

KASSON CITY COUNCIL REGULAR MEETING MINUTES

July 27, 2018

Pursuant to due call and notice thereof, a regular City Council meeting was held at City Hall on the 11th day of July, 2018 at 6:00 P.M.

THE FOLLOWING MEMBERS WERE PRESENT: Borgstrom, Buck, Eggler, McKern and Zelinske

THE FOLLOWING MEMBERS WERE ABSENT: None

THE FOLLOWING WERE ALSO PRESENT: City Administrator Theresa Coleman, City Clerk Linda Rappe, City Attorney Melanie Leth, Finance Director Nancy Zaworski, Steve Jurrens, Cancy McKern, Tyler Larsen, Phil Johnson, Jerry Struthers, Ron Eidem, Amy Costello, Ron Brown, Tanae McMurchie, Samantha Tripp Matt Bradford, Everett Paulson, Mike Koebele and Diane O'Brien

COUNCIL

Approve agenda

Remove K.1

Remove L.1 replace with L.1 encroachment agreement

Correct K.2 to be retirement not resignation

Move A.2d, f, h, j to new business

Motion to Approve the Amended Agenda made by Councilperson Borgstrom, second by Councilperson Eggler with All Voting Aye.

Consent Agenda

Minutes from June 27, 2018

Claims processed after the June 27, 2018 regular meeting, as audited for payment in the amount of \$495,435.01

Conferences: Todd Kispert - UMMA 2018 Summer Mtg Duluth Aug 8-10 \$150+travel

Resolution Appointing Election Judges

Resolution #7.1-18

***Resolution Appointing Election Judges for the 2018 Primary and General Elections
(on file)***

Resolution Accepting Donation to Parks Department

Resolution #7.2-18

***Resolution Accepting Donations for the Park and Recreation Department
(on file)***

Resolution Appointing Festival in the Park Volunteers

Resolution #7.3-18

***Resolution Appointing Festival in the Park Volunteers
(on file)***

Pay Request #10 SL Contracting 2017 Street Project \$308,636.91

Motion to Approve the Consent Agenda as Amended made by Councilperson Borgstrom, second by Councilperson Buck with All Voting Aye.

VISITORS TO THE COUNCIL

PUBLIC FORUM

Amy Costello – Legal Counsel for Casey’s General Store –concern that was raised on Monday that Councilperson Borgstrom had contacted Jared Sargent on behalf of the Struthers. The conversation centered on the negotiations regarding the Struthers offer letter; Councilmember Borgstrom had a copy of that letter. Mr. Sargent’s takeaway was that Casey’s should reopen negotiations with the Struthers or it would not be looked on favorably. Casey’s is respectfully requesting, so that there is no question at the end of these proceedings, that Councilman Borgstrom recuses himself from further deliberation and voting any further on this issue and the Conditional Use Permit.

Diane O’Brien - 122 W Main St – she would like to put a decorative sign on Mantorville Avenue. She has homesteaded her building and is paying commercial rates utilities. Ms. O’Brien has an issue with the rental housing certificate; why does she pay taxes and the rental housing fee.

Phil Johnson 1604 15th Ave NE – he is speaking for the 7 of the 8 property owners on that block to be rezoned, has had a 2 year negotiation process, and Casey’s has been very fair.

Robert Brown – Mantorville – his mother owns two lots in the Casey’s development. The City of Kasson has a new vision, the first opportunity is Casey’s, and they have been very reasonable.

PUBLIC HEARING

COMMITTEE REPORT

Park Board – Minutes June 19

Approve Hiring Josh Gilbertson and either Mallory Fjerstad or Isaac Fjerstad for garbage collection during Festival

Motion to Approve the Recommendation of Park Board to Hire Josh Gilbertson and Friend for Garbage Collection during Festival made by Councilperson Buck, second by Councilperson Zelinske with All Voting Aye

Approve a Tree Lighting Ceremony in Vet Mem Park Nov 30, 2018 at 6:30PM

Motion to Approve the Tree Lighting Ceremony in Vet Mem Park made by Councilperson Zelinske, second by Councilperson Egger with All Voting Aye.

Arena Committee Notes – Kasson has a Junior A Team “Kasson Vipers.” All time high attendance.

Planning Commission

Resolution for Kasel Addition Final Plat

Motion to Approve the Kasel Addition Final Plat made by Councilperson Zelinske, second by Councilperson Borgstrom with All Voting Aye

Resolution #7.4-18

*Resolution Approving the Final Plat of the Kasel Addition
(on file)*

Resolution for Home Federal Amendment

Motion to Approve Amending the Final Plan for Home Federal made by Councilperson Zelinske, second by Councilperson Egger with All Voting Aye.

