REGULAR MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Monday, September 24, 2007

CALL TO ORDER: Following due call and notice thereof, Mayor Morey called the meeting to order at 7:00 p.m. in the Council Room, City Hall.

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: Michael Gerardy, Stephanie Mann and Robert L. Nelson. Visitors present: Darrin Schmidt and Charlie Werner, Reporter.

CONSENT AGENDA: Following brief discussion, a motion was made by Member Standish, 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, September 10 and Continued Meeting held Tuesday, September 11, 2007, as presented.

VISITORS AND COMMUNICATIONS

A. ADMINISTRATIVE COORDINATOR TOPICS

1. ZONING APPLICATION – DARRIN AND TRACY SCHMIDT: Mr. Schmidt and Michael Gerardy, Administrative Coordinator, reviewed Mr. Schmidt's application to construct a utility shed at the southwest corner of his property at 820 East Main Street, locating the utility shed 5' from the west property and 5' from the south property line, requiring a 5' setback variance on each line. Mr. Gerardy mentioned that there were already 2 garages on the property, 1 attached and 1 unattached and that the circumstance would require a variance to have this additional building placed on the parcel since the intent of the ordinance was to have 1 dwelling, 1 garage and 1 utility shed on a residential parcel. Following discussion, a motion was made by Member Standish, seconded by Member Fisch, to approve the Zoning Application for construction of an 8' x 8' utility shed but at a distance of 10' from the side and rear property lines. Members voting in favor: Klug and Standish. Opposed: Morey, Fisch and Vick. The motion was declared failed.

2. EQUIPMENT BIDS/COSTS:
   a) LIGHT DEPARTMENT TRUCK BID: Mr. Gerardy reported that 2 bids had been received for a new pick-up truck for carrying the tool box for the Electric Department. The Pladsen Ford bid for this diesel vehicle was in the amount of $31,664 and the Ellingson Motors bid was in the amount of $34,570. Following discussion, the Council agreed by general consensus to table the bids until the next regular meeting on October 8 to give consideration to other alternatives or to changing specifications for a new vehicle, such as deleting the requirement for 4-wheel drive.

   b) UTILITY BOX COST: Mr. Gerardy said a utility box had been priced on the state bid list and was found to cost $13,652 plus Minnesota Sales Tax. No action was taken on this issue at this time, dependent upon the decision at the next council meeting for purchase of a vehicle, reference paragraph "a" above.

3. ELECTRIC DEPARTMENT SHOP PROGRESS REPORT: Mr. Gerardy reported that electrical wiring will be complete in approximately 1 week and city crews will hang heaters for the garage with the electrician to do the wiring for the heaters.

4. FEMA TRAILERS, JACK EDWARDS PROPERTY: Mr. Gerardy reported that Jack Edwards turned down a request from FEMA to install temporary trailers on his property along Gjere Avenue for flood victims. He is offering space for trailers in another community.

5. LADDER TRUCK RENTAL SPACE: Mr. Gerardy informed the Council that negotiations were in progress over a lock on the walkthrough door of Brad Jilek's building where the Ladder Truck was housed from the time it had been purchased. The lock, installed on the rental building upon the direction of Mr. Jilek has a value of approximately $400. It was not the understanding of the City staff that

the lock was to be left on the door after the rental term expired. Offers had been made to install a less expensive lock, but Mr. Jilek is not satisfied with a different style. No motion was made of the issue at this time.

6. ALTERNATE SIDE PARKING: Mayor Morey asked Mr. Gerardy to change the alternate side parking signs to state from 1:00 a.m. – 6:00 a.m. instead of from 12:00 a.m. – 6:00 a.m. which seemed to be confusing to people.

B. ACCOUNTANT'S REPORT

1. CASH AND INVESTMENT BALANCES: Stephanie Mann, Accountant, reviewed individual fund balances and the grand total of $393,102.22 with total investments at $2,901,183. She commented that she would do further work on the tax increment financing district funds and reminded the Council she would be attending a seminar on tax increment financing (TIF).

2. FINANCIAL STATEMENT/BALANCE SHEET: Ms. Mann reviewed the revenues and expenditures of each fund for the month ending August 31, 2007 and reviewed a balance sheet as of that date showing total assets and total liabilities and equity at $15,750,792.01. Specific balance sheet items of discussion were the $273,339.48 deficit in equity for the general fund and the General Obligation Bonds payable in the amount of $2,643,587.81 under liabilities.

