

**City of Cologne
August 18, 2014**

Pursuant to due call and notice thereof, a regularly scheduled council meeting was held on Monday, August 18, 2014 at the Cologne Community Center. Mayor Matt Lein, called the meeting to order at 7:00 p.m. Councilmembers Don Meyer, Scott Williams, and Jeff McInnis were present. Councilmember Kyle Evenski was absent. City Administrator John Hendel, Deputy Clerk Sue Mueller, City Attorney Larry Harris, and City Planner Dean Johnson were present.

ADOPT AGENDA

Motion McInnis, seconded by Williams to adopt the agenda. Motion passed unanimously.

ADOPT CONSENT AGENDA

- a) July 21, 2014 Council Meeting Minutes
- b) July 28, 2014 - August 18, 2014 Expenditure
- c) July 29, 2014 - August 12, 2014 Payroll

Motion by Meyer, seconded by McInnis to adopt the consent agenda. Motion passed unanimously.

VISITORS PRESENTATIONS, PETITION AND CORRESPONDENCE

a) **Cologne Academy Building Corporation**

Lynn Gluck Peterson, Cologne Academy Executive Director, Ben Johnson of Barnes & Thornberg, bond counsel for the Cologne Academy explained the conduit bonding process that will enable the Cologne Academy Building Corporation to purchase loan funds at a lower rate for the Cologne Academy's expansion project. Cologne Academy Building Corporation will then lease the facility to Cologne Academy.

Lynn Gluck Peterson, reviewed documents detailing projections of enrollment at the Cologne Academy. Enrollment in 2009 was 128 student and is projected to be 498 in 2015. Ms. Peterson reported the Cologne Community Center gym is inadequate to meet the needs of the expected increase in students, and at times there have been scheduling conflicts with other activities scheduled at the Community Center.

COUNCIL BUSINESS

a) **Resolution No. 14-13 Public Hearing - Charter School Revenue Bonds**

City Administrator John Hendel submitted Resolution No. 14-13 calling for a Public Hearing on the issuance of Charter School Revenue Bonds and authorizing the Publication of a Notice of Hearing (Cologne Academy Project).

Motion by McInnis, seconded by Meyer to approve Resolution No. 14-13 Calling for a Public Hearing on the Issuance of Charter School Revenue Bonds and Authorizing the Publication of a Notice of Hearing (Cologne Academy Project). Motion passed unanimously.

b) Private Activity Tax-Exempt Financing Policy

City Administrator John Hendel presented a Private Activity Tax-Exempt Financing Policy drafted by Springsted, Inc. City Attorney Larry Harris recommended the following revisions to the original draft:

Part III Miscellaneous Matters

- Paragraph #1 be stricken
- Paragraph #4 eliminate – the financing needed for the Cologne portion is small as compared to the total multi-jurisdictional project and the financed portion located with the City of Cologne is not more than \$5,000,00 or where the development provides community services to the vicinity including Cologne.

Motion by McInnis, seconded by Meyer to approve the Private Activity Tax Exempt Financing Policy with revisions. Motion passed unanimously.

c) Land Purchase Agreements – PBE

City Administrator John Hendel presented an Agreement of Sale and Purchase for the land swap between Hans Hagen Homes and the City of Cologne. City Attorney Larry Harris and City Planner Dean Johnson reviewed the agreement and recommended changes.

City Planner Dean Johnson reported the City of Cologne and the Cologne Academy should develop an agreement for the use of the parking lots as a potential conflict of use of the parking lots could occur if an agreement is not completed.

City Attorney Larry Harris reported that if the bond funding does not go through Partnership for a Better Education will no longer be involved with the Cologne Academy at bond closing, because the Cologne Academy Building Corporation will own the land. Attorney Harris expressed that a developer's agreement should be signed. Harris stated the developer's agreement provides financial security to the city in the event the bonding does not happen. Hans Hagen, Partnership for a Better Education disagreed and stated the developer's agreement can wait.

Councilmember Scott Williams stated the City of Cologne has bills the City paid for when the initial project the Cologne Academy was planning was to build a Kindergarten and he would like to see the City get reimbursed for those expenses.

Motion by Williams, seconded by McInnis to table the Land Purchase Agreement until a finalized version can be presented. Motion passed unanimously.

d) Ponds on Benton Creek Estates Additions

Motion by Meyer seconded by Williams to table the Ponds on Benton Creek Estates Additions discussion. Motion passed unanimously.

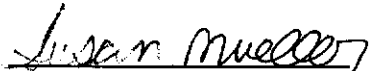
BOARD REPORTS

ANNOUNCEMENTS

ADJOURN MEETING

Motion by Meyer, seconded by McClinnis to adjourn the meeting. Motion passed unanimously.

Respectfully submitted,



Susan Mueller, Deputy Clerk

ATTEST:



Matt Lein, Mayor