

REGULAR MEETING OF THE CALEDONIA CITY COUNCIL
CITY COUNCIL CHAMBERS, CITY HALL
CALEDONIA, MINNESOTA
Monday, January 23, 2017

CALL TO ORDER: Following due call and notice thereof, Mayor DeWayne “Tank” Schroeder called the meeting to order at 6:01 p.m. in the Council Room of City Hall.

PLEDGE OF ALLEGIANCE: Mayor Schroeder led the Council, City staff, and visitors in stating the Pledge of Allegiance.

ROLL CALL: Council members present: Mayor Schroeder, Robert Burns, Paul Fisch, Robert Lemke, and Randi Vick. City staff present: Sgt. Jim Stemper; Tim Murphy, city attorney (left at 7:54 p.m.); Adam Swann, clerk-administrator. Visitor(s) present: Andy Allen, A. Allen Construction; Brent Drunckhahn; Polly Heberlein; Carmel Ledebuhr; Larry Ledebuhr; Dan McGonigle, *Caledonia Argus*; Pete Peterson, Edina Realty; Betsy Pieper; Joe Rudd; Dianne Schuldt; David Strike; Kim Worrall, Oxford Management.

AGENDA: Clerk-Administrator Swann requested to add the following item to the agenda under new business: consideration of recommendation to hire Zach Swedberg as full-time police officer. Member Fisch moved to approve the agenda with the amendment requested by Swann. Member Burns seconded the motion. All members present voted in favor to approve the agenda, and the motion passed.

CONSENT AGENDA: Member Burns moved to approve the consent agenda, and Member Lemke seconded the motion. All members present voted in favor to approve the consent agenda, and the motion passed. The consent agenda comprised the following items:

- a. Approval of minutes from January 9, 2017 regular meeting
- b. Accept resignation of Trent Prince as member of Caledonia Police Department
- c. Approval to hire Ashley Schleich as clerk for Municipal Liquor Store

PUBLIC COMMENT: None.

NEW BUSINESS:

a. Public hearing re application by H and R Enterprises, LLC for conditional use permit at 503 Enterprise Dr.: At 6:03 p.m. the regular meeting was adjourned to hold a public hearing on an application by H and R Enterprises, LLC for a conditional use permit to use the property at 523 Enterprise Dr. (Parcel ID 211317000) for the sale of trucks and equipment. Joe Rudd, one of the owners of H and R Enterprises, LLC, reported that H and R did not anticipate selling more than two trucks at a time. No other members of the public were present who wanted to address Council about the conditional use permit application. At 6:09 p.m. the public hearing was closed, and the regular meeting of the City Council was reconvened.

b. Consideration of application by H and R Enterprises, LLC for conditional use permit at 503 Enterprise Dr.: The Council members reviewed and discussed the application by H and R Enterprises, LLC for a conditional use permit to use the property at 523 Enterprise Dr. (Parcel ID 211317000) for the sale of trucks and equipment. Based upon the information in the application and the information received during the public hearing, the City Council made the following findings of fact about the proposed use, pursuant to City Code § 153.415(B):

- (i) the use would not create an excessive burden on existing parks, schools, streets and public facilities and utilities which serve the area;
- (ii) existing homes would not be depreciated in value and there would be no deterrence to development of vacant land because the property was not adjacent to residentially zoned or used land;
- (iii) the structure and site would not have an appearance that had an adverse impact

upon adjacent residential properties because no new structure would be required;
(iv) the proposed use was related to the current industrial use of the property and was therefore reasonably related to the overall needs of the city and the existing land use;
(v) the use was consistent with the purposes of City Code Chapter 153 and the purposes of the limited industrial zoning district because trucks were already used on the property and truck yards were already expressly permitted in the limited industrial district;
(vi) the use was not in conflict with the City's comprehensive plan because the plan designated the area for industrial use;
(vii) the use would not cause traffic hazards or congestion because the property was at the end of a street with little traffic and only a few vehicles would be for sale at a time; and
(viii) adequate utilities, access roads, drainage and necessary facilities were already present on the property.

Member Burns moved to grant H and R Enterprises, LLC a conditional use permit to use the property at 523 Enterprise Drive for the sale of no more than 10 trucks and equipment at a time. Member Lemke seconded the motion. All members present voted in favor of the motion, and the motion passed.

c. Public hearing re application by LCAM, LLC for conditional use permit at 508 N. Kruckow Ave.:
At 6:14 p.m. the regular meeting was adjourned to hold a public hearing on an application by LCAM, LLC to use the property at 508 N. Kruckow Avenue (Parcel ID 211148012) for assisted living, memory care, and independent apartments for the elderly. Larry and Carmel Ledebuhr, who filed the application, explained their request to Council. The following people also spoke on behalf of the applicants and further discussed the project: Kim Worrall, regional director of senior living management for Oxford Management; Andy Allen of A. Allen Construction; and Pete Peterson of Edina Realty. The Council received comments and questions from members of the community who were in attendance, including David Strike, Gary Kruckow, Betsy Pieper, and Dianne Schuldt. David Strike described the challenges he thought the prior hotel owners had faced and the negative impact the proposed use would have on the Four Seasons Community Center. Gary Kruckow expressed concern that the proposed use would impair the City's zoning and create hodgepodge of uses. Betsy Pieper discussed the reasons the City needed a hotel. Dianne Schuldt and Betsy Piper inquired about the impact of the proposed use on Caledonia Care and Rehab.

