

On Tuesday, May 12, 2009, at the Stockton City Hall, Mayor Chris Parker called to order a Public Hearing to re-zone Lee Henry Sr. property from R-1 to R-2, meeting at 6:50 PM. Council members Lisa Gibbs, Dave Johannes, Rick Przytarski and Cheryl Beeman were all in attendance.

Mayor Parker asked for any concerns or discussions.

This property is already spot zoned R-1, single family residential, so changing it to R-2, Multi-Family residential will not affect the area around it.

Mayor Parker asked a second time for any concerns or discussions.

Lee Henry Sr. was not in attendance. Dave Johannes suggested he should be here to state his case, but he did sign the letter requesting the change.

Mayor Parker asked a third and final time for any comments.

Rick Przytarski made a motion to close the Public Hearing and begin the regular council meeting, with a second from Lisa Gibbs. Motion made and seconded at 6:55 P.M.

On Tuesday, May 12, 2009, at the Stockton City Hall, Mayor Chris Parker called to order the Stockton City Council meeting at 6:55 P.M. Council members in attendance were Cheryl Beeman, Dave Johannes, Lisa Gibbs and Rick Przytarski.

The Pledge of Allegiance was said.

Cheryl Beeman added under new business compost site and Mayor Parkers letter, and under old business the ball fields. Clerk Winchester added under new business liquor licenses, and under old business website, re-zone of Henry property, and green space plans and estimates. Leasah Lilla requested Stockton clean up day under new business. Rick Przytarski made a motion to accept the agenda with additions, seconded by Cheryl Beeman. Motion passed.

Rick Przytarski made a motion to accept the April 2009 minutes, with a second from Dave Johannes. Motion passed.

Under bills to pay there is a \$118,529.50 bill to Zenk, Read & Trygstad for the water project. Rick Przytarski stated the City is not in the position to pay this bill, and would want to wait until bid opening next week before figuring out how or whom is going to pay this bill. Rick Przytarski made a motion to accept the Financial statement, with the exception of not paying this bill for \$118,529.50. Motion seconded by Dave Johannes. Motion passed.

Dave Johannes made a motion to accept the Flood Financials with a second from Rick Przytarski. Motion passed.

The Water Project bids will be opened Tuesday, May 19th at 6:00 P.M. Currently the distribution lines have 21 contractors looking at the project and the water reservoir has 19 contractors. There is an addendum to the Water reservoir, it will have a different parking lot area. The City has applied to MN department of Health and have paid for the application fees, along with DM&E railroad. There is also the application to the DNR for \$500 though this will not be paid until the bid opening. The City will need these permits before construction can begin. Since it could take some time for the City to get these permits, most have been mailed out for the company to look at the plans. To continue, the bids will be opened and the council will have 30 days to check all bids, Bill Trygstad will name the lowest bidder and the committee will make a recommendation to the Council. The bid does have one alternate for the finished date, it is six months or one year. Dave Johannes would like the committee to look at costs related to fees, assessing to homeowners, hook up exclusion, and by-pass fees.

Cheryl Beeman asked about the Channelization study. Bill Trygstad had four options. One would be to raise the existing berm along Burfeind property three feet, too keep the flood south. Rest of the creek through town would be dug out, and get wider. There is a possibility of losing four homes through town. At the 100-year flood both bridges on Broadway the flood would go through or over, but the Highway 14 bridge would be clear. At the 500-year flood the water would reach the bottom of the Highway 14 bridge. Options 2,3, & 4 there is a difference of where the Garvin Brook Creek would cross Highway 14 on the west side of town, though all three would divert the creek north along the tracks. Any one of these options will affect homes or businesses along the Highway. Stockton Creek would be wider and deeper and would affect some homes. Ziebell's driveway would have to be rerouted further North along Co. Rd. 23 on all three options. Lisa Gibbs asked how realistic will the DNR be on going ahead with the channelization, and Bill Trygstad responded they tried to minimize what is needed to do the project. Bonnie Oldham stated there will always be a flood, and the railroad track bridge needs to be examined, since the flood won't go over the bridge, it must go under and there isn't enough room. The grant is only for the study, not for a project, that would require the City to find funding and it could reach into millions of dollars. Leasah Lilla asked about those properties that need to be eliminated or boarder the channelization, Mayor Parker responded that would only be once funding is secured and it sounds like there wouldn't be any financing for this.

Bill Trygstad needs to get with a MN DOT rep to discuss the Flood projects. He will need a list of ditches to be done. If he bundles four of the projects together the City would only need one state aid number and would cost less. It shouldn't take a big plan to pull the rest together.

Since the ball field parking lot is almost free of debris, Clerk Winchester requested gravel to get the parking lot back into shape. This money should come out of the flood money. Dan Vail approached Cheryl Beeman about the ball field fencing and why it is only four-foot tall, when there was an eight-foot fence before. Dan Vail and Dave Johannes have been trying to get the rest of the ball field equipment installed but it has been canceled three times. Leasah Lilla stated that a multi-use field should be eight-feet and be out 300 feet. She also asked that since the Twins, Promotional Group and FEMA all gave money, why is there not enough to do the fields as they were. Cheryl Beeman had estimates on eight-foot fences, one from Menards for \$4600 without installation, and one from Kendell for \$5100 with installation. There is a possibility of reusing the four foot fence along the property line and re-do the ball field fence to eight feet. Cheryl Beeman will get quotes for to re-do the outfield and have an eight-foot fence installed, take out the old one and move it to the boarder of private properties. She would need to get an estimate for a 430 feet and be out 275 feet. Subject tabled till June meeting.

Council looked at the proposed plan for the buyout properties. There will be a 30'x30' vegetable plot at 8600 Co. Rd. 23 that the local 4-H will plant and maintain. Mike Wadewitz reminded the City that the MPCA would need approval for native grasses at the retention pond sites. Lisa Gibbs will call Roberta at MPCA to discuss this with her. Dave Johannes made a motion to accept the plan and apply to the HRA for funding. Motion seconded by Rick Przytarski. Motion passed unanimously.

Lee Henry Sr. was not in attendance to discuss his re-zoning. The clerk had discussed it with the City attorney and without changing the zoning the City cannot enforce the building code. Dave Johannes made a motion to re-zone Lee Henry Sr. property to R-2, with a second from Cheryl Beeman. Motion passed.

Mayor Parker will be asking for an extension from Sue Altoff of the Garvin Brook Disaster Relief on the website. The committee did meet once, and accomplished a lot. Discussion was held on when the next meeting would be, Wednesday, May 20th at 6:30 P.M.

Charlie Heinz is building two apartments in the old creamery. He would like to put parking to the south of the building which would require a culvert in the street right-of-way for the driveway. Bill Trygstad stated the minimum width of the culvert should be 12 inches. Chad Larson already dug out the gravel Mr. Heinz put in and there was water backed up. Rick Przytarski stated by the zoning ordinance he would need to have parking put in. Council agreed to let him put in a culvert, with a 12" minimum, though he will need to dig the ditch down further.

Planning & Zoning Committee requested Tom Carlsons fine to be \$100. Since Mr. Carlson followed the instructions on the Stop Work order and came to the committee meeting to discuss with the members. Rick Przytarski made a motion to fine Mr. Carlson \$100 for not pulling a building permit, seconded by Dave Johannes. Motion passed.

Charter Communication has filed Chapter 11. The resolution was given to the attorney to read, and his bill will come out of the Franchise Funds. Mr. Sonneman requested the City approve of the resolution giving Charter the consent to restructure. Dave Johannes made a motion to pass Resolution No. 2009-May-12, with a second from Rick Przytarski. Motion passed.

Les McElmury requested to cut the trees down on Outlot A to be used as firewood. This would be in anticipation of the water project. Council would table this until the water project goes through, it was also suggested Chad would cut the trees and Mr. McElmury could have the wood as there could be a liability issue.

G.O. Bond interest rate will be tabled until the June 9th meeting.

Cheryl Beeman requested to look into a compost site, the City use to have one along Co. Rd. 23, but had to be closed since residents abused the site. The site would need to be monitored, fenced in and only for Stockton residents. Chad Larson stated we do need one, but a bigger one than previously. Cheryl Beeman will research the project for the next council meeting.

Mayor Parker read the letter that was emailed to pertinent people. In the letter it discussed concerns regarding the legality and perceived deceptiveness made by the procurement of a the snowplow that was discussed at the last council meeting. It also discussed expected open communications between C

Council, employees and the public. Cheryl Beeman was offended by the letter and felt she was singled out, Mayor Parker responded that if she had been approached then introduce it at a council meeting. Rick Przytarski commented that the bobcat, lawn mower and tractor were all purchased the same way, and he does not agree with Chris Parker's letter. Cheryl Beeman stated she is not addressed in some issues but this circumstance she was and did not like how the voting was done. Mayor Parker says it fueled rumors that the Council was doing things illegally when it wasn't, he apologized to Mrs. Beeman about the letter.

Renewal of the:

Stockton Valley Saloon – on-sale, off-sale and liquor license

L&S Grab n Go – off-sale 3.2 license

Jack & Joanie's Café – on-sale 3.2 license

Rick Przytarski made a motion to renew the liquor licenses for these areas, pending insurance, with a second from Cheryl Beeman. Motion passed.

Liz Lassen asked about getting dumpsters for Stockton Clean up day. Leasah Lilla stated a lot of towns do this in the springtime, there would only be one day. Leasah Lilla will look into garbage dumps for the next council meeting. Subject tabled.

Chad's Business:

1. Generator – Dave Johannes will go to the Lewiston Council meeting tomorrow night.
2. Reflective signage – Chad has a list of all signs in town, this does not include and State or County signs. Clerk Winchester will type up the list for Winona County.
3. Dave Johannes asked why the can cage was up against the building. Chad stated it is costing more to haul them for scrap since aluminum is low right now.

Green Space Committee will be canceled on May 19th, the website meeting will take place instead at 5:30 P.M.

Dave McCorquodale of the Country Valley Mobile Home park asked why he was dropped from the water project. This project was Phase III of the water project but since Mr. McCorquodale had to pay \$300,000 to get the line to his property he did not want to be forced in hooking up. Bill Trygstad contacted the SEMMHRA on finding funding for the project, but there isn't any available, he also stated this would need to be a separate project. If the mobile home owners do not want to be hooked up to water, why should the City run a line out to him if the City had to pay for it. Mr. McCorquodale talked about putting Section 8 housing out there, and he did not want it at the time it was discussed because he would need to pay for it, but since the grant is covering the cost of the project, he would want to hook up. Bill Trygstad will contact SEMMCHRA about funding a water project out to his property line, and Clerk Winchester will discuss it with our legislative contacts to see about stimulus money. Sewer and Water committee will need to discuss this further.

Nancy Beach asked about the dirt on the ball field parking lot, since Potter is being paid to dispose of it, it is up to Mr. Potter about where to put it. There is dirt behind the ball fields, but that is on private property and residents would need to contact Ken Oevering to get some. Since the MPCA wanted the dirt tested on the ball field parking lot, the City did not give any of it out.

Lisa Gibbs made a motion to close the Stockton Council meeting, with a second by Rick Przytarski. Motion passed, meeting adjourned at 9:50 P.M.