

City of Cologne
September 15, 2014

Pursuant to due call and notice thereof, a regularly scheduled council meeting was held on Monday, September 15, 2014 at the Cologne Community Center. Mayor Matt Lein, called the meeting to order at 7:00 p.m. Councilmembers Scott Williams, Kyle Evenski, Don Meyer and Jeff McInnis were present. City Administrator John Hendel, Deputy Clerk Sue Mueller, City Attorney Larry Harris, City Planner Dean Johnson and City Engineer Kreg Schmidt were present.

ADOPT AGENDA

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

PUBLIC HEARING

- a) Charter School Revenue Bonds
- b) Utility Easement Vacation

Motion by Evenski, seconded by McInnis to open the Public Hearings for the Charter School Revenue Bonds and the Utility Easement Vacation concurrently at 7:00 p.m. Motion passed unanimously.

There were no residents in attendance or comments from the public.

Motion by Meyer, seconded by Evenski to close the Public Hearings for the Charter School Revenue Bonds and the Utility Easement Vacation at 7:37 p.m. Motion passed unanimously.

ADOPT CONSENT AGENDA

- a) Sept 2, 2014 Council Meeting Minutes
- b) August 26, 2014 – September 2, 2014 Expenditure
- c) August 23, 2014 – September 2, 2014 Payroll
- d) Res. No. 14-15 2015 Preliminary Tax Levy
- e) Res. No. 14-16 2014 Seasonal Work force

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

VISITORS PRESENTATIONS, PETITION AND CORRESPONDENCE

COUNCIL BUSINESS

- a) **Dedication Plaque: Bernard Shambour**
City Administrator John Hendel, Public Works Director Jeff Wildung and Public Works Employee Damon Klein presented a plaque to former employee Bernie Shambour for

38 years of employment with the City of Cologne. Mayor Matt Lein thanked Bernie for his dedication to the City of Cologne.

b) Agreement of Sale and Purchase (Outlot B)

Attorney Harris recommended a contingency if Piper Jaffray does not deliver on the bond purchase agreement, the city would not have to move forward. Hans Hagan stated that PBE would build if the bonding does not get completed. He further said there should be no problem with the completion of the bonding but would proceed in building in phases if the bonding did not go through. Hans Hagan explained the Cologne Academy needs to expand as the growth in the number of students projected to enroll requires the building expand to fit the needs of the school.

Representatives from the Cologne Academy, Cologne Academy Building Company, Hans Hagan and financial representatives were in