

On Tuesday, February 10, 2009, Mayor Chris Parker called to order, the Public Hearing for two variances and a Conditional Use Permit (CUP) at Stockton City Hall at 6:30 P.M. Council members in attendance were Dave Johannes, Lisa Gibbs, Rick Przytarski and Cheryl Beeman.

1) Pete & Colleen Bambenek were asking for a Conditional Use Permit to place a 768 square foot pavilion next to their home. The Flood Plain Ordinance states an accessory structure in a Floodway “does not exceed 500 square feet”. The Planning & Zoning Committee did not have a site plan, nor materials list and requested the Bambenek's finish their other projects first. The concrete pad for the pavilion is already set in place. Jack Roberts requested the Council table the CUP until the Committee can review the site plan and material list that was received at their next committee meeting.

2) Robin Thelen is asking for a 5-foot variance on each side of her home for Flood Fringe fill of 15-feet. Her home fits the requirements for the Zoning Ordinance, but the Flood Plain Management Ordinance requests 15-feet of fill extending out from both sides of the home. Mayor Parker asked for any comments three times. Jack Roberts stated the Council at the time of the rebuilding after the flood wanted to keep residents in town.

3) Jason Huber is asking for a variance for front set back at 17-feet and not the regular of 25-feet. Jack Roberts stated the Planning & Zoning Committee will work with the next lot owners for staggering the front of the homes to fit in. Discussion was held on why asking for the variance now, when it should have been done before the home was built. Council will be looking into who should be responsible for lot line setback inspections. Residents talked about fining the person responsible for the mistake. Lisa Gibbs stated the site plan was correct, Mike Wadewitz asked who will check site plan to actual site and until someone is appointed the Council should do it. Dave Johannes asked whom would be responsible for the fine, Jack Roberts stated it would be the homeowner, and they in turn would need to go after the contractor.

Rick Przytarski made a motion to close the Public Hearing with a second from Dave Johannes. Motion passed, public hearing adjourned at 7:00 P.M.

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On Tuesday, February 10, 2009, at the Stockton City Hall, Mayor Chris Parker called to order the Stockton City Council meeting at 7:00 P.M. Council members in attendance were Cheryl Beeman, Dave Johannes, Lisa Gibbs and Rick Przytarski.

The Pledge of Allegiance was said.

Clerk Winchester added under new business gym furnace, charter, and public hearing requests. Mayor Parked added under new business high speed railway. Rick Przytarski made a motion to accept the agenda with additions, seconded by Lisa Gibbs.

Addition to the January 2009 minutes: Lisa Gibbs took Oath of Office on January 5, 2009. Dave Johannes made a motion to accept the January 2009 minutes with correction. Seconded by Cheryl Beeman. Motion passed.

Dave Johannes made a motion to accept the Financial report and bills to pay with Lisa Gibbs seconding

the motion. Motion passed with Rick Przytarski contending the vote since the council did not receive an updated version of the bills to pay.

Winona County Environmental paid \$4505.96 for Chad's wages and equipment use on the creek clean up and Potter Construction bill to remove trees in the creek. There are still baseball supplies to buy and the electrical panel at the ball fields to update yet. Dave Johannes made a motion to accept the Flood Financials with a second from Lisa Gibbs. Motion passed unanimously.

Bill Trygstad will leave an updated drawing of the water distribution lines map and individual street maps for the Clerk's Office for the Council to look at. A line will run across City property at Wacholz Drive and tie in at the Potter/Odegaard driveway. Reason why some lines are as located because the sewer lines run on the opposite side. Directional boring will be done in places and pulling the pipe through without top ground disturbance. Kenner's did not get back with Jack Roberts about an easement along their property at the end of Old County Road 23. Jack Roberts is also requesting 10-foot easements from Nelson and McElmury to tie in the East Eighth Street and East Ninth Street water lines. Barb Lane will come across two properties the City owns and tie into another property the City owns along Co. Rd. 23. Highway 14 lines will be laid on the North side as the south side has sewer and electrical lines. Mr. Trygstad will meet with the MN DOT on Thursday and with Winona County to discuss plans. Sewer/Water Committee will need to determine the empty lots in town and which ones are buildable. Dave Johannes asked if driveways will be cut, Mr. Trygstad stated if they are the construction company will replace to original positions. Along Fifth Street, between Broadway and D Street there will be no line as the City owns those properties. The DME application form will be turned in once Mr. Trygstad talks with the County, at current they do not have any problems with the crossing. Along F Street the fence line is in the street right-of-way. Lines will be placed four to five feet below the creek. There is a concern with the reservoir slope grade at the current site. The road would be 1,200 feet in length to the reservoir, but Mr. Trygstad is not sure if this is the best area. Potter's hill along East Ninth Street would be another possibility for a reservoir. The Geo-Technical person will be meeting Thursday with Mr. Trygstad to make recommendations of the current located site. Hydrants will be on the same side as the water lines, and be 400 to 500 feet apart. The end of the month Mr. Trygstad will possibly be done with the drawings and the March council meeting they could approve of the plans to put out for bids. The next Committee meeting will discuss empty lots and home connection areas. Mr. Trygstad would like the City to send a letter of notification to homeowners for a connection point on their private property. Committee still needs Kenner's easement and to check if 13<sup>th</sup> Street is vacated. Discussion was held on reservoir costs between a tower and a ground reservoir, there will be more costs involved with a tower reservoir than a ground reservoir. If the reservoir plan isn't completed by the Sewer/Water Committee meeting, the Council cannot approve of the plan to move forward. Additional costs of a tower reservoir would be more maintenance and more costs to construct. A Committee member asked if there was a comparative cost of tower vs. ground reservoir, and the Clerk should have that cost in her files. Plans are in the Clerk's Office for anyone to look at.

