application to the City Clerk on a form provided by the City and pay an application fee. Fees to be charged for the permit to keep chickens shall be set by the City Council on the fee schedule. Initial permit shall expire on December 31st of the following year unless sooner revoked. Annual permits expire on December 31st of each year unless sooner revoked.)***
- b. *The principal use of the property shall be single-family residential;*
- c. *The property shall contain one (1) detached single-family structure. Chickens shall not be permitted on vacant properties or those containing multi-family residential buildings including duplexes, townhomes and apartments;*
- d. *No more than eight (8) hen chickens shall be permitted;*
- e. *No person shall keep a rooster;*
- f. *The use of chickens for cock fights is prohibited*
- g. *Chickens shall not be kept inside the principal structure;*
- h. *No person shall slaughter chickens on-site except when in an area of the property not visible to the public;*
- i. *Chicken coops and attached exercise pens shall be provided for all chickens;*
- j. *Coops and pens shall be fully enclosed including overhead and constructed of durable materials;*

- k. The floor area of the coop shall be a minimum of 2 sq./ft in area per chicken;*
 - l. The floor area of the attached run pen shall be a minimum of 4 sq./ft in area per chicken, with a maximum capacity of 120 square feet.*
 - m. Coops and pens shall meet all accessory structure setback requirements;*
 - n. Coops and pens shall be located in rear yards only;*
 - o. Chickens shall be kept in coops and/or pens at all times unless in fully fenced-in back yards while under supervision;*
 - p. All food stored for chickens shall be kept in rodent proof containers stored inside coops or other buildings;*
 - q. Any coop or run shall be set back at least 25 feet from a delineated wetland edge, the top of a bank of a pond, filtration basin, or infiltration basin,*
- 3) All premises in which chickens are kept or maintained, including coops and pens, shall be kept reasonably clean from filth, garbage and any substances which attract rodents. All feces shall be collected and properly disposed of on a regular basis;*
 - 4) Chickens shall not be kept in such a manner as to constitute a public nuisance as defined by the City Code of Watkins.*
 - 5) Dead chickens must be disposed of according to the Minnesota Board of Animal Health rules which require chicken carcasses to be disposed of as soon as possible after death, usually within forty-eight (48) to seventy-two (72) hours. Legal forms of chicken carcass disposal include burial, off-site incineration or rendering, or composting.*
 - 6) The City may enter and inspect any property, including the coop and back yard, at any reasonable time for the purpose of investigating either an actual or suspected violation or to ascertain compliance or noncompliance with the City Code.*

Council discussed and agreed to amend the ordinance to allow for chickens per the above, requiring an initial permit with no fee.

MOTION BY WIRZ TO AMEND THE ANIMAL ORDINANCE TO ALLOW FOR CHICKENS WITH AN INITIAL PERMIT REQUIRED AND NO FEE, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Southwest Initiative Foundation (SWIF) has requested the city include \$350 in its 2019 budget to support local economic development in partnership with SWIF. Since its founding, SWIF has invested \$4,570,030 through grants and loans to benefit the people, businesses and organizations of Meeker County. This is an allowable expenditure for a city. The city hasn't donated for several years. Council advised Kramer to get a list from SWIF of what they have funded recently for council to review at the September meeting.

151 First Street- The inspection took place July 28. The building inspector reported there were no major safety issues that are of concern to him. The next step would be for the city to move forward with enforcing its Blight Ordinance. The inspector would be giving the direction on this.

MOTION BY WIRZ TO MOVE FORWARD WITH ENFORCING THE BLIGHT ORDINANCE WITH THE CITY ATTORNEY'S ASSISTANCE, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

MOTION BY TSCHUMPERLIN TO APPROVE A 3.2 MALT LIQUOR ON-SALE LICENSE FOR ST. ANTHONY PARISH FOR SUNDAY, SEPTEMBER 9, 2018, SECONDED BY WIRZ. MOTION CARRIED.

MOTION BY WIRZ TO HOLD A SPECIAL MEETING WEDNESDAY, AUGUST 29TH AT 7 P.M. TO WORK ON THE 2019 BUDGET, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Kramer reported the city's policy of not paying monthly council pay when there is an absence due to illness or vacation is prohibited by state law. Discussion followed.

MOTION BY TSCHUMPERLIN TO PAY MONTHLY SALARY IN COMPLIANCE WITH STATE LAW, SECONDED BY WIRZ. MOTION CARRIED.

This is effective immediately and Carlson and Unterberger will be paid for the August meeting as they are absent due to vacation. Council agreed not to increase the council pay rate.

Pool manager Ashlee Lundberg reported the pool will close for the season on Friday, August 24th at 8 p.m. There have been three private parties, four group parties and fifteen private lessons. Lap swim and water aerobics have started. Wirz asked if she would start earlier to be sure to have enough staff to start next season. Ashlee noted she has been working on that-looking for classes to take in the off-season so they are certified at the start of the season. Fees for private lessons (2 on 1) were discussed. This may need to be changed to eliminate some problems.

Kramer noted Doreen Unterberger paid for water/sewer and electric for the time she used the rink building for daycare while their home was being repaired.

Public Works Director Steve Geislinger noted Kostreba Tuckpointing is tuck-pointing the water treatment plant building. The building is 18 years old. This is a \$30,000 project. The street work at the intersection of School Avenue and Highway 55 is complete. Geislinger noted they did replace the Yield sign with a Stop sign on the west end of Veterans Drive. Work has started on the lights for the Welcome signs. A Dead-End sign was installed on School Avenue instead of a No Through Street sign. The sign company recommended the Dead-End sign. The street work in the mobile home park should start next week and be completed by August 31st.

The lines from the air conditioner unit at the Fire Hall are ripping through the wall. Wirz will contact St. Cloud Refrigeration to take a look.

Geislinger reported that Public Works could make garbage cans by getting plastic liners with a bonnet cover and then construct an outside covering made of plastic slated boards. Council agreed to get 6 – 32-gallon liners with covers.

MOTION BY WIRZ TO APPROVE THE GARBAGE CANS AS PROPOSED BY PUBLIC WORKS, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Wirz commended Carlson and Tschumperlin on the successful National Night Out held at McCarthy Park. He noted it was a bigger crowd than they have had in all the years at the Fire Hall and felt it was worthwhile holding.

MOTION BY TSCHUMPERLIN TO APPROVE THE BILLS FOR PAYMENT AS PRESENTED, SECONDED BY WIRZ. MOTION CARRIED.

Next regular meeting is September 13th at 7 p.m.

MOTION BY TSCHUMPERLIN TO CLOSE THE MEETING FOR STAFF PERFORMANCE EVALUATIONS PER MN STATUTE §13D.05, SUBDS. 1(d), 3(a), SECONDED BY WIRZ. MOTION CARRIED.

Meeting closed at 8:10 p.m.

MOTION BY TSCHUMPERLIN TO REOPEN THE MEETING, SECONDED BY WIRZ. MOTION CARRIED.

Meeting reopened at 8:27 p.m.

Council commended Geislinger, Liebrez, Neidhardt, Kramer and Lundberg for doing excellent jobs.

MOTION BY WIRZ TO ADJOURN THE MEETING, SECONDED BY TSCHUMPERLIN. MOTION CARRIED.

Adjourned at 8:30 p.m.

Submitted by

Deb Kramer
Clerk

ATTEST:

Frank Eder
Mayor