

SPECIAL MEETING OF THE CITY COUNCIL  
CITY OF CALEDONIA, MINNESOTA  
Wednesday, July 11, 2007

CALL TO ORDER: Following due call and notice thereof, Mayor Morey called the meeting to order at 6:35 p.m. in the City Auditorium Gymnasium Floor Level.

ROLL CALL: Members present: Mayor Michael J. Morey; Council Members: Paul Fisch, Randi Vick, Gary Klug and Robert Standish. Members absent: None. Consultants and City staff present: Timothy Murphy, Michael Gerardy and Robert L. Nelson. Visitors present: Ann Thompson, Bruce Swartz, Mark Beyer, Joe Lee, Bob & Jan Klug, Cathy Gavin – Krupa, Larry Salm, Helen McCabe, Helen Johnson, Pernilla Ernster, Delores Augedahl, Virginia Dever, Thor Kolle, Robert Ideker, Kathleen Graf Ideker, Lorraine Peterson, Beatrice Schmitz, Diane Allen, Eunice Dahlberg, Bill and Claire Klug, Lee Grippen, Shirley Inglett, Frank Gerardy, Liz Bickford, Sonja Renk, Susan Kittleson, Chuck & Sharon Schulte, Todd Roesler, Harley Doering, Debra Thomford, Duane Thomford, Ruby Pohlman, Gladys Tegtmeier, Julitta Smith, Irma Klug, Lorraine Thimmesch, Gretchen Buege, Wayne Bunge, Joe Clifford, Ted Hanson, David & Helen Augedahl, Mildred Schroeder, Roger & Ann Koel, Don Bennewitz, Hubert & Iona Burmester, Lorraine Schmitz, Mildred Schmitz, Dale & Sue Scobie, Sharon Tweten, Nester Chiglo, Ervin Barth, Berdell Meiners, Lawrence & Loretta Knutson, Ruth Klug, Mary Colsch, Abe & Heather Hammell, Larry Thompson, Rick Jackson, Earl Welch, Tom Bjerke, Chuck Gavin, Philip Klug, Jim Klug, Bernie Krenske, Mike Gavin, Scott Betz, Don & Marie Ellestad, Bob Hosch, Mark Schiltz, Jerry Shannon, Larry Graf, Char & Kelly Meiners, Julie Gerardy, Don Engstler, Glen Lager, Laurence Bauer, Lee & Rita Svehaug, David Earp, Pam Mechtel, Kathy Schroeder, Teresa Fegyak, Marian Gavin, Jane Schiltz, Gary Bubber, Susan Schwebach, Sheila Murphy, John Pongratz, Terry Palen, Faith Bergin, Clayton & Jeanine Hosch, Bob McCarthy, Dawn Schuttemeier, Kristin Sherbon, Sue Kruse, Scott Yeiter, Doug Ely, Rick Frank, Glen Kruse, Lyn Fisch, Kathy Klug, Ralph Tuck, Bob Snodgrass, Gary Meiners, Jim Jennings, Bradley & Dorothy Karlsbraten, Oren Myhre, David Pieper, Gerry Klug, Dewayne Schroeder and Charles Warner, Reporter.

**BUSINESS ITEMS**

A. PUBLIC HEARING, HOUSTON COUNTY CRIMINAL JUSTICE CENTER AND STREET VACATIONS: Mayor Morey opened the meeting with the comment that only those items advertised for variance or street vacation were to be valid issues at this meeting. He asked Clerk Nelson to read the variances and street vacation notices. Clerk Nelson stated the issue as requested variances and street vacations in conjunction with an application to construct a 132' x 220' (82,000 square foot) Criminal Justice Center proposed as a three story building being approximately 42' in height at its highest point. The application requires the following variances: (1) A 20' setback variance on the south (front) property line. (2) A variance of 1' in width and 7' in length of parking stalls, being to change the dimension from 10' x 25' as specified in the ordinance to 9' x 18'. (3) A variance on the number of required parking stalls reducing those from 590 stalls to 179 stalls. (4) A 10' variance on exceeding the 35' building height limitation. (5) A request to vacate a segment of Washington Streets from the west right-of-way line of Pine Street westward to Courthouse Square Street and a segment of Marshall Street from the north right-of-way of South Street northward to Courthouse Square Street. Mark

