

On Tuesday, September 13, 2011, at the Stockton City Hall, Mayor Chris Parker opened the Public Hearing for a variance request for Pete Bambenek at 8470 N. Broadway.

The request is for a 17-foot variance from the side lot line that is on a corner lot. Mr. Bambenek would like to build a 32'x24' garage behind his primary home, with the side lot line being 8-feet off the property line. Bill Huber stated the garage drawing must be signed by an architect stating it is certified to be flood proofed by the state building code.

Discussion was held on the garage being in line with the house; Mr. Bambenek stated he only has 32-feet to work with since the rest of the property is in floodway. The garage would not be attached to the house, but off the deck in the backyard. Mr. Bambenek is building a new commercial garage in Rollingstone, and since he has a few months before he can begin working there he would like to work out of this garage. The concrete slab has already been set, which has been inspected by the City Building Inspector, Greg Olson.

Dave Johannes would like to see the garage in line with the home, and fit it in the constraints of the 32-feet. However, Mr. Bambenek would still need to ask for a variance because of the side lot restrictions.

Mayor Parker asked for a second time on opinions.

Mayor Parker asked a third and final time.

Dave Johannes made a motion to close the public hearing, with a second from Lisa Gibbs. Motion passed, public hearing adjourned at 7:14 P.M.

On Tuesday, September 13, 2011, at the Stockton City Hall, Mayor Parker called to order the Stockton City Council meeting at 7:14 P.M. Council members in attendance were Chad Wangen, Lisa Gibbs, Dave Johannes and Doug Seberg.

The Pledge of Allegiance was said.

Jack Roberts requested to add to the agenda, under new business the vandalism on C Street. Dave Johannes made a motion to accept the agenda with the addition, motion seconded by Chad Wangen. Motion passed.

Corrections to the minutes are as follows:

Page 1, paragraph 7, should state: Public is more concerned with the Council hiring a police officer than against the ordinance.

Page 3, paragraph 2, should state: there are three people that brought on the problem and the Council should not use taxpayer money. Dave Johannes made a motion to accept the August 2011 minutes with corrections, motion seconded by Chris Parker. Motion passed.

A bill from DPC under the under sewer account for \$1156 for a pump fail on lift station #4 should be added. Sewer residents have been given a letter about the wipes in the last sewer bill. Reed's Tree Service removed a tree on Old Co. Rd. and 9th Street, Alliant Energy initially topped the tree. Chris Parker made a motion to accept the financial report with the sewer bill addition, motion seconded by Dave Johannes. Motion passed.

Old Business:

Water project: Heselton, Bill Trygstad had nothing new to report, Heselton did not have their paper work finished. The cost to fix the main break was \$3180, and the manufacturer has stated they would like to take the pipe and get it tested. Every piece is tested before it leaves the manufacturer, the pipe could have been damaged afterwards, or it could have been done by water hammering. Council would like the manufacturer to test the pipe and send the City the results, without cost to the City. Heselton has not paid the curb stop bill to the city either.

Wapasha: Bill Trygstad stated the bio-retaining wall is finished; the grass is growing, but not thick enough. The rip rap on the side of tank was laid out to 50-feet, and they did come back yesterday to put in the initial 70-feet. Wm. Wehlage stated the rip-rap rock isn't large enough; the rock is just laying on the ground and not dug into the side. Wapasha feels they are done with their extra work, and Mr. Trygstad stated they have fulfilled what was discussed for the change orders.

Change Order #5 – rip rap 70-feet uphill of reservoir at \$3922

Change Order #6 – construct bio-wall above reservoir at \$38367

Change Order #7 – paperwork item, adjusting the quantities at \$181.87

Pay estimate # 8 = \$ 48,511.59 includes four change orders.

Council requested seeing the 3-year bond in the amount of \$50,000 and City will hold payment until the bond is settled. Chris Parker made a motion to hold payment on estimate #8 until Wapasha provides the 3-year at \$50,000, motion seconded by Dave Johannes. Motion passed unanimously.

Drain Trench: Wapasha proposed \$21,130 to place the trench in. Water flows down the middle of the street from the top, and doesn't make it around the corner of 9th Street. Discussion held on whether Wapasha needed to do the job, but the grant only holds one contractor. Discussed placing in speed bumps to deter the water, but would have problem with snow plowing. Council agreed to table and examine next spring after the winter thaw.

Water got behind the coating on the reservoir as there is some dampness there. Bill Trygstad will evaluate what the problem is and find out the solution.

Sand points: There are 7 residents that will have their water meters replaced; PMG is doing the replacing of the meters. Flawed meters will be sent back for testing, if they are faulty, Clerk will request payment to replace homeowner meters and get meter replacements.

2007 Flood Bonding: Bill Trygstad sent a letter to Winona mechanical, requested a pre-construction meeting soon.

North Broadway Bridge: Mayor Parker read through the punch list. Jim Erickson, Erickson engineering, stated the punch list has been sent to Minnowa, will get back to Council when it will get corrected

East Ninth Street ditches: Bill Trygstad had a drawing of Ninth Street for the clean out. Option A would take out 180-yards of fill and go from east neighbor's culvert to about $\frac{3}{4}$ of the way west. Option B would take out 450-yards, and go from both neighbor's culverts, which would put it back to original way as drawn for Potter's Subdivision. Dave Johannes made a motion to get a quote for Option A, with Neil Hjemeland paying for the culvert and to blacktop his own driveway, Chris Parker seconded the motion. Mr. Hjemeland may get the culvert from the Flood Bonding project on North Broadway, since the City is taking out two previous set culverts. Dave Johannes amended the motion to get a cost estimate of Option A first, and then discuss what the owner's cost would be. Motion seconded by Chris Parker. Motion passed unanimously.

Al Mueller embankment: Jack Roberts did receive a letter from Soil and Water conservation, their engineer took a look at the property and no further work would need to be done, since fill has already been laid after the 2007 flood. Watershed District would still be willing to pay \$4500 of the \$24,608 cost estimate. City will need to wait until FEMA releases the money they are still holding.

New Business:

Bambenek Variance: Public Hearing was conducted earlier this evening for a 17-foot variance from the side lot line of 25-feet. Chris Parker made a motion to have the garage redrawn to line up with the primary building, be under 500-square feet, have the building plan signed by architect for flood proofing based upon the state building code, and must not exceed the 25-feet from the rear lot line, and have the Planning & Zoning Committee approve of the building permit based upon these contingencies. Motion seconded by Doug Seberg. Chad Wangen voted aye, Lisa Gibbs opposed and Dave Johannes abstained from the vote. Motion passed 3-2.

Vandalism on C Street: Jack Roberts stated that when the City licenses a business, it gives the Council time to review their behavior. Since the new renter, Ingred, moved in next door there has been "no trespassing" signs ripped off, broken bottles, beer thrown at her door and over her car, urinating outside, and throwing patio furniture around. Ms. Wyneid stated she has talked with the saloon owner and will be talking to him again tomorrow about the problems that are ongoing. Council requested the Clerk write the business owner a letter to clean up the surrounding properties and the issues related to the complaints. Council also requested the property owners to call the Sheriff's department and report the vandalism so it's on record.

2012 Budget: Council would like an inventory list of equipment, with the date of purchase and amount before next council meeting. Also need to add depreciation to the expense listing. Lisa Gibbs made a motion to set the budget at \$130,567, with a second from Doug Seberg. Motion passed.

Sewer/Water Committee: Mike Wadewitz stated that Minnowa widened their area for storage of dirt, so they took out more corn than was first planned. Mr. Wadewitz is requesting the City give Dave Wadewitz four-year's lease to the land he's leasing from the City. Discussion was held on the corn planted in the City's street right-of-way. Mayor Parker would like to see the written numbers of what was lost to show Minnowa what they owe.

Planning/Zoning Committee:

Gerri Jilk is requesting to tap into the sewer main for the house at 8140 W. 8th Street. Chris Parker made a motion to approve of hooking the house up to City sewer and waiving the SAC, with a second from Doug Seberg. All ayes.

Paul Ziebell, has built a new garage behind his house, Clerk was asked to verify that it is new, send a letter to the owner and send the building inspector to the home.

Chad's Business: Chad is on vacation, but did give Beth his information on the sewer repairs along Highway 14. Veit came up with a cost of \$43.00 per linear foot so about \$16,770 and Visu Sewer was about \$40-50 per liner foot, so about \$15,600 - \$19,500 but they will only do the work if there is other work in the area. Council would like to have Bill Trygstad run through the video of that area to see if it all has to be done.

Dave Johannes made a motion to close the Stockton City Council meeting, with a second from Doug Seberg. Motion passed meeting adjourned at 9:42 P.M.