

Special City Council Meeting Minutes

August 4th, 2004, 7:00 PM

I. CALL TO ORDER

Mayor Jason Ottman called the meeting to order at 7:05PM.

II. ROLL CALL

Present: Jason Ottman, Joy Bertsinger, Kevin McDermott, Dick Nelson, Clerk Nymann

Absent: Scott Keigley

III. DAN FITZPATRICK DEVELOPMENTS

Dan Fitzpatrick and Bill Tointon were present to discuss Dan's Developments. Items of discussion were:

Street Lights

Rick Wellik is proposing a different type of street light which are more directional and not so spread out, McDermott will ask Rick about it.

Frontage Road Going Down 3rd Avenue??

Dan heard that the Hwy 52 project was going to put the frontage road down 3rd Avenue SW. There is a sight distance problem with the small hill on that road. And Dan was working on this problem with the County. But, the Council said that they don't want the frontage road to run through there, and will take that concern to the MnDOT.

Streets

Phase II has wear course on roads. Phase I roads. The culvert was injured during installation and Dan has been taking measurements for the past 5 years and it hasn't changed any. Council suggested if the City takes over these roads, then there should be a warranty period. It was agreed that the time of the warranty will be for 5 years from when the road is taken over by the City.

Pond

Concerned with the one behind Tom Novak's place. It is an existing agricultural detention pond. It was suggested to have aeriated, or keeping a buffer of high vegetation around it. Questioned who was liable? The landowners jointly own it, and they need to get together to discuss what to do. The City does not have the right to do anything with it.

Zumbro Hills Hydrant

Zumbro Hills hydrant was buried under sand and dirt, but it is now cleared out and water has been rechanneled.

3rd St SE Sign Missing

The sign for this showed up missing over the weekend. Clerk Nymann will look into it, and call Steve Heich @PNG.

8-04-04

Riverwood Hills IV

Steve Voigt has a concern that in Lots 5-9 house pads will be up by the road. The lots are conventional size and larger than Riverwood Hills I, with Lots 10, 11, and 15 with additional drainage easements. There will be a new copy with the drainage easements sent to Steve Voigt. Council requested to set aside a time to go out to the development with Dan to see how everything will be connected (mainly the Parks).

The EAW will hit the threshold over the next development.

The Orderly Annexation Agreement is still being worked on. Township hired an outside attorney also. Dan & Bill wanted to know what the time line is on RWH IV. The moratorium ended May 9th. The special meeting with Dan was cancelled because neither he or Bill attended; September 9th will be the 120 day point.

Could do both annexation and preliminary plat at the same time. If township is on board, then it will be smoother, need to get their approval and city engineer needs to get everything done too. Council stated that at their next regular meeting that they could approve the annexation and preliminary plat on the condition that the project cannot be started until the city Engineer signs off on the construction plan. Clerk Nymann will have the paperwork ready to go by September 7th.

Fees

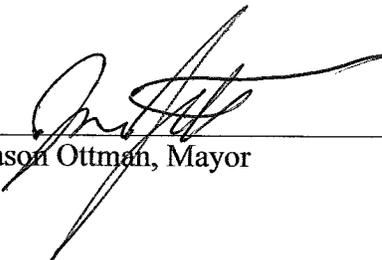
Discussion about squaring everything up, so its consistent. The development agreements that have already been executed were based on acres, and they want a per lot fees basing. Discussed if the connection fee was being waived, then a credit should be going back to the homeowners. Dan suggested amending the development agreement to waive the time line for reimbursement and make WAC & SAC fees even. If so, Whittington Acres would need to be changed also.

Engineering fees have always been paid by the developer (SEH); County has a set fee. Some Cities have a set fee and the City Engineer has to work within that amount. Also suggested was setting a cap with SEE and the engineer would have to notify the City if it will exceed those fees. Bill Tointon will rework the fees for WAC & SAC and make changes in the development agreements; and bring back for Council approval.

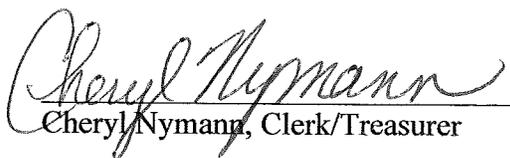
IV. ADJOURNMENT

Bertsinger motioned to adjourn at 9:00PM , Ottman second; all in favor, motion carried.

Respectfully Submitted:



Jason Ottman, Mayor



Cheryl Nymann, Clerk/Treasurer