3. BUDGET WORKSHEET, AUGUST 2007: Ms. Mann reviewed the budget worksheet for the various funds showing the amount of expenditures and revenues through August 31, 2007.

C. COMMUNICATIONS

1. The Wheel, September 2007.
2. LaCrosse Disposal System, September 2007.

OLD BUSINESS

A. ELECTRICAL SYSTEM IMPROVEMENTS: Clerk Nelson reported that PowerPlus Engineering is beginning to prepare summer 2008 electrical improvement plans and is asking whether or not the Council will stand by the decision to install electrical transformers, junction boxes, and the like, along front yard property lines, instead of the rear property line area where they are now located. Following discussion, the Council asked that a PowerPlus Engineer attend the October 8 Regular Council Meeting to explain in detail how disruptive and damaging to yards the transfer would be to change the electrical alignment from the rear yard to the front yard property lines.

B. STORM WATER RUNOFF COMPLAINT: Inquiry was made as to advancement of any decision regarding the storm water runoff from the Augedahl Cabinetry Property onto an adjoining property owners' rear yard. Clerk Nelson said he inspected the site after a recent rain fall and would submit a letter to City Attorney Tim Murphy asking if it were the City's responsibility to take action under the existing circumstances.

NEW BUSINESS

A. SPONSORSHIP: Clerk Nelson reported that Kermit McRae is petitioning for a contribution from the State to conduct the Annual Scottish Dinner and is requesting the City to act as sponsor again this year. He recommended the Council endorse the sponsorship letter and have it signed by Mayor Morey. Following brief discussion, a motion was made by Member Fisch, seconded by Member Vick, to volunteer the City of Caledonia as sponsor and authorize Mayor Morey to sign on behalf of the City. All members voted in favor and the motion was declared carried.

B. LIBRARY OFFICE EQUIPMENT: Clerk Nelson reported that Marla Burns, Librarian, reported having difficulty with the staff computers in the library and had received an offer from SELCO for the sale of 2 new computers for an amount of $765 each. SELCO agreed to bill the City in calendar year 2008, allowing these items to be placed in the 2008 budget. A motion was made by Mayor Morey, seconded by Member Fisch, to approve purchase of the 2 computers at the $765 price each, but suggested that SELCO bill the City immediately. All members voted in favor and the motion was declared carried.

C. FAMILY AND MEDICAL LEAVE ACT: Clerk Nelson said he had been unable to find answers to all the questions concerning Family and Medical Leave Act which were being discussed by Council Committee. He will report back at the next meeting.

CLERK'S REPORT

A. DISCHARGE MONITORING REPORT: Enclosed with the Agenda was the Discharge Monitoring Report for August 2007 showing a Total Monthly Average Nitrogen Level of 3.50 mg/l.

B. EMPLOYEE TIME RECORD: Enclosed with the Agenda was the Employee Time Record for pay period August 27 – September 9, 2007.

C. COMMITTEE MEETING: Member Fisch summarized a meeting held with Mike Werner, Chamber of Commerce President and Dennis Gavin on their inquiries as to the tax amount, tax rates, and the like, as well as many other questions on operation of the City and its various departments including the governmental departments and the enterprise departments.

ADJOURNMENT: There being no further business before the Council, a motion to adjourn was made by Member Klug and seconded by Mayor Morey. All members voted in favor, the motion was declared carried and the meeting then adjourned at 9:08 p.m. The next Regular Meeting of the City Council is scheduled for 7:00 p.m., Monday, October 8, 2007, in the Council Room, City Hall.

