

REGULAR MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Monday, March 24, 2008

CALL TO ORDER: Following due call and notice thereof, Mayor Morey called the meeting to order at 7:00 p.m. in the Caledonia Auditorium, Gymnasium Floor Level.

ROLL CALL: Members present: Mayor Michael J. Morey; Council Members: Randi Vick, Gary Klug, Robert Standish and Peggy Perry. Members absent: None. Consultants and City staff present: Mike Gerardy and Robert L. Nelson. Visitors present: Larry Salm, Nicky Rud, Ann Emery, PJ Johnson, Roger Koel, Don Bennewitz, Millie Schroeder, Jim Klug, Mark Schiltz, Larry Connery, Hubert & Iona Burmaster, Duane Deters, Ann Thompson, Doug Ely, John Esch, Bill Klug, Irma Klug, Bob Klug, Bob Burns, Winifred Schulte, Don Meiners, Lois Schmitz, Dan Krzoska, Gary Kruckow, Tom Molling, Deb Rock, Steve Bauer, Alan Meyer, Gary Meiners, Bob and Pat Lemke, Jim Stemper, Mike Rogich, Chuck Gavin, Chuck Schulte, Douglas Rusert, Faith Bergin, John Gaspard, Randy Shefelbine, Nester and Phyllis Chigalo, Larry Graf, Joe and Mary McCarthy, Don and Betty Gjere, Cathy Krupa, Lee Svehaug, Paul Weichert, Mark Schwebach, DeWayne Schroeder, Jeff Gerard and Charlie Warner, Reporter.

CONSENT AGENDA: Following brief discussion, a motion was made by Member Klug, seconded by Member Vick, to approve the Consent Agenda Items, listed below. All members voted in favor and the motion was declared carried.

A. MINUTES OF PAST MEETINGS: To approve the minutes of the Regular Meeting held Monday, March 10, and Special Meeting held Wednesday, March 19, 2008, as presented.

B. APPLICATION FOR EXEMPT PERMIT: To approve an Application for Exempt Permit, submitted by the Caledonia Lions Club to conduct a charitable gambling event at Good Times Restaurant, Pizza and Bar, 118 Bissen Street on May 6, 2008, to conduct a raffle, approving also waiver of the waiting period.

PUBLIC HEARING, ZONING ORDINANCE AMENDMENT: At this time Mayor Morey recessed the Regular Meeting and opened the Public Hearing to consider amendment of the City Zoning Ordinance, Sections 153.061, 153.151, 153.154 and 153.305, as advertised in the Caledonia Argus issue of March 5, 2008. Mayor Morey responded to a question of Bob Burns saying that the proposed setbacks applied to all buildings not just those proposed by Houston County. Gary Kruckow, Ma-Cal Developers, expressed concern with the fact that the 150' setback uses a large parcel of land where a building can not be placed and necessitates putting stock piles of materials and such around the perimeter of an industrial property, perhaps next to a residential district. Ann Thompson commented that this extreme setback will lead to requests for multiple variances and variances are typically to be an exception to the rule, not a standard. Mayor Morey commented that most developers and property buyers request to have as little land as possible remarking that of the 8 structures in the Ma-Cal Industrial Park, having previously a 50' setback or less on some sides, 7 of those structures had requested variances. Member Klug commented that a township had recently requested a buffer zone be implemented between a township residential development and a city industrial development. He commented that the buffer issue was included in the recently revised City Comprehensive Plan and the 150' setback from residential properties was in the spirit of that document. There was extensive discussion of the 150' setback requirement and the appearance that large portions of the land would be unusable or unbuildable because of that requirement. Repeatedly there were comments to that effect and the counter by the City Council that the City has a history of working with variances in the Highway Business District and the Industrial Districts and that variances have been granted in the past on numerous occasions when the Council believed there would no negative impact on surrounding properties. When there were no further comments, Mayor Morey closed the Public Hearing at 8:21 p.m. and continued in recess while many people left the building.

VISITORS AND COMMUNICATIONS

A. ZONING ORDINANCE AMENDMENT: Mayor Morey resumed the Regular Meeting at 8:49 p.m., discussing the proposed Zoning Ordinance Amendment. Commissioner Ann Thompson remarked about the large losses of land on parcels that were the size to accommodate County buildings being planned for construction. Mayor Morey commented that at least one location known to be considered by the County had sufficient room to build a 200 square foot building without requiring a variance. By comparison he noted that the area of the All Phase Building in Spring Grove is 108,000 square feet. A motion was then made by Mayor Morey, seconded by Member Standish, to adopt the proposed amendment as advertised, including the 150' setback from residential districts and school property. A subsidiary motion was then made by Member Vick, seconded by Member Standish, to amend the 150' setback distance to 100'.

Members voting in favor of the subsidiary motion to amend were Member Vick and Member Standish. Opposed: Mayor Morey, Member Klug and Member Perry. The subsidiary motion to amend was declared failed. Returning to the main motion, those voting in favor: Klug, Perry, Standish and Morey. Opposed: Vick. The motion was declared carried.

