

REGULAR MEETING OF THE CALEDONIA CITY COUNCIL
CITY COUNCIL CHAMBERS, CITY HALL
CALEDONIA, MINNESOTA
Monday, October 22, 2018

CALL TO ORDER: Following due call and notice thereof, Mayor DeWayne “Tank” Schroeder called the meeting to order at 6:00 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: Casey Klug, public works and zoning director; Stephanie Mann, finance officer (at 7:00 p.m.); and Adam Swann, clerk-administrator. Visitor(s) present: Dennis Gavin, Caledonia Haulers; Craig Moorhead, *Caledonia Argus*; Devin Vanderohe; and Melissa Wray.

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

- a. Approval of minutes from October 8, 2018, regular City Council meeting
- b. Approval of payment application no. 4 for 2018 N. Kingston St. Reconstruction Project
- c. Approval of payment application no. 3 for 2018 E. South St. and S. First St. Public Improvement Project

PUBLIC COMMENT: None.

PRESENTATION:

- a. Devin Vanderohe
 - i. Eagle Scout project: Devin Vanderohe described his Eagle Scout project—which involved remodeling the Parks and Recreation Department baseball and softball storage room—and provided Council with photos of the storage room before and after the project. The project entailed, among other things, adding new cabinets and shelving. Devin umpired baseball and softball games to raise money for the project. The Council was very impressed with the project, remarking that Vanderohe did an excellent job and that the storage room looked a lot better. Mayor Schroeder thanked Devin on behalf of the City and City Council, stating that Devin did a great job.

FINANCE OFFICER:

- a. Review of cash and investments: Finance Officer Stephanie Mann reported that the cash and investments for the City’s governmental, special revenue, and enterprise funds totaled \$4,036,979.82 through September 30, 2018.
- b. Review of long-term debt: Mann reported there were no changes in the City’s long-term debt.
- c. Review of 2018 budget v. actual for General Fund, enterprise funds, and special revenue funds: Mann reported on the 2018 budget versus actual for the General Fund, enterprise funds, and special revenue funds through September 30, 2018. Mann noted that the City had not yet received the second half of its Local Government Aid for 2018.

CLERK-ADMINISTRATOR:

- a. Updates:

i. N. Kingston St. Reconstruction Project Update: Swann reported that the paving company, Dunn Blacktop Company, was not in town yet, but the City was still expecting N. Kingston St. to be paved by the end of the week.

ii. 2018 E. South St. Public Improvement Project: Swann reported that E. South St. and S. First St. had been paved the week of October 15, 2018. Swann further reported that the lift station was just about complete; the City was waiting for the supervisory control and data acquisition (SCADA) to be installed.

iii. FCC Notice of Proposed Rulemaking: Swann reported that the City had received a letter from Moss & Barnett—the law firm that had helped negotiate the City’s franchise agreement with Mediacom—notifying the City that the FCC had proposed rules that would reduce the franchise fees paid to cities by Mediacom and other cable companies. Swann further reported that Moss & Barnett was preparing a response to the FCC on behalf of cities and had offered to include the City as a signatory on its response for \$750. Swann asked the Council if the Council wanted to spend the money to be included in the response. The consensus of the Council was that the FCC was unlikely to be influenced by comments from cities and that the money could be better spent on other City needs.

UNFINISHED BUSINESS:

a. Consideration of application by Houston County Historical Society to subdivide the property at 404 E. Main St. (Parcel ID No. 210111001): Member Burns confirmed with Clerk-Administrator Swann that the application before the Council was an amended application to subdivide the property; the amended application sought to subdivide the property into parcels A and B but did not include a request to rezone the property from R-2 to B-1. Member Burns moved to approve the subdivision application. Member Lemke seconded the motion. All members present voted in favor of the motion, and the motion passed.

NEW BUSINESS:

a. Public hearing re application by Caledonia Haulers for setback variance of 19’ to construct 76’ x 126’ garage 31’ from west property line at 420 W. Lincoln St.: At 6:19 p.m. Member Burns moved to adjourn the regular City Council meeting to hold a public hearing on an application by the Caledonia Haulers for a setback variance of 19’ to construct a 76’ x 126’ garage 31’ from the west property line at 420 W. Lincoln St. Member Vick seconded the motion. All members present voted in favor of the motion, and the motion passed. The public hearing was convened at 6:19 p.m.

Public Works and Zoning Director Casey Klug reported that Dennis Gavin of the Caledonia Haulers had submitted an application seeking a 19’ variance to construct a construct a 76’ x 126’ garage 31’ from the west property line at 420 W. Lincoln Street. Klug reported that the proposed location of the garage had screening. Klug further reported that the proposed garage would not interfere with any utilities. Dennis Gavin was present on behalf of the Caledonia Haulers and told Council he needed the garage to be 126’ long in order to fit two milk trucks in each garage bay. The garage would have five bays and would hold 10 trucks. Klug reported that notices regarding the requested variance had been sent to surrounding property owners, but the City had not received any responses from concerned property owners.

