

**KASSON CITY COUNCIL REGULAR MEETING MINUTES**  
**August 24, 2011**

Pursuant to due call and notice thereof, a regular City Council meeting was held at City Hall on the 24<sup>th</sup> day of August, 2011 at 6:00 p.m.

**THE FOLLOWING MEMBERS WERE PRESENT:** Hopkins, Marti, Tjosaas, Torkelson.

**THE FOLLOWING MEMBERS WERE ABSENT:** Nelson.

**THE FOLLOWING WERE ALSO PRESENT:** City Administrator Lenth, Admin Assistant Benfield, Community Dev Director Martin, Finance Director Zaworski, Neil Britton, Virginia & Gerald Giese, Janice Borgstrom-Durst, Amy Petersilie, Terry Hubbard, Bruce Prescher, Maggie Lien, Jack Engstrom, Gretta Becay, Tim O'Morro, Dorene & Donald Ness, Lorraine & Fred Spading, Paul Larsen, Diane O'Brien-Berge, Randy Carlsen.

Mayor Tjosaas presided over the meeting.

**COUNCIL**

**Agenda:** Motion by Torkelson and second by Marti, with all voting aye, to approve the August 24, 2011 agenda.

**Consent Agenda:** Motion by Hopkins and second by Marti to approve the August 24, 2011 consent items. Ayes: Hopkins, Marti, Tjosaas. Nays: None. Abstain: Torkelson (Abstention applies only to the Claims portion of the Consent Agenda due to submission of claim from Stone by Stone Plus, LLC)

1. **Minutes:** Approved the August 10, 2011 regular meeting minutes as submitted.
2. **Claims:** Approved all claims processed after the August 10, 2011 regular meeting, as audited for payment in the amount of \$446,024.14.
3. **Acknowledgement of Committee and Meeting Minutes:** Acknowledged the following committee/meeting minutes for:
  - a. Planning Commission - 08/15/11
4. **Conferences/Training:** Acknowledged the following employee training/conference attendance for:
  - a. N. Zaworski                      MNGFOA Annual Conf                      9/21-23                      Alexandria

**PUBLIC FORUM**

1. **Bruce Prescher:** Bruce Prescher, 302 West Main Street, presented his observations regarding the future of the Old Elementary School. Prescher's opinion is that the City needs a project manager to lead the design through the construction process; feels the City should employ a project manager to lead the project on behalf of the City - a point person for control, someone to look at "value engineering."
2. **Janice Borgstrom-Durst:** Janice Borgstrom-Durst has a business and owns property in the City so she supports the library financially through City taxes and Dodge County taxes.

Regarding the Old Elementary School, Borgstrom-Durst stated she does not understand why the Library Board, KARE and the city council would not be a team. Mayor Tjosaas said he has tried to work with KARE, has met with members and nothing happened. She also expressed concern that the City has torn down a couple of buildings and the properties are now gravel parking lots. She is hoping this would not hold true for the Old Elementary School property if the school is demolished and it becomes a “huge” parking lot because of no funding for a library. Borgstrom-Durst would like to see the City consider getting the funding before demolition. She said there are Legacy grants available for brick and mortar. She feels it is “almost dangerous to tear the building down without money to build.”

### **VISTORS TO THE COUNCIL**

1. **Amy Petersilie – Neighborhood Drainage Issue:** Amy Petersilie, 706 22<sup>nd</sup> Street NE, appeared before the council to ask for help in resolving a drainage problem on her property. Petersilie purchased the property in 2007 from the Kasson-Mantorville School District and had minor drainage issues. The school district was contacted and they took care of the small amount of standing water on her property. In 2010 another resident in the neighborhood had approached the council regarding drainage issues. As a result of that meeting, Petersilie was of the understanding there were to be three drainage ditches put in. A drainage ditch between Petersilie’s and neighbor Terry Hubbard’s property was put in to help alleviate the problem. She stated she did not approve the drainage ditch on her property and the only way she would have approved that decision is if she was able to see what was going to be done on her property and know that the water would be going in multiple directions, not just between hers and Hubbard’s property. The other two ditches were not put in. In the spring of 2011 heavy rains came and she had 3-7 inches of water on her property. She said the ditch is too narrow to take care of that amount of water. Petersilie had pictures of the standing water that came up to the siding of her house. There is undeveloped land behind her where houses will be built in the future contributing to more runoff onto her property. So far, she has not had water in her basement. Petersilie has been in contact with WSN, the developer and the City and feels no one is providing a resolution. Council Member Torkelson will meet with Kasson-Mantorville High School administration and staff to discuss help in resolving the drainage issue. It was noted that once a subdivision is platted, the City is pretty much out of the process; however the City can encourage, negotiate and work with the developer. Community Development Director Mike Martin will contact the developer, Scott Lampland, to discuss the subject.

