

**Special City Council Meeting Minutes
November 8, 2004
6:30PM**

I. CALL TO ORDER

Scott Keigley called the meeting to order at 6:30PM

II. ROLL CALL

Present: Scott Keigley, Joy Bertsinger, Kevin McDermott, Clerk Nymann, Rep. Randy Demmer, Sen. Dave Senjem, Bill Tointon, Dan Fitzpatrick

Absent: Dick Nelson

III. PUBLIC HEARING ~ RIVERWOOD HILLS IV FINAL PLAT

Clerk Nymann reported that the GIS Division of Olmsted County is suggesting roadway name changes for Ryan LN and Connor LN. Also discussed were the City Engineers concerns of wear course (3" vs. 3½") and 3:1 vs 4:1 slope of ditches.

Nelson arrived at 6:45PM

City Engineer Steve Voigt arrived at 6:45PM

Steve Voigt brought up the 4:1 Slope as being nicer and safer, and that the 3" paving is a deviation from the paving project the City has just completed. Residents of the area stated that they have no concerns or issues with the 3:1 slopes; and it was explained that the City went for 3½" overlay on it's street paving project because they weren't sure what was under every roadway in town that was paved. Fitzpatrick stated that there is plenty of aggregate under the roads. Bertsinger stated that this is an issue that could be looked at before the next development. Tointon will send results of borings to Voigt. The Public Hearing was closed at 7PM Final plat deferred to meeting on 11/15/04.

IV. CANVASS ELECTION

Keigley read the official results from the County Elections Dept. with the results

being: <u>Mayor:</u>	Joy Bertsinger	284 Votes
(2 year term)	Dick Nelson	273 Votes

<u>Council:</u>	Kevin McDermott	480 Votes
(2 year term)		

<u>Council:</u>	Thomas Novak	284 Votes
(4 year term)	Jackie Hall	305 Votes
	Dennis Blanck, Jr.	244 Votes

Voter turnout was 98.5%. The winners have been declared as following:

Mayor: Joy Bertsinger,

Council: Kevin McDermott, Thomas Novak and Jackie Hall

V. HIGHWAY 52

Rep. Randy Demmer and Sen. Dave Senjem were present to discuss the west frontage road. Bertsinger, Keigley and Clerk Nymann attended the meeting at MnDOT on Friday, November 5th. Clerk Nymann provided a written recap of that meetings discussion (attached to these minutes). Nelson asked how much federal money was involved, and Senjem indicated that about 80% of the project ; and Nelson asked if the City should get the federal government involved. It was indicated that the time was too short for that. The summary from the MnDOT meeting was that MnDOT said they are not required to put the frontage road in where it was initially indicated. It was stated that if the city accepted Olmsted Countys' offer (city annex land for the road, county would sell bonds for it, and the city would pay them back), taxes would have to be raised to pay for the cost; \$450,000 is a lot of money for a small town. The worst case scenario is that if the city did not give municipal consent, the projects money would be sent toward other projects in the state. The interchange will take place, because the County is sharing cost on that. This cost is twice the City's annual budget, and the city just can't afford it. Other items of discussion would be that MnDOT will not improve roads that the frontage road would go on (3rd Ave SW and 12th St SW). Otto Reiss was disappointed that MnDOT was low-balling appraisals on the homes being taken by MnDOT. This topic is being deferred to Monday nights meeting on 11/15/04.

VI. ORDERLY ANNEXATION AGREEMENT WITH TOWNSHIP

With regards to the Highway 52 project, township will not stand in the City's way to put in the frontage road where it belongs. The orderly annexation agreement was viewed at OPAQ and at the regular Town Board meeting. Issues regarding the orderly annexation agreement were roads and costs. After discussion, it was determined to have the orderly annexation agreement state the following: About 3rd Ave. SW, the City will maintain and improve this road 100%, with the Township retaining ½ ownership until land is annexed on both sides of 3rd Ave.; 12th St SW maintenance will be shared 50/50 and improvements will 100% of the City's responsibility; the agreement will be for a period of 5 years; the agreement will state that Township can have free rent of the Community Center for up to 36 meetings per year, plus elections – and the fee would be based on the current rental rate; the City will pay \$150 per acre to Township on acreage annexed and the developed land percentage would be on an annual declining scale over 5 years (as stated on in 8. b. of the agreement). It has already been agreed that Township and City will utilize the expertise of Attorney Canan to draw up the final agreement. A meeting needs to be set with him with the above terms added to the agreement. Township reps will be Richard Lyke, Mark Thein and Clerk Judy Haglund, and City reps will be Kevin McDermott, Joy Bertsinger and Clerk Cheryl Nymann. Dates offered to Canan will be Thur., Nov. 18th @ 7PM and Thur. Dec. 2nd @ 8PM. Clerk Nymann will contact Canan and get back to Judy with the dates.

VII. TOWN HALL

Need to publish that it is for sale. The land is public square. Could also advertise on E-Bay, and has to be advertised in the City's official newspaper (the News Record). It was determined to accept sealed bids for the old town hall until December 20th. Bertsinger will talk to Mrs. Melton about the advertisement of the Town Hall advertising.

VII. ADDITIONAL SIGNATORY

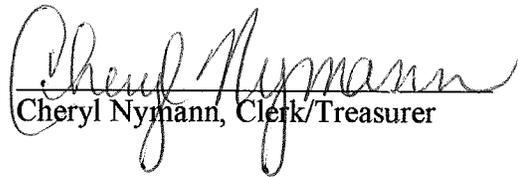
Clerk Nymann indicated that now there are only 2 signatory's on City's 4M account, and there should really be 3. **Keigley motioned to have Bertsinger as the 3rd signatory on the 4M account, McDermott second; all in favor, motion carried.**

VIII. ADJOURNMENT

McDermott motioned to adjourn at 9:15PM, Nelson second; all in favor, motion carried.

Respectfully Submitted:

Scott Keigley, Acting Mayor


Cheryl Nymann, Clerk/Treasurer