At 6:28 p.m. Member Fisch moved to adjourn the public hearing and reconvene the regular City Council meeting. Member Lemke seconded the motion. All members present voted in favor of the motion, and the motion passed. The regular City Council was reconvened at 6:29 p.m.

b. Consideration of application by Caledonia Haulers for setback variance of 19' to construct 76' x 126' garage 31' from west property line at 420 W. Lincoln St.: Council made the following findings of fact regarding the application by Caledonia Haulers for a setback variance of 19' to construct a 76' x 126' garage 31' from the west property line at 420 W. Lincoln St.:

- (i) Exceptional or extraordinary circumstances applied to the property that did not apply to other properties in the same zone or vicinity and resulted from the lot size and shape because the proposed garage was the minimum size possible to fit the trucks and had to be located where proposed because of the existing building on the property; otherwise, there would not be sufficient room between the proposed garage and existing building to allow trucks to turn;
- (ii) The literal interpretation of the provisions of City Code Chapter 153 would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter because if Council didn't approve the variance the Caledonia Haulers would not be able to use the garage;
- (iii) The special conditions or circumstances did not result from the actions of the applicant because the lot size and existing buildings were in existence when the Caledonia Haulers bought the property; the Caledonia Haulers did not cause the problem;
- (iv) The granting of the variance requested would not confer on the applicant any special privilege that was denied by the zoning chapter of City Code to owners of other lands, structures or buildings in the same district because if an applicant under identical circumstances needed to do something the City Council would consider that applicant's application the same;
- (v) The variance requested was the minimum variance that would alleviate the hardship because the Caledonia Haulers had reduced the size of the garage to the minimum size possible to fit two trucks in each bay and the hardship was not an economic one;
- (vi) The variance would not be materially detrimental to the purposes of City Code Chapter 153 or to other property in the same zone because that's why the Council was having the discussion; and
- (vii) The proposed variance would not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood. The only potential impact was stormwater runoff, which the Council discussed with the applicant and determined would not be an issue; the proposed garage would not add significant additional stormwater runoff because the proposed garage was going to be built in an area of the property that already had impervious surface.

Based on the preceding findings, Member Burns moved to approve the requested setback variance of 19' so that the Caledonia Haulers could construct a 76' x 126' garage 31' from the west property line at 420 W. Lincoln Street. Member Lemke seconded the motion. All members present voted in favor of the motion, and the motion passed.

c. Public hearing re proposed Ordinance 2018-005: An Ordinance Amending Caledonia City Code Chapter 151 (Flood Damage Prevention) to Comply with Federal National Flood Insurance Program Regulations: At 6:37 p.m. Member Burns moved to adjourn the City Council meeting to hold a public hearing on proposed Ordinance 2018-005. Member Fisch seconded the motion. All members present voted in favor of the motion, and the motion passed. At 6:37 p.m. the public hearing was convened. Council reviewed the proposed ordinance. Swann reported that in order for City residents to continue to have access to the National Flood Insurance Program the Federal Emergency Management Agency

(FEMA) was requiring the City (as well as other cities) to adopt updated flood insurance rate maps and to adopt a flood insurance study prepared by FEMA. Proposed Ordinance 2018-005 would make these changes by repealing and replacing City Code Chapter 151 and by amending sections of City Code Chapter 153. Swann further reported that the areas of the City designated on the Flood Insurance Rate Map as a “General Floodplain District” had not changed significantly since the prior flood insurance rate map and that the City had little area designated as within a floodplain. Swann reported that the City had published notice of proposed Ordinance 2018-005 but had not received any feedback from the community. At 6:49 p.m. Member Burns moved to adjourn the public hearing and reconvene the regular City Council meeting. Member Lemke seconded the motion. All members present voted in favor of the motion, and the motion passed. The regular City Council meeting reconvened at 6:49 p.m.

d. Consideration of proposed Ordinance 2018-005: An Ordinance Amending Caledonia City Code Chapter 151 (Flood Damage Prevention) to Comply with Federal National Flood Insurance Program Regulations: Member Burns moved to approve proposed Ordinance 2018-005, an ordinance repealing and replacing City Code Chapter 151, amending City Code Sections 153.165 and 153.166, and adding City Code Section 153.167, to comply with Federal National Flood Insurance Program regulations. Member Fisch seconded the motion. All members present voted in favor of the motion, and the motion passed.

e. Consideration of pricing proposal from Payment Services Network, Inc. for expansion of payment options for utility bills: Swann reported that the proposed pricing proposal from Payment Services Network, Inc. would allow City utility customers to pay their utility bills online. Swann reported that under the pricing proposal, the City would cover the \$.50 transaction charge for customers making payments online with a check or savings account, and customers making payments with a credit card would pay the credit card fee. Swann further reported that the City would continue to allow customers to sign up for monthly ACH debits. Swann further reported that if Council approved the pricing proposal, the goal was to be able to start accepting online payments around January 1, 2019. Member Fisch moved to approve the pricing proposal from Payment Services Network, Inc., and Member Vick seconded the motion. All members present voted in favor of the motion, and the motion passed.

f. Overtime report: Members reviewed the overtime report for the pay period September 24, 2018 – October 7, 2018. No further action was taken by the Council.

ANNOUNCEMENTS:

a. The next regular Council meeting was scheduled for November 13, 2018, 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 Mayor Schroeder. All members present voted in favor, and the motion was declared carried to adjourn at 7:34 p.m.

DeWayne “Tank” Schroeder
Mayor

Adam G. Swann
Clerk-Administrator