### **COMMITTEE REPORTS**

1. **Planning Commission**
  - a. **Conditional Use Permit – GenMar LLC dba T & K Towing:** Tim O’Morro, owner of T & K Towing at 19 North Mantorville Avenue, has requested a conditional use permit to operate a towing service. The Planning Commission held a public hearing on August 15, 2011 and recommends approval of the conditional use permit with two conditions: 1) that no “body work” or restoration is allowed on the premises and 2) that operation of a towing service is specifically permitted as an accessory use of the property. There will be no change in the building, it will not be a body shop and O’Morro stated the property will be kept clean, no junk. If there is any long-term storage needed, O’Morro says he has two other places outside the City to store those vehicles. Motion by Marti and second by Torkelson, with all voting aye, to

approve the Conditional Use Permit for GenMar LLC dba T & K Towing, with the above two conditions, as recommended by the Planning Commission.

- b. **Ordinance Amending Chapter 155 of Kasson Municipal Code:** This ordinance deals with variance issues in the City. To conform to state statute, the language is amended to replace the words “undue hardship” with “practical difficulties.” The Planning Commission held a public hearing on the subject August 15, 2011 with no comments from the public. The Planning Commission recommends approval of the variance amendment to conform to the Minnesota State Statute. Motion by Torkelson and second by Hopkins to adopt the ordinance permitting a variance when practical difficulties exist. Ayes: Hopkins, Marti, Tjosaas, Torkelson. Nays: None.

**Ordinance No. 843**

**An Ordinance Permitting a Variance when Practical Difficulties Exist  
(on file)**

**OLD BUSINESS**

1. **Approve Additional Rugby Wind Project Purchase Power Sales Agreement between CMMPA and City of Kasson:** The City of Kasson has already purchased and is receiving 1.0 MW of renewable wind energy from the Rugby Wind Project. This is a standard agreement approving the purchase of additional renewable energy from the Rugby Wind Project and fulfills the state requirement of 25% renewable energy by 2025. The City Attorney has reviewed the agreement. Motion by Marti and second by Hopkins, with all voting aye, to approve the additional Rugby Wind Project Purchase Power Sales Agreement between CMMPA and the City of Kasson.
2. **Resolution Accepting the Offer of the Minnesota Public Facilities Authority to Purchase a \$1,107,904 General Obligation Sewer Revenue Note of 2011, Providing for its Issuance and Authorizing Execution of a Bond Purchase and Project Loan Agreement:** This resolution outlines the financing for the sewer outfall project. Motion by Hopkins and second by Marti to adopt the resolution accepting the offer of the MN Public Facilities Authority to purchase a \$1,107,904 General Obligation Sewer Revenue Note of 2011, providing for its issuance and authorizing execution of a bond purchase and project loan agreement. Ayes: Hopkins, Marti, Tjosaas, Torkelson. Nays: None.

**Resolution #8.4-11**

**Resolution Accepting the Offer of the Minnesota Public Facilities Authority  
to Purchase a \$1,107,904 General Obligation Sewer Revenue Note of 2011,  
Providing for its Issuance and Authorizing Execution of a Bond Purchase and  
Project Loan Agreement  
(on file)**

**NEW BUSINESS**

1. **Proposal for Old Elementary School Environmental Assessment Worksheet (EAW):** Because the Old Elementary School is now listed on the National Register of Historic Places, an environmental assessment worksheet is required before demolition. In order to keep the process moving, the council is being asked to authorize work to begin on the EAW under the WSN proposal, with the understanding that Pathfinder CRM, LLC will likely be doing the historic portion of the work. At this point, the cost is not to exceed \$15,000. If the cost

changes, it will be brought to the council. Motion by Marti and second by Hopkins, with all voting aye, to approve the Environmental Assessment Worksheet proposal from WSN for the Old Elementary School at a cost not to exceed \$15,000.

**MAYOR'S REPORT**

1. **Announce Preliminary Budget/Levy Discussion Date – September 14:** Mayor Tjosaas announced that the preliminary budget/levy discussion will take place at the next council meeting on Wednesday, September 14 beginning at 6:00 p.m.

**ENGINEER'S REPORT**

1. **Progress Report:** Neil Britton, WSN, presented a progress report on the current projects in the City. Britton noted that Swenke Co. has started work on the sanitary sewer outfall line. The old lift station by Veterans Memorial Park will be replaced with a gravity line. Three properties on the west side of Highway 57 across from the high school will have new water services put in.

**PERSONNEL**

1. **Request for Leave of Absence – Dan Roche:** Dan Roche, Journeyman/Line Worker, has requested a temporary leave of absence from October 1, 2011 to February 29, 2012. The leave is an opportunity to work for Raytheon Corporation in Antarctica. Motion by Marti and second by Torkelson, with all voting aye, to approve a temporary leave of absence for Dan Roche from October 1, 2011 to February 29, 2012.

**CORRESPONDENCE:** Reminder to council members of the SEMLM meeting in Chatfield on August 29, 2011.

**ADJOURN:** The meeting was adjourned at 7:06 p.m.

**ATTEST:**

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Randy D. Lenth, City Administrator

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Tim Tjosaas, Mayor