A key list was given to the Council, which included the front & back door, and the office door. The Clerk, Mayor and Public Works should have a key to all three. The Promotional Group has three, and the Hillsdale Township has three. There are also front door keys for 4-H and TOPS. The Stockton First Responders have keys for the back door. Tom's Lock service would re-key the front door, back door, office door and four filing cabinets for about \$160. Discussion was held on who should have a key and why they should have the key. Rick Przytarski made a motion to re-key the front & back to have the same lock, the office and filing cabinets, with 10 keys front, 10 keys back, & 8 office keys made, the motion included the Council will maintain whom receives the keys at the next Council meeting. Motion seconded by Dave Johannes. Motion passed with Cheryl Beeman opposed to the

vote.

The Planning & Zoning Committee received a letter from Karl Sonneman about the Lee Henry apartment to be put on City letterhead. The Committee discussed the letter and added a few sentences for the Council to look at before mailing. Mayor Parker recommended to have the Planning & Zoning Committee meeting date in the letter, since he will need to re-zone his property to R-2 to be in compliance. Cheryl Beeman also stated to put Senior behind Lee Henry's name. Dave Johannes made a motion to accept the letter and mail it out, with a second from Cheryl Beeman. Motion passed.

The Planning & Zoning Committee also looked at a Building Inspector Description. Council requested to place in Minnesota & Stockton Building Codes where needed. Council also requested to drop the line of "may not be required to perform all duties listed and". Discussion was held on a time line of the Clerk and Building Inspector getting the work done, council could go back to issuing the permits and if the builder couldn't wait they could pay for a special meeting, providing the applicant pays for the special meeting. Clerk was instructed to get the State Regulation regarding inspection time and put into the job description.

The Lewiston Bank CD is a 91 day CD, interest at 1.25% and currently has \$80,195.28. One of the Winona National CD's has \$64,800 with a .96% interest and is due in June with a \$150 penalty for withdrawing early. Zenk, Read & Trygstad bill for \$63,261.00 is due. Rick Przytarski made a motion to use the Winona National CD to pay this bill, with a second from Dave Johannes. Motion passed.

Mayor Parker spoke with HBC about the cell phone tower. Gary Evans stated the Verizon-Alltel merger has been put on hold and should be completed by April, 2009. This merger has slowed things up for our area.

Mike Hill from Charter Communications discussed the battery backup needed if power fails and residents are on the bundle package. He stated there is a \$40 charge for the battery back up, but he is willing to waive the \$45 trip charge service call fee. Mayor Parker asked about website space on the City's web page for email. Mr. Hill will call with specifics.

Rick Przytarski made a motion to table the Electrical Ordinance since it's not due until October. Lisa Gibbs seconded the motion. Mike Wadewitz asked if there is any reference to new subdivision building and agreeing to pay the electrical company up front for the subdivision. Clerk will look into what Alliant Energy would like from subdivision owners. Motion passed unanimously.

There are five projects Bill Trygstad applied for 2007 Flood Bonding from the State of Minnesota. The Council would need to approve of moving forward on these projects, but must be aware the City would need to pay for any engineering costs. Rick Przytarski stated that the projects are already completed, Lisa Gibbs mentioned the E Street project the Council already decided not to have done. Jack Roberts told Ms. Gibbs that the Council stated as long as it wasn't at the City's expense. Council requested to check with the Engineer on the status of the projects and what is finished or started for the next council meeting.

Mayor Parker received an update on the High Speed railway corridor commission about having spur line from Winona to Rochester. There would be no financial commitment at this time, but are requesting a representative to attend meetings. Mayor Parker agreed to be the representative.

A bid to fix the gym furnace since the inducer motor is bad, along with a digital thermostat and lock

box in the amount of \$428.63 from Nick Walters of Rivercity Heating was presented. Dave Johannes made a motion to complete this work and take the fund out of the Designated Funds, motion seconded by Rick Przytarski. Motion passed. Lisa Gibbs asked to look into Geo Thermal heat pumps, since the City is looking into new air conditioners and the LP bills are high. She will get the information for the council.

Dave Johannes made a motion to table the Conditional Use Permit for the Bambenek's until the Planning & Zoning Committee can take a look at the plans. Motion seconded by Lisa Gibbs. Motion passed.

Rick Przytarski made a motion to accept the variance for Robin Thelen, motion seconded by Cheryl Beeman. Motion passed.

Dave Johannes made a motion to accept the variance for Jason Huber, motion seconded by Rick Przytarski. Motion passed.

Chad would like to get rid of the old piano that has been sitting up on the stage for years. Rick Przytarski made a motion to place the piano for sale on the access channel until Friday, February 27<sup>th</sup> and to be removed by Friday, March 6<sup>th</sup>, if the piano is not removed by then Chad may dispose of it after that. Motion seconded by Cheryl Beeman. Motion passed unanimously.

Sewer/Water & Planning/Zoning Committees will meet Monday, February 23<sup>rd</sup> beginning at 6:00 P.M.

Greenspace Committee will meet Monday, February 23<sup>rd</sup> at 5:30 P.M.

Jack Roberts has the bid to demolish the old garage on County Road 23, he will present the bid to SEMMCHRA for spring demo.

Rick Przytarski made a motion to close the Stockton Council meeting, with a second by Cheryl Beeman. Motion passed, meeting adjourned at 9:15 P.M.