B. ADMINISTRATIVE COORDINATOR TOPICS

1. **CRACK FILL MATERIAL:** Mike Gerardy, Administrative Coordinator, requested authorization to solicit bid for work to be done in the summer of 2008, proposing approximately 13,000 pounds of bituminous crack fill material. He informed the Council that the budget set for 2008 on this line item which included crack fill and seal coat work was \$52,000. Following discussion, a motion was made by Mayor Morey, seconded by Member Klug, to authorize Mr. Gerardy to solicit invitation for bid for an amount between 13,000 and 15,000 pounds of material. All members voted in favor and the motion was declared carried.
2. **ZONING APPLICATION – PAULETTE LAWSON:** Mr. Gerardy recommended to the Council that the period of review for a Zoning Application, proposing to construct an addition and install a new roof on the manufactured home of Paulette Lawson be extended for a period of 60 days to allow time to investigate this untypical proposed construction. Following discussion, a motion was made by Mayor Morey, seconded by Member Vick, to extend the period of review for 60 days. All members voted in favor and the motion was declared carried.
3. **SEWER PLANT METHANE GAS BURNER PROJECT:** Mr. Gerardy described to the Council the phases of work to be done to accomplish reconstruction of the methane gas burner. Two items worth approximately \$14,700 represented equipment, without including any labor. Mr. Gerardy said these phases could be done over a period of time, enabling the financial burden to be spread over a more convenient period. Following discussion the Council directed Mr. Gerardy to share the financial information for the multiple phases with Accountant Stephanie Mann for evaluation and incorporation into the pricing structure and rate system for the sanitary sewer.

C. COMMUNICATION

1. Minutes, Chamber of Commerce, 3-6-08.

OLD BUSINESS

A. TRI-COUNTY ELECTRIC COOPERATIVE ELECTION: At this time Clerk Nelson gathered the votes of each individual council member with the intent of tallying those votes for the ballot option and submitting the original ballot to Tri-County Electric Cooperative.

B. RECREATION COMMITTEE ACTIVITIES: Mayor Morey and Member Klug updated the Council on the current activities of the recreation committee and recommended the hiring of Kevin Ranzenberger, Kevin Voight, Craig Loeffler and Angie Ideker as the coaches for the 2008 summer season. A motion to hire these four individuals was made by Mayor Morey and seconded by Member Standish. All members voted in favor and the motion was declared carried.

NEW BUSINESS

A. RAILROAD TRACK EASEMENT: Clerk Nelson informed the Council that Dean Foltz requested an easement to access a parcel of land on the south side of the old railroad track a short distance west of the east side lift station. Nelson reported that the survey had now been done on the property to identify the boundaries of the railroad right-of-way and surrounding property. Mayor Morey commented that he and Member Klug would form a committee and observe the area, planning to return to the next meeting with a recommendation.

B. LICENSES: A motion was made by Mayor Morey, seconded by Member Klug, to approve the list of licenses for renewal, which included the 2008 Soft Drink License Applications to be approved for period April 1, 2008 through March 31, 2009; Pool Table License Applications for period April 1, 2008 through March 31, 2009; 2008 Bowling Lane License for period April 1, 2008 through March 31, 2009; Off Sale Beer License Applications for period April 6, 2008 through April 5, 2009 and On Sale Beer License for temporary occasions to the Houston County Agricultural Society for August 13-17, 2008 and to Caledonia Founders Days for a temporary license. All members voted in favor and the motion was declared carried.

CLERK'S REPORT

A. SEMLM MEETING: Clerk Nelson asked if any Council Members were interested in attending the Southeast Minnesota League of Municipalities (SEMLM) Meeting to be held April 30 at Red Wing. Following discussion, a motion was made by Mayor Morey, seconded by Member Vick, to authorize any Council Members to attend who wished to go. All members voted in favor and the motion was declared carried. Members Standish and Perry indicated they wished to attend.

B. LEAGUE OF MINNESOTA CITIES (LMC) LEGISLATIVE CONFERENCE: Council Members were asked if any wished to attend the Legislative Conference on April 9 – 10 in St. Paul. No one indicated attendance at this time.

C. POLICE DEPARTMENT: Clerk Nelson reported that Amy Hoscheit contacted the Clerk's Office saying she would be returning to work on March 24, 2008, from her maternity leave.

D. LMC FRIDAY FAX: Enclosed with the Agenda was the Friday Fax copies for March 14 and 20.

ADJOURNMENT: There being no further business before the Council, a motion to adjourn was made by Mayor Morey and seconded by Member Vick. All members voted in favor, the motion was declared carried and the meeting then adjourned at 9:58 p.m. The next Regular Meeting of the City Council is scheduled for 7:00 p.m., Monday, April 14, 2008, in the Council Room, City Hall.

Michael J. Morey, Mayor

Robert L. Nelson
City Clerk - Administrator