Resolution #7.5-18

*Resolution Amending A Final Plan for the Property Known as 502 Mantorville Ave S
(on file)*

Resolution for Tyler Larsen Variance

Motion to Approve a Variance of 8ft to the rear yard setback made by Councilperson Egger, second by Councilperson Buck with All Voting Aye.

Resolution #7.6-18

***Resolution Approving a Variance for 702 21st Street NE
(on file)***

Resolution for Casey's Rezone

City Attorney Leth stated the application from Casey's was to rezone lots 2-8 of block 31, the Planning Commission's recommendation is to rezone lots 1-8 of block 31. Attorney Leth provided resolutions for the Council to consider. Casey's has requested that the rezone be contingent on the conditional use permit passing because they do not want to leave the homeowners in a non-conforming situation. Mayor McKern asked Attorney Leth opinion on Casey's recommendation that Councilperson Borgstrom recuse himself from discussion and voting. Attorney Leth stated that, if that was true, then she would recommend that he recuse himself. Councilperson Borgstrom confirmed that he did see Struthers letter from Casey's, called Jared Sargent from Casey's and asked if negotiations were done. Ms. Costello read what Borgstrom said at the planning commission Monday night and an email that was generated from Jared Sargent after his conversation with Borgstrom. Attorney Leth stated that she did call Councilman Borgstrom Monday before the Planning Commission meeting to voice her concern of a conflict. Mayor McKern stated that there is a recommendation from the Attorney that he recuse himself, Councilmember Borgstrom responded with "we'll see".

Motion to Approve the Resolution Rezoning lots 2-8 from R-2 to C-2 made by Mayor McKern, second Councilperson Zelinske. Ayes: Egger, McKern and Zelinske Nays: Buck Abstain: Borgstrom

Resolution #7.7-18

***Resolution Approving A Zoning Map Amendment for the Property Known as Lots 2,3,4,5,6,7 and 8 of Block Thirty-One (31), Kasson, MN
(on file)***

Resolution for Casey's Conditional Use Permit

Administrator Coleman stated that the public hearing was held at the Planning Commission Meeting on July 9, 2018 and the recommendation was tabled until the next planning commission meeting on August 6.

OLD BUSINESS

David Drown Financial Updates – These are scenarios that Mr. Bubany presented.

NEW BUSINESS

- d. Fireworks Permit
- f. Resolution Certifying Delinquent Accounts to County

Resolution #7.8-18

***Resolution Certifying Delinquent Claims to the County Auditor
(on file)***

- h. Resolution Waiving Park Hours for Festival in the Park, A Special Event

Resolution #7.9-18

***Resolution Waiving Park Hours for Festival in the Park, A Special Event
(on file)***

j. Resolution Approving Street Closings for Festival in the Park Activities

Resolution #7.10-18

**Resolution Approving Street Closings for Festival in the Park Activities
(on file)**

Motion to Approve the Fireworks Permit, Certifying Delinquent Account to the County Auditor, Waiving Park Hours for Festival in the Park and Approving Street Closing for Festival in the Park made by Councilperson Borgstrom, second by Councilperson Zelinske with all voting Aye.

MAYOR'S REPORT

August 2 the CEDA tour is coming through town.

ADMINISTRATORS REPORT

Dodge County Buffer Ordinance

WHKS will have one of their specialists look at this and the impact within city limits.

ENGINEER'S REPORT

PERSONNEL

Accept Retirement of Deputy Fire Chief - Motion to Accept the Retirement of Doug Robinson made by Councilperson Egger, second by Councilperson Zelinske with All Voting Aye. Mr.

Robinson was thanked for his 18 years of service.

Hire Deputy Fire Chief

Steve Jurrens – Admin Officer, Kasson Fire Department – Mr. Jurrens offered information on the split duties of the two Deputy Fire Chiefs. They have exceeded 400 calls a year since adding EMR. Mr. Jurrens then gave detailed information about the duties of the Deputy Fire Chief Position that Mr. Robinson has vacated. **Motion to Approve Hiring a Deputy Fire Chief made by Councilperson Zelinske, second by Councilperson Egger with All Voting Aye.**

ATTORNEY

Encroachment agreement – Attorney Leth stated this agreement is for 903 12th Ave NW, the garage was built 2 ½ feet into a drainage easement on the south side. The house on the south side of the drainage easement is into the easement by 1.5 feet, and that will be coming to a future meeting.

Motion to Approve the Encroachment Agreement made by Councilperson Buck, second by Councilperson Egger with All Voting Aye.

CORRESPONDENCE

Correspondence was reviewed

ADJOURN 7:03PM Motion by Councilperson Borgstrom, second by Councilperson Egger with all voting Aye to Adjourn.

ATTEST:

Linda Rappe, City Clerk

Chris McKern, Mayor