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**KASSON CITY COUNCIL REGULAR MEETING MINUTES
March 13, 2019**

Pursuant to due call and notice thereof, a regular City Council meeting was held at City Hall on the 13th day of March, 2019 at 6:00 P.M.

THE FOLLOWING MEMBERS WERE PRESENT: Burton, Egger, Ferris, McKern and Zelinske

THE FOLLOWING MEMBERS WERE ABSENT: None

THE FOLLOWING WERE ALSO PRESENT: City Administrator Coleman, City Clerk Rappe, City Engineer Theobald, City Attorney Melanie Leth, Finance Director Nance Zaworski, Alex Malm, Kyle Haemig, Mike Marti, William Marti, Margaret Finne, John Bausman, Christie Bausman, Judy Zelinske, David Martin, Rich Massey, Aaron and Sonja Thompson, Coy Borgstrom, Trent Langemo, Sara Brown, Doug Buck, Diane Obrien, Jason Wilker, Everett Paulson, Tim O'Morro, Pat Brown, Julie Nagorski,

PLEDGE OF ALLIEGENCE

APPROVE AGENDA

Motion to Approve the Agenda as Presented made by Councilperson Burton, second by Councilperson Zelinske with All Voting Aye.

CONSENT AGENDA

Minutes from February 27, 2019

Claims processed after the February 27, 2019 regular meeting, as audited for payment in the amount of \$147,117.75

Resolution Certifying Delinquent Accounts to County Auditor

Resolution #3.1-19

***Resolution Certifying Delinquent Claims to the County Auditor
(on file)***

Resolution Write Off Accounts

Resolution #3.2-19

***Resolution Writing Off Uncollectible Accounts
(on file)***

Conferences:

Charlie Bradford SE District Water Operator School 3/13-15-19 Rochester \$160

Motion to Approve the Consent Agenda made by Councilperson Egger, second by Councilperson Ferris with All Voting Aye.

VISITORS TO THE COUNCIL

Mike Marti – Stone Ridge Storm Pond – David Martin requested that he be moved to E.1.d to be able to speak then

Kyle Haemig – CMPAS – there are opportunities to purchase wind power at a reasonable cost and this is up to each one of the 12 members of CMPAS. There are three options; do nothing, or a straight forward wind contract and the third is a wind shape contract. Mr. Haemig recommended a wind shape product and a not to exceed price. Attorney Leth has not had an opportunity to review the contract yet. Mayor McKern would like legal opinion before acting on this. It will be brought back to the next Council meeting.

PUBLIC FORUM

Trent Langemo – 1400 2nd Ave Cir NE – Mr. Langemo stated that he spoke at Planning Commission meeting Monday evening. This is regarding the Thompson addition. He put his questions in writing and appreciated Ms. Coleman’s prompt response. Main concerns were parking overflow, association documents and privacy fence not with the concept of the project.

Aaron and Sonja Thompson would like to move their opportunity to speak to E.1.c

PUBLIC HEARING

COMMITTEE REPORT

Planning Commission

Hoisington Kogler Group Proposal – This is within the budgeted amount for professional services.
Motion to Approve the Proposal from HKGi made by Councilperson Burton, second by Councilperson Zelinske with All Voting Aye.

CUP for Nursery – Attorney Leth went through background, a letter on July 12, 2018 outlined the alleged violations of the CUP and requested bring the property into compliance within 30 days, a public hearing was held on September 10, 2018 and comments were taken by citizens as well as Mr. Wilker’s attorney and no action was taken. It was intended for the parties to sit down and come to a mutual resolution. It has been 6 months and the Planning Commission reviewed the relevant information. They are recommending that the CUP be revoked. Attorney Leth has outlined the alleged violations. The council can discuss and modify as they see fit. Mayor McKern stated that he doesn’t want to do anything negative against a business; we have been trying to work with him. Mayor McKern is not in favor of the fines or penalties. City Attorney stated that since the City is aware of this violation, ignoring it would create a problem enforcing any CUP’s. Councilperson Zelinske would like to see Mr. Wilker submit another conditional use permit and then, time limits can be put on the conditions. Councilperson Zelinske stated that if Mr. Wilker would work with the City he has no issue but he is not working with us. Councilperson Burton stated that this permit was issued in 2010 and he has had 9 years to come into compliance and the City is reactionary and complaint driven. Councilperson Burton has no interest in driving a business out of town but we are here to enforce the ordinances of the City and the City is to the point that this is the action we have to take. Mayor McKern went through the conditions and finds of fact. **Motion to Approve the Resolution Revoking the Conditional Use Permit Number 2010-2 Issued For Operation of A**

Nursery and Landscaping Business made by Councilperson Burton, second by Councilperson Zelinske with All Voting Aye.

Resolution #3.3-19

***Resolution Revoking Conditional Use Permit Number 2010-2 Issued For Operation of a Nursery and Landscaping Business
(on file)***

Motion to Not Enforce Any Penalties for 60 days to give Mr. Wilker an opportunity to work with the City made by Mayor McKern, second by Councilperson Ferris with All Voting Aye.