Beyer, Johnson Controls, charged with program management for the criminal justice center, explained the design and layout and proposed location of the building for achieving the best efficiencies for keeping the new building in close proximity to the existing courthouse but maintaining it as a completely separate entity for prisoner control so that prisoners need never be removed from the building for court appointments, and the like. He informed the audience that the upper portion, exceeding 35' was only a 7' height, not 10'. He commented that the number of parking spaces according to the City Ordinance is determined by dividing the total gross floor area of the building by 200 to determine the number of parking spaces as though the entire building were to be an office building. Since a substantial portion of the building would be devoted to cells for inmates and other non office spaces such as storage or courtrooms and other purposes, the determination of 590 parking spaces is heavily over stated and unnecessary. He said the architects had conferred with the City Fire Chief concerning the proximity of the proposed new building and the existing courthouse along with other fire fighting issues such as sprinkler systems and water main supply dimensions. City Attorney Murphy commented that consideration for granting variances include determination of whether or not the requests are reasonable and whether they are so substantial that granting them may alter the character of the property. Citizens present at the meeting contested the construction of the proposed facility on many premises including the fact that they simply did not want it there to the fact that it was to large, to expensive, unnecessary because of declining population, to high in elevation, contrary to their understanding of zoning districts, and unsafe. They contended it would increase traffic volumes and traffic flow making conditions more hazardous on South Street and South Marshall Street. They contested the proposed number of parking stalls at 179 being far less than necessary. They contended that asking for reduction of the dimension of parking stall is unsafe and will cause bumps and dents from opening doors and hitting other vehicles especially considering pick-up trucks and larger vehicles. They contended that the sum of all variances and street vacations necessary to enable construction of this project is in sum total evidence that the building should not be placed at this location. They contested the condition of a hardship on the county if they were not allowed to perform construction as requested, charging that the only hardship was self inflicted by proposing to construct such a large building in a limited area. They questioned whether or not there would be excessive noise from heating and cooling systems of the building. Questions were asked on the storm water runoff capacity of surrounding street storm basin drains and whether or not the proposed building size and additional parking lot size would overwhelm the storm drainage system. Bob Klug, adjoining property owner at the intersection of Pine Street and South Street, presented letters from Theodore VonArx and Ken Tschumper to the City Council opposing granting the variances and vacating the streets. As questions were asked or assertions made about the proposal, Mark Beyer or Ann Thompson, County Commissioner for the Caledonia District, responded. In summary, they claimed that the proposed layout was the best design for efficiency and safety of prisoner control and the most desirable proximity to the courthouse taking into consideration both the need for staff travel from one building to the other and separation of the two building for fire protection purposes. According their information and calculations traffic on South Street would be reduced and the traffic problem on South Marshall Street was in existence for years and has nothing to do with the present proposal. They contended that a 9' x 18' parking stall is the state standard for parking stalls. Further, that the number of parking stalls provided calls for no parking on city streets. They contended that granting variances is a standard practice in the City of Caledonia. When there was no further discussion, Mayor Morey recessed the Public Hearing then

announced his plan to extend the public hearing to a time when a traffic count of South Street and Pine Street could be made when St. Mary's School was in operation. A motion was then made by Mayor Morey, seconded by Member Fisch, to send a letter to Houston County extending the period for reviewing their application to Tuesday, October 3, 2007, being a 60 day extension, to provide time for a traffic study of South Street and Pine Street to be completed when St. Mary's School was in operation and for further study of other variance issue. All members voted in favor and the motion was declared carried. Mayor Morey then announced that this public hearing and special meeting would be continued on September 27 at 6:30 p.m., in the City Auditorium, Gymnasium Floor Level. The meeting was recessed at 8:49 p.m.

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Michael J. Morey, Mayor

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Robert L. Nelson  
City Clerk - Administrator