Tim Murphy, city attorney, reviewed the process for denying and granting a conditional use permit. Adam Swann, clerk-administrator, provided the Council with a letter faxed from legal counsel for LCAM, LLC, explaining the reasons why the conditional use permit should be granted. Dianne Schuldt reported that the Chamber of Commerce had received a lot of emails from people concerned about their experience at the old hotel—and concerned about the impact those experiences would have on the City's businesses and Four Seasons Community Center. Member Burns reported that the main question was whether using the property for senior living would have a detrimental impact on the Central Business District. At 7:32 p.m. Mayor Schroeder closed the public hearing and reconvened the regular meeting of the City Council.

d. Consideration of application LCAM, LLC for conditional use permit at 508 N. Kruckow Ave.:
The Council members reviewed and discussed the application by LCAM, LLC for a conditional use permit to use the property at 508 N. Kruckow Ave. (Parcel ID 211148012) assisted living, memory care, and independent apartments for the elderly. Based upon the information in the application and the information received during the public hearing, the City Council made the following findings of fact about the proposed use, pursuant to City Code § 153.415(B):

- (i) the use would not create an excessive burden on existing parks, schools, streets and public facilities and utilities which serve the area;
- (ii) existing homes would not be depreciated in value and there would be no deterrence to development of vacant land because the property was not adjacent to residentially zoned or used land;
- (iii) the structure and site would not have an appearance that had an adverse impact upon adjacent residential properties; the proposed use and improvements would likely enhance the appearance;
- (iv) the proposed use was reasonably related to the existing land use and the overall needs of the city; people in the community had expressed a desire for senior living;
- (v) the use was consistent with the purposes of City Code Chapter 153 and the purposes of the B-2, Business Highway District;
- (vi) the use was not in conflict with the City's comprehensive plan;
- (vii) the use would not cause traffic hazards or congestion because there would not be heavier traffic than what was present with the hotel or other permitted uses;
- (viii) adequate utilities, access roads, drainage and necessary facilities were provided or would be provided; the renovations included a bigger roof but the change was not expected to significantly impact drainage

Based upon the information in the application and the information received during the public hearing, the Council made the following finding of fact regarding the proposed use, pursuant to City Code § 153.138:

- i) The proposed use would not have a detrimental effect on the Central Business District.

Member Vick moved to approve the conditional use permit. Member Lemke seconded the motion. Member Burns requested a roll call vote. Member Burns: NO; Member Fisch: YES; Member Lemke: YES; Mayor Schroeder: YES; and Member Vick: YES.

e. Resolution 2017-002: Resolution Recognizing Charles "Chuck" Gavin, Fire Chief, for his Contributions to Fire Protection and Public Safety in Caledonia, Minnesota: Members reviewed Resolution 2017-002, a resolution recognizing Charles "Chuck" Gavin, fire chief, for his contributions to fire protection and public safety in Caledonia, Minnesota. Member Fisch moved to approve the resolution. Member Lemke seconded the motion. All members present voted in favor of the motion, and the motion passed.

f. Consideration of recommendation to hire Zach Swedberg as full-time police officer: Swann reported that he and Police Chief Kurt Zehnder had interviewed two candidates for the new full-time police officer position. Swann reported that based on these interviews he and Chief Zehnder recommended offering the full-time position to Zach Swedberg. Police Sergeant Jim Stemper addressed Council as representative of the Caledonia Police Association. Sgt. Stemper reported that the Caledonia Police Association supported the decision to offer the position to Zach Swedberg but wanted the Council to hire Zach Swedberg at step 2 rather than step 1 based on his service as a part-time officer. Member Vick moved to offer the full-time police officer position to Zach Swedberg at a step 1 rate of pay. Mayor Schroeder seconded the motion. The motion passed 4-0, with Member Burns abstaining due to being related by marriage to one of the candidates for the position.

g. Review of job description for Caledonia Aquatic Center manager: Members reviewed the proposed job description for the position of Caledonia Aquatic Center manager. Swann reported that the

position required certification as a lifeguard. Member Burns moved to approve the job description. Member Lemke seconded the motion. All members present voted in favor of the motion, and the motion passed.

h. Review of advertisement for Caledonia Aquatic Center manager and lifeguards: Members reviewed the proposed job advertisement for the positions of manager, assistant manager, and lifeguards. Mayor Schroeder moved to advertise for the positions of manager, assistant manager, and lifeguards. Member Vick seconded the motion. All members present voted in favor of the motion, and the motion passed.

i. Overtime reports: Members reviewed the overtime report for the pay period January 2-15, 2017. No further action was taken by the Council.

UNFINISHED BUSINESS:

a. Review of non-union wages for 2017: Members reviewed non-union wages for 2017. Swann reported that the minimum wage for 2017 was \$9.50. Member Burns moved to increase the wages of Ken Minsel and Dean Schutte from \$9.50/hr. to \$10.00/hr. and to decrease the wage of the assistant to the summer recreation director position from \$10.00/hr. to \$9.50/hr. Member Fisch seconded the motion. The motion passed 4-1, with Member Vick voting no.

ANNOUNCEMENTS: The next regular meeting will be on Monday, February 13, 2017 at 6:00 p.m.

ADJOURNMENT: There being no further business before the Council, a motion to adjourn was made by Member Vick, seconded by Member Burns. All members present voted in favor, and the motion was declared carried to adjourn at 8:45 p.m.

DeWayne "Tank" Schroeder
Mayor

Adam G. Swann
Clerk-Administrator