Preliminary Plat for Thompson Addition – Recommendation from Planning Commission is to approve with conditions. There was a lot of discussion regarding a trail or sidewalk along the north side of the property and all along the south side of 16th St. NE. The Safe Routes to School recommendation is a sidewalk on the south side. Councilperson Zelinske stated that he is committed to having a sidewalk continue to the west. Parking was discussed. Mr. Thompson stated that there are two garage spots and two driveway spots for each unit. No overflow parking has been planned nor is it required by ordinance. Congestion was discussed. The property is currently platted for five driveways coming out onto 16th St NE and 5th Ave NE and this reduces that to one driveway. The curb could be yellow with no parking signs from the driveway to the corner. Mr. Thompson stated the units are all three bedrooms, three baths and single level living. Mr. Thompson has not decided on a community garbage can or individual ones. Administrator Coleman stated the parkland, wac and sac fees were paid when Hacks 2nd was platted and she wanted to make the council aware that the ordinance states that they can determine whether additional fees can or need to be assessed. Mayor McKern stated that we honor the wac, sac and parkland fees. Mr. Thompson would like to put the sidewalk in last. Councilperson Burton suggested that the sidewalk should go in at the completion of the development or with the Safe Routes to School project in 2022. Councilperson Ferris asked about a timeline and Mr. Thompson stated that all depends on how fast they sell. Mr. Thompson has asked for and is concerned with fees that will be charged to him and he was instructed to talk with the City Engineer. Mr. Thompson stated that he has talked to the neighbor adjacent and made arrangements with that neighbor for some kind of buffer the property, otherwise there is a large buffer with the school property between them and anyone else. **Motion to Approve the Resolution with amendments of instead of providing trail to provide sidewalk to be installed at the end of development or with Safe Routes to School in 2022, whichever occurs first and to remove the wac, sac and parkland fees made by Councilperson Burton, second by Councilperson Egler with All Voting Aye.**

Resolution #3.4-19

**Resolution Approving the Preliminary Plat of Thompson Addition
(on file)**

Preliminary Plat for Stone Ridge 2nd Subdivision – Visitor to council Mike Marti – Planning Commission recommended approval at their meeting on Monday, March 11, 2019. David Martin, Massy Surveying, stated that the Mr. Marti is proposing two options for storm water management for the subdivision, one option is a pond on Schutte’s property and the other is a regional pond passing through Schutte’s property and that would serve more subdivisions, they feel the regional pond should be headed, designed and constructed by the City, there is a concern of wetlands and a study would have to be done and then there would be going to the County and acquiring land. In

the meantime they would like to move forward with the understanding that, if a regional pond is not constructed, then Marti would put a pond on Schutte's property to serve Stone Ridge and Stone Ridge Second. Councilperson Burton stated that Schutte's property is not in the City and we have no control over that and we can only approve this if the storm water issue is satisfied at final plat. Mr. Marti is not opposed to putting in a pond on Schutte's and to be credited when the regional pond is put in when 16th St NW is put in.

Motion to Approve the Preliminary Plat for Stone Ridge Second with the Conditions Listed made by Councilperson Egger, second by Councilperson Burton with All Voting Aye.

Resolution #3.5-19

***Resolution Approving the Preliminary Plat of Stone Ridge Second Addition
(on file)***

Variance for Casey's Sign – Planning Commission held the public hearing on Monday, March 11, 2019 and recommended approval. Administrator Coleman stated that she had a comment from Commissioner Tinsley that, this makes this sign the same size as the Domino's Pizza sign. **Motion to Approve the Variance for the Casey's General Store Sign made by Councilperson Ferris, second by Councilperson Zelinske with All Voting Aye.**

Resolution #3.6-19

***Resolution Approving a Variance to the Sign Height of Free Standing Ground sign for Casey's General Store
(on file)***

OLD BUSINESS

NEW BUSINESS

Approve Annual Distribution Report – Administrator Coleman stated that the Council has adopted the distributive generation policy and this is a report that goes to the State each year. **Motion to Approve made by Councilperson Egger, second by Councilperson Zelinske with All Voting Aye.**

MAYOR'S REPORT

Summary of Council Work Session – Mayor McKern stated that it was a good session and thanked everyone for their efforts; Mayor McKern stated that he would like to form a community services/ems/safety committee.

Art Tiff – library director – Director Tiff stated that there has been water leaking through the delivery door since it is not installed correctly. When the building was constructed they had a superintendent and the landscaping was contracted out and the slope is not correct. They cannot go back to a subcontractor. Mr. Tiff wanted the council to be aware of this situation.

ADMINISTRATORS REPORT

ENGINEER'S REPORT

PERSONNEL

Water/Wastewater Operator – Administrator Coleman stated that we do not have one and no proposal from manpower. The Council instructed the Administrator to post the position and keep looking.

Personnel Handbook – The City Attorney has made her comments and that it would be appropriate to put a blade length and exception for people who need it for work on the weapon description.
KFD Standard Operating Guidelines
2016 Seasonal Employee Handbook

ATTORNEY

Closed Session – Litigation Strategy

Meeting Closed at 7:30PM

Meeting Re-Opened at 7:45PM

Mayor McKern stated that the Attorney updated the Council on litigation nothing to report

CORRESPONDENCE

Correspondence was reviewed with attention to the Highway 14 meeting on March 19 in Owatonna and Congratulations to Charlie Bradford for being Class A Operator of the Year and Jeff Ulve was Maintenance Person of the Year from MN Wastewater Operator Association SE Section.

Councilperson Egger stated that on Monday, March 18 he will be presenting at a hearing before the State Senate.

ADJOURN at 7:48PM

Motion to Adjourn made by Councilperson Egger, second by Councilperson Zelinske with all voting Aye to Adjourn.

ATTEST:

Linda Rappe, City Clerk

Chris McKern, Mayor