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Michael J. Morey, Mayor

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Robert L. Nelson
City Clerk - Administrator

CONTINUED MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Wednesday, September 26, 2007

CALL TO ORDER: Following due call and notice thereof, Mayor Morey called the meeting to order at 6:44 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: Larry Salm, Nicky Rud, Lorraine Peterson, Beatrice Schmitz, Lorraine and Mildred Schmitz, Ervin Barth, Irma Burmester, Don Bennewitz, Gerry Klug, Don & Marie Ellestad, Gladys Tegtmeier, Darlene Kuhlers, Kurt Kuhlers, Helen Johnson Helen McCabe, Pernilla Ernster, Roger & Ann Koel, Joe Lee, Bob & Jan Klug, Irma Klug, Delores Augedahl, Jeanette Twite, Duane Thompford, Rick Jackson, Larry Graf, Faith Bergin, Liz Bickford, Char Meiners, Mark Schiltz, Tim Comstock, Larry Thompson, Margaret Demmer, Eunice Dahlberg, Dianne Allen, Loretta Bartelson, Wayne & Gretchen Buege, Doug Ely, Scott Yeiter, Chuck Gavin, Athena Hart-Kolle, John Kolle, Matt Klug, Don & JoAnn Engstler, Bob Hosch, Bill & Claire Klug, Jonathan Hibbs, Harley Doering, Sharon Tweten, Mike Tornstrom, Chuck Schulte, Bernie Buehler, Ann Thompson, Lyle Klinski, Peggy Perry, Sheila Murphy, Millie Schroeder, Susan Schwebach, Susan Kittleson, Cathy Gavin Krupa, Michelle Massman, Ralph Burg, Bob McCarthy, Judy Koch, Cathy Klug, Rosine Macomber, Bob Lemke, Karen & Tank Schroeder, Lloyd & Janice Renslo, Hubert Burmester, Ardyce Esch, Lynn Fisch, Mark Beyer, Fern Fruechte, Scott Anderson and Charles Warner, Reporter.

EXPLANATION: Mayor Morey resumed the Continued Meeting, whereupon he briefly explained the proposed outline for the evening and the intent to review both Plan A and Plan B, submitted by Houston County for a new Criminal Justice Center.

ZONING APPLICATION – PLAN A, HOUSTON COUNTY: At 6:46 p.m. Mayor Morey recessed the Continued Meeting and opened a Public Hearing to continue discussion on the Plan A Zoning Application for a Criminal Justice Center. Plan A illustrated the proposed Criminal Justice Center south of the existing courthouse and connected to the courthouse. Representatives of Houston County interjected that they were no longer interested in Plan A because of the antagonism and protest of citizens at the Public Hearing of July 11. In response to an inquiry from City Attorney Timothy Murphy, the County Attorney drafted a handwritten document stating the formal withdrawal of Plan A. Mayor Morey then closed the Public Hearing on Plan A and resumed the Continued Meeting. At that time a motion was made by Mayor Morey seconded by Member Vick to accept the withdrawal of Plan A by Houston County and to deny the Zoning Application, proposing to construct a Criminal Justice Center at a location immediately south of

the existing courthouse, the denial based upon the County's formal withdrawal. All members voted in favor and the motion was declared carried.

CONSIDERATION OF THE CRIMINAL JUSTICE CENTER, PLAN B: Mayor Morey then recessed the Continued Meeting and opened a Public Hearing for Plan B. Ann Thompson, Houston County Commissioner, informed the Council that Houston County had attempted to create the most efficiently designed facility possible and, a year ago held numerous public hearings for citizen involvement and comment. The County's greatest driving force was to keep all facilities located on one site for employee efficiency, fearing that to divide the buildings on different sites would require 3 to 5 more employees to properly schedule and conduct business. She said the original plan was reviewed with the City Council and the public hearings afforded the opportunity for the public to object to that plan. She said the City Council often expressed concern over traffic congestion and hoped that revised Plan B would resolve those concerns. She said she believed all that remained to be decided upon was vacation of that segment of Washington Street on the east side of courthouse square. Scott Anderson, Attorney representing Houston County, commented that there was a dispute as to the number of parking stalls needed since the City classified the Criminal Justice Center as a commercial establishment which required 1 parking space for each 200 square feet of gross floor space for an extended need of 590 parking spaces. City Attorney Murphy reviewed the Zoning Ordinance and countered that the category chosen, to determine the proper number of parking stalls was listed as Business and Professional Offices, concluding that the County's Attorney's Office and Court Systems and Court Administration Office were professional offices. Mr. Murphy then raised the issue of whether or not the proposed Criminal Justice Center was a permitted use in an Urban Residential (R-2) District. Mark Schiltz, Jail Administrator, inquired whether or not the Council recalled the handout presented to them by Commissioner Thompson at a recent Council Meeting, showing the total number of vehicles parked around the courthouse at different times of day, those totals averaging out between 80 and 110 vehicles for each count. The count included all county owned vehicles and all vehicles parked on the street. Larry Salm asked if it were possible to view copies of Plan B since there had been no advertisement in the newspaper or were copies made available to citizens. At that point a few copies of Plan B were circulated among the audience. Chuck Schulte expressed concern about putting the Criminal Justice Center in an R-2 Residential District and commented that it may decrease property values around the immediate neighborhood. He suggested there may be a class action lawsuit should the City Council approve the Zoning Application. He gave little credence to the efficiencies mentioned by Commissioner Thompson for having all buildings on one site, given modern technology with use of computers, and the like. He commented on the costs of the facility and types of prisoners and numbers of prisoners to be housed in the facility. Bob Klug thanked the County for withdrawing Plan A but commented that he opposed Plan B for basically the same reasons as Plan A. Ann Thompson commented that some members of the Council stated they did not believe 590 parking spaces were necessary but did not know what number was actually needed. After the County had performed the parking count for many days and presented it to the City, the City never conferred with the County over the information and numbers of vehicles parked on each of the counts. Mark Beyer, Johnson Controls, commented that projections had been given to the City Council of the estimated increase of employees over the next several years, being 5-6 additional employees. He also said that the maximum number of persons in the Criminal Justice Center was known with the only variable being visitors to add to the traffic count. Larry Salm inquired whether or not the Department of Public Safety had approved the proposed plans. Mr. Beyer said a meeting for design planning purposes had been held with the Caledonia Fire Chief and that final plans of the architects will be drawn to the specification and design of Minnesota State Laws. With regard to fire safety, the new facility will have alarms and a sprinkler system. Darlene Kuhlers commented that there are 2 courtrooms now, the commissioners' room sometimes being used as a courtroom, and there will be 2 courtrooms in the future so there should be no difference in traffic volume. Faith Bergin thanked the Council for listening to the needs of the people of the City and asked of the County Representatives what the people were not articulating appropriately to indicate that they did not want this Criminal Justice Center built in the middle of the City on courthouse square. Jan Klug commented that she had reviewed Plan B and found no green space. She commented that in the early stages of public hearings about a year ago the County said they would make the landscaping presentable and attractive around the new facility, but she saw no indication of trees or landscaping in the vast majority of the grounds on Plan B. Mark Beyer, Johnson Controls, responded that the finalized plan would include green space and landscaping features and that the present Plan B being viewed was drawn to optimize parking spaces. Scott Anderson, Attorney, commented that the County is aware of citizen opposition, but must consider the needs of all county citizens and operate with the savings of tax dollars in mind. He commented that the County was told in the early stages of discussion for the Zoning Application that the Criminal Justice Center was an appropriate use for the Residential (R-2) District. He contended that the County Criminal Justice Center would be consistent with a municipal police station which is referenced as a permitted use in the Zoning Ordinance. He

further contended that as a matter of policy government buildings are appropriate to an R-2 District. Bob Klug commented that at the time this ordinance was written the city police station was probably comprised of 2 officers and 1 police car and the fire station had perhaps 2 trucks. Larry Salm commented that the existing jail and courthouse were "grandfathered in" at the time this ordinance was written. They were not new structures.

At 7:31 p.m., when there was no further discussion Mayor Morey closed the public hearing on the Criminal Justice Center, Plan B, and resumed the Continued Meeting. At this time City Attorney Murphy commented that the procedure for granting variances was governed by Minnesota Statute 462.357, Subd. 6, (2). He explained that a municipality may grant a variance from a Zoning Ordinance where strict enforcement of the ordinance would cause "undue hardship" and where the granting of a variance would be in keeping with the spirit and intent of the ordinance. "Undue Hardship," as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance if granted, will not alter the essential character of the locality. Mr. Murphy further defined the statutory test for granting variances as three general criteria which are as follows.

1. That the applicant wants to put the property to a reasonable use that is not allowed by the ordinance.
2. Plight caused by the uniqueness of the property and not created by landowner.
3. Will not alter fundamental character of the area.

City Attorney Murphy further explained that the vacation of streets is governed by Minnesota Statute 505.14. It provides "streets or alleys connecting separate plats or lying between blocks or lots or providing access for the public to any public water, shall not be vacated between such lots, blocks or plats as not also vacated, unless it appears that the street or alley or plat thereof sought to be vacated is useless for the purpose for which it is laid out. The ultimate question is whether the streets to be vacated are useless for the purpose for which they were originally laid out."

PARKING STALL DIMENSION: Mayor Morey reviewed the criteria in consideration of a request for a variance to size parking stalls 9' x 18', as opposed to the ordinance requirement of 10' x 25', thereby requiring a variance of 1' on stall width and 7' on stall length.

a. Consideration of the general premise that the applicant wants to put the property to a reasonable use which is not allowed by the ordinance. Regarding this consideration, Mayor Morey stated his findings as follows:

    - That the size of the structure and size of the necessary off-street parking lot are overly massive for the area within which they are to be confined, constituting a nuisance to surrounding residential properties, detracting from the enjoyable use of their properties.
    - The proposed Criminal Justice Center, having a capacity of 80 prisoners, is of an entirely different scope for detention than the existing Houston County Sheriff's Office and Jail.
    - That language contained in the City of Caledonia Zoning Ordinance making police stations and fire stations a permitted use in Residential (R-1) and (R-2) Districts never contemplated a structure of this size with detention facilities for 80 prisoners. The Caledonia Police Station is but a mere fraction of that area and has no detention facilities.
    - That the Criminal Justice Center is not an appropriate use to the Residential (R-2) District and by its proximity to the nearby residential properties would diminish their values.

b. The plight of the landowner is due to circumstances unique to the property and not created by the landowner. Applicant show the property was somehow unique. That the test is based on the aspects of the property, not on the proposed use. Mayor Morey presented his findings as follows:

    - That certain exceptional or extraordinary circumstances apply to this property, being the need for a large number of off-street parking stalls required by the massive size of the proposed building, combined with a restricted land area to install parking. At the same time, the Council recognizes that because of Driver's Licensing Test there may be need for one or two semi-tractor/trailer off street parking stalls and sees a need for

a reasonable number of 10 foot by 25 foot stalls provided in areas of the off-street lots to accommodate patrons with larger vehicles, such as pickups and SUV's.

- The literal interpretation of the provisions of this Ordinance would deprive the applicants of rights commonly enjoyed by others since variances on the dimension of parking stalls have been granted to numerous others in all Districts.
- That special conditions or circumstances do not result entirely from actions of the applicants and that these applicants should receive the same considerations as others, taking into consideration as well that the size of the usual and customary private automobile has decreased over several years.
- That granting the requested variance would not confer upon the applicants any special privilege denied to others in the same District or other Districts since such variance has frequently been granted.
- That the variance requested is the minimum variance, with the exceptions stated above for semi-tractor/trailers, and the like, which would alleviate the hardship.

c. The variance, if granted, will not alter the essential character of the locality. An applicant must show that the variance will not alter the fundamental character of the area. Note that it is the variance that will not alter the character, not the project itself. Mayor Morey offered his findings as follow:

- That granting this variance would not be materially detrimental to Zoning Ordinance purposes, acknowledging smaller model automobiles being manufactured in recent years.
- Granting this variance should have no impact on the supply of light and air to adjacent property, increase in traffic congestion, fire danger or other indirect considerations.

Mayor Morey asked the Council Members whether or not they supported his suggested findings or wished to add any findings of their own. Receiving no suggested additions, deletions or changes, he asked for a motion to adopt the findings as stated. A motion was then made by Member Fisch, seconded by Member Vick, to accept the findings as stated by Mayor Morey. All members voted in favor and the motion was declared carried. A motion was then made by Mayor Morey, seconded by Member Klug, to deny the requested variance for constructing parking stalls, having a dimension of 9' x 18' as opposed to a dimension of 10' x 25' as required by the Zoning Ordinance in consideration of the findings of "paragraph a" that the application proposed putting the property to a use which is not allowed by the ordinance. All members voted in favor and the motion was declared carried.

REQUIRED NUMBER OF OFF STREET PARKING STALLS: Consideration of the request to approve 287 off-street parking spaces as opposed to the 590 spaces calculated as necessary according to the Zoning Ordinance.

a. Consideration of the general premise that the applicant wants to put the property to a reasonable use which is not allowed by the ordinance. Regarding this consideration, Mayor Morey stated his findings as follows:

- That the size of the structure and size of the necessary off-street parking lot are overly massive for the area within which they are to be confined, constituting a nuisance to surrounding residential properties, detracting from the enjoyable use of their properties.
- The proposed Criminal Justice Center, having a capacity of 80 prisoners, is of an entirely different scope for detention than the existing Houston County Sheriff's Office and Jail.
- That language contained in the City of Caledonia Zoning Ordinance making police stations and fire stations a permitted use in Residential (R-1) and (R-2) Districts never contemplated a structure of this size with detention facilities for 80 prisoners. The Caledonia Police Station is but a mere fraction of that area and has no detention facilities.
- That the Criminal Justice Center is not an appropriate use to the Residential (R-2) District and by its proximity to the nearby residential properties would diminish their values.

b. The plight of the landowner is due to circumstances unique to the property and not created by the landowner. Applicant show the property was somehow unique. That the test is based on the aspects of the property, not on the proposed use. Mayor Morey then stated his findings, as follow:

- There are no exceptional or extraordinary circumstances, which apply to this property, but not to other properties in the same District, R-2, which would validate such a dramatic deviation from ordinance requirements.
- The literal interpretation of the provisions of this Ordinance would not deprive the applicants of rights commonly enjoyed by other properties in the same District. The Ordinance formula places the burden on property uses according to the volume of traffic the use is estimated to generate.
- There are no special conditions or circumstances of this application over which the applicants did not have control. Relying on street parking to accommodate employee and patron overflow will add to traffic congestion and safety concerns.
- That granting the requested variance would confer on these applicants' special privileges denied by this Ordinance to other properties. No variance of such magnitude has been previously granted.
- The Council finds this requested variance is excessive and will affect the character of the surrounding area, saturating street parking spaces.

c. The variance, if granted, will not alter the essential character of the locality. An applicant must show that the variance will not alter the fundamental character of the area. Note that it is the variance that will not alter the character, not the project itself. Mayor Morey stated his findings, as follow:

- Granting this variance of 303 parking spaces would be detrimental to the Zoning Ordinance because of its gross magnitude, resulting in the probability of parking congestion, traffic congestion and traffic and pedestrian safety hazards throughout the neighborhood.
- Advised by consulting engineers that a dramatic increase in traffic volume may necessitate prohibiting on-street parking on nearby streets for traffic safety. That would be a disadvantage to residents and businesses whose friends or patrons have need for temporary curbside parking.

Mayor Morey then inquired of the Council if they supported his findings or if they wished to add, change or delete any findings. Receiving no suggested changes or additions, he asked for a motion to adopt the findings as stated. A motion was made by Member Klug, seconded by Member Standish, to adopt the findings as stated by Mayor Morey. All members voted in favor and the motion was declared carried. A motion was then made by Mayor Morey, seconded by Member Klug, to deny the requested variance of 303 parking stalls, providing for approximately 287 stalls instead of the 590 stalls calculated as necessary per the Zoning Ordinance. All members voted in favor and the motion was declared carried.

CONSIDERATION OF STREET VACATION OR RELOCATION: City Attorney Murphy read the request to vacate or relocate a segment of Washington Street from the west right-of-way line of Pine Street westward to the courthouse square as depicted on the original plat of the City of Caledonia, Houston County, Minnesota. Following Mr. Murphy's reading there was inquiry from County Representatives as to the topic of relocation, commenting that their request was for vacation only. The discussion ended with Attorneys for the County, with the occurrence of Commissioner Thompson, to withdraw the request for vacation of a segment of Washington Street since the Council had voted to deny the 2 variances already considered. A handwritten petition to withdraw the request for vacation of a segment of Washington Street was then presented to the Mayor.

Based upon the County's petition to withdraw, Mayor Morey asked for a motion to accept the formal, written request. A motion was made by Member Vick, seconded by Member Klug, to accept the petition to withdraw the request for vacation of a segment of Washington Street and therefore deny the request for vacation of Washington Street based upon the formal request to withdraw. All members voted in favor and the motion was declared carried.

ADJOURNMENT: There being no further business before the Council, a motion to adjourn was made by Member Klug and seconded by Member Standish. All members voted in favor, the motion was declared carried and the meeting then adjourned at 8:20 p.m.

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Michael J. Morey, Mayor

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Robert L. Nelson
City Clerk - Administrator