

KASSON CITY COUNCIL REGULAR MEETING MINUTES
May 13, 2015

Pursuant to due call and notice thereof, a regular City Council meeting was held at City Hall on the 13th day of May, 2015 at 6:00 PM.

THE FOLLOWING MEMBERS WERE PRESENT: Borgstrom, Buck, Coleman, Egger and Johnson.

THE FOLLOWING MEMBERS WERE ABSENT: None.

THE FOLLOWING WERE ALSO PRESENT: Admin Asst. Weigel, Community Dev Director Martin, Finance Director Zaworski, Library Director Art Tiff, City Engineer Brandon Theobald - WHKS, Randy Carlsen, Tom Anderson – Cohen Esrey, Kim Madsen, John Talcott, Rich Miller, Tom Ferris, Tony Paulson, Troy Andrist, Jason Dumais and April Heiserman

Mayor Johnson called meeting to order at 6 PM.

COUNCIL

Agenda: Motion by Coleman and second by Borgstrom, with all voting Aye, to approve the May 13, 2015 agenda with the following amendments:

Remove: G.2 Firehall Discussion

Consent Agenda:

Motion by Egger and second by Buck to approve the May 13, 2015 consent agenda. All Ayes.

- a. **Minutes:** Approved the April 22, 2015 regular meeting minutes.
- b. **Minutes:** Approved the May 6, 2015 special meeting minutes.
- c. **Claims:** Approved all claims paid after the April 22, 2015 regular meeting, as audited for payment in the amount of \$162,889.42.
- d. **Acknowledgement of Committee and Meeting Minutes:**
EDA – May 5, 2015 DRAFT
Library Board – March 10, 2015
Library Board – March 31, 2015 – Special
Park Board – April 21, 2015 DRAFT
- e. **Conferences:**

1. Jeff Ulve	Treatment Technology	June 6-11	New Ulm, MN
2. Jeff Ulve	Land Application of Bio Solids	Sept 15-17	Brainerd, MN
3. Cathy Pletta	MMBA	May 15-19	Alexandria, MN
4. Todd Kispert	APPA National Conference	June 8-10	Minneapolis, MN
- f. **Acknowledge Evaluations:**

1. Katie Paynic – FT Liquor Store	Grade 3 Step 3 \$15.56	eff. 3/12/15
2. Josh Hanson – FT Patrol/Sergeant Police	Grade 11 Step 7 \$30.39	eff. 5/14/15

VISITORS TO THE COUNCIL - none

PUBLIC FORUM

- 1. Kim Madsen - 305 5th Ave NW:** Ms. Madsen called attention to the Planning & Zoning meeting that was held on Monday night and the concerns that she has. Madsen expressed her disgust with Councilperson Borgstrom and how he conducted himself at Mondays meeting. She referenced this Old Elementary School Project to the Shopko fiasco.
- 2. John Talcott – 306 5th Ave NE:** Mr. Talcott advised the Council that his reasoning for being here is very generalized and is to bring to their attention that our Planning & Zoning Commission was not following State Code and State Law when it was changed. Mr. Talcott wrote a letter addressing the Planning & Zoning commission and did receive an answer that in summery stated “we messed up”, the law was implemented in the end of 2013 and was not being followed until it was pointed out a year later, which is concerning that the City is not following the ordinance. People go to court over something like this and the City has been sued before. The City Council needs to make sure these type of mistakes don’t happen.
- 3. Rich Miller – 1005 7th St NW:** Mr. Miller expressed much concern regarding the room full of people that the City Council needs to be listening to. It seems that the same things are gone over and over and over. Miller indicated that he had no confidence in the last City Council and there is no improvement today. The roads still suck, all that it seems that the Council wants to do is throw money at studies that show nothing. It’s all lip service stating we will get back to you and nothing happens. Miller also stated that he is tired of the whining by the City Council and the only thing that is different is who sits in the seats and finished by asking the Council to get something done.
- 4. Tom Ferris – 204 4th Ave NW:** Mr. Ferris approached the council as a citizen and active member of the Planning and Zoning Commission wanting to answer any questions that the Council may have for him relating directly to the Old Elementary School and any conflicts of interest. It was brought to Tom’s attention that there had been discussion with the City Attorney involving him and he wanted to discuss that with the Council. Councilperson Borgstrom and Mayor Johnson both verbally stated that they did not have any questions. Ferris stated that if a problem arose in the future he would be more than happy to sit down and talk over a cup of coffee.
- 5. Tony Paulson – 604 3rd St NW:** Mr. Paulson expressed concern that the police were called twice in one day because of where his vehicles were parked. He felt that someone using their power inappropriately. Councilperson Borgstrom responded that Mr. Paulsons’ van was hooked up to his trailer and was blocking the view of the stop sign on 3rd Avenue NW at West Main Street. The van was into the yellow right away, the handicap parking space, along with the access ramp to the sidewalk. Borgstrom stated that he called the police department twice because he felt they were safety concerns and the vehicles needed to be moved. Finance Director Zaworski recapped that there will be no parking in the handicap spaces but City Staff is working with Mr. Paulson so he has suitable parking while working on his project at 301 W. Main Street.
- 6. Troy Andrist – 202 8th Ave NW:** Mr. Andrist acknowledged the Council with the understanding on how tough it must be to be a Council person, you can’t make everyone happy. At the end of the day citizens go home and have a difference of opinion but at least they can feel that they were listened to whether you voted for them or against them, it was a successful day. At Monday’s Planning and Zoning meeting Andrist left and did not like the way the meeting went or how the meeting was held. Mr. Andrist felt that certain people were allowed to talk over their time and were not cut off while others in opposition of the project were cut off at the time limit. Mr. Andrist went on to say that he felt Borgstrom’s behavior at the meeting stunk. Andrist observed Borgstrom stare down Commissioner Ferris and acted completely unprofessional as he waited until the very end of the meeting to pound his issues across trashing every ones concerns and making them illegitimate.

- 7. Jason Dumais – 26980 625th St:** Mr. Dumais approached the Council regarding a dust control issue at his property on 625th Street (16th Street). Dumais received an invoice for \$200 for dust control that was applied last summer and that would be applied this summer. Last May he was sent a form to fill out if wanted dust control and he didn't fill it out and got one this year and didn't fill it out as he was not interested in receiving dust control at his expense. Mr. Dumais lives near the intersection of 625th Street and County Hwy 15. When the treatment was applied last year he assumed it was for safety at that intersection. He does not feel that these roads are maintained well anyway. Finance Director Zaworski stated that these invoices would be taken care of and Mr. Dumais was assured he would not receive the dust control treatment this year.
- 8. April Heiserman – 108 6th St NW:** Mrs. Heiserman commented to the Council that Owatonna has the old Security Bank which is now Wells Fargo, Mantorville has the oldest working courthouse in Minnesota and we have the old school which she and her husband have one small share in. Mrs. Heiserman made a request of the Council to preserve the old school and let someone make good use of it. She understands that there are many conflicts, pros and cons and she trusts our Council will make good decisions.

PUBLIC HEARING - none

COMMITTEE REPORTS

Planning Commission – Cohen-Esrey Conditional Use Permit: A public hearing was held by the Planning Commission on May 11. The Conditional Use Permit is to construct multi-family housing. The Planning Commission did put the following conditions on this:

1. The Developer must install a combination fence and natural screening border acceptable to the Zoning Administrator prior to the issuance of a Certificate of Occupancy
2. The Developer must provide at least one outdoor, on-site smoking area acceptable to the Zoning Administrator prior to the issuance of a Certificate of Occupancy.
3. The Developer must provide an ingress/egress plan acceptable to the Zoning Administrator prior to the issuance of a Certificate of Occupancy.

Motion to approve the Conditional Use Permit for Cohen-Esrey made by Borgstrom, second by Buck with Buck, Borgstrom and Johnson voting Aye. Coleman and Egger voted Nay. The vote passed 3-2.

Planning Commission – Cohen-Esrey Variance Request: A public hearing was held by the Planning Commission on May 11. The variance requested is to allow the installation of impermeable surface over 60% of the property.

Motion to approve the Variance Request for Cohen-Esrey made by Coleman, second by Borgstrom with Buck, Borgstrom, Coleman, Egger and Johnson voting Aye. The vote passed 5-0.

Planning Commission – Zoning Code Amendment: A public hearing was held at the Planning Commission on May 11 to reduce the front yard from 50 feet to 30 in the C-M Zoning District of Chapter 154.290.

Motion to approve Ordinance #855 made by Egger, second by Borgstrom with all voting Aye.

OLD BUSINESS

Pool Licenses/CPO Licensing – Councilperson Buck had several questions regarding the licenses that Ron Unger, Kris Anderson and Corey Carstensen hold for the pool maintenance. Buck was questioning why the Aquatic Center Managers couldn't hold these licenses to cut down on overtime by City Staff. Councilperson Coleman explained that because of the cost and the complexity of the pumps it was important that staff took care of these pumps. The managers that run the Aquatic Center don't always return from summer to summer and are not looking to have this type of responsibility put on them. Coleman also explained that some of the overtime from last summer was due to an unexpected emergent illness by a staff member last summer that increased hours worked by other staff.

NEW BUSINESS

Accept Sidewalk/Concrete Bid: Finance Director Zaworski stated that bids were put out and only one bid was received, but historically for the last 3-5 years that has been the lowest bid. Public Works Director Fjerstad requested bids from Stone by Stone Plus, LLC, Richard Morris and Steve Muehleis all of Kasson.

Motion to approve the bid acceptance from Stone by Stone Plus, LLC was made by Borgstrom, second by Coleman with Borgstrom, Coleman, Egglar and Johnson voting Aye Abstain: Buck.

Approve Joint Powers Agreement – South East MN Violent Crime Enforcement – This is a renewal that happens every couple of years, although the name did change this year, the budgeted fee did not change

Motion to approve the Joint Powers South East Minnesota Violent Crimes Enforcement made by Egglar, second by Coleman with all voting Aye.

Request for Use of Stabilization Funds – Finance Director Zaworski is requesting that \$85,000 be moved from the Stabilization Fund to the library building for additional funding and \$102,025 for urgent street repair needs. **Motion to approve from the Stabilization Fund, \$85,000 for the library building, net of any building grants received from the one outstanding grant application, and \$102,025 for street repairs made by Buck, second by Egglar with all voting Aye.**

MAYOR'S REPORT

There is a Community Meeting at Daniels tomorrow (Thursday). Egglar, Coleman and Buck will be attending. Mayor Johnson wanted to applaud both sides on how things have been going with the Old Elementary School and its time now to move forward and work together and get input from everybody. We need to take it all seriously, it's an exciting new project. A lot of businesses have been contacting Mike about coming to Kasson, in fact Mike has gotten more inquiries in the last few months than in the last few years. The EDA has been working hard on these inquiries and we will continue to keep everyone up to date about that.

ADMINISTRATOR'S REPORT - none

ENGINEER'S REPORT - Brandon Theobald updated the Council on the status of the current projects. The water main between the schools and Kasson Meadows Subdivisions is being worked on, 4th St and Commerce Drive is on a pretty tight schedule but they are waiting on some information. The Waste Water Treatment Plant Charlie, Mike, Nancy, WHKS and WSN met and all seems to be coming together but there is still a lot of work to do. Construction will not start this year but will hit the ground running next year.

PERSONNEL

Accept Resignation of Library Employee Donna Kirchgatter effective May 15, 2015 – Library Director Art Tiff announced the Retirement of Donna Kirchgatter and mentioned an open house being held for Donna on Friday, May 15, 2015 from 3-6pm at Kasson Public Library. **Motion to approve the resignation of Donna Kirchgatter effective May 15, 2015 made by Coleman, second by Buck with all voting Aye.**

Accept Resignation of Library Board Member Jim Rase effective April 23, 2015 – Library Director Art Tiff informed the Council that Board Member Jim Rase has resigned from the Library Board due to scheduling conflict with family and job. **Motion to approve the resignation of Jim Rase effective April 23, 2015 made by Egger, second by Buck with all voting Aye.**

CORRESPONDENCE:

Councilperson Egger – Board Member of South East MN League of Municipalities- Mayor Johnson thanked Egger for taking this position.

MPCA Letter to Charlie Bradford – Class A Certification – Mayor Johnson congratulated Charlie on this certification

MMUA 2014 Year in Review – No discussion

Cash and Investment Summaries – No discussion

2015 City Clean up Results – No discussion

PUBLIC FORUM – None

ADJOURN: The meeting was adjourned at 7:19 p.m.

ATTEST:

Nancy Zaworski, Finance Director

Steve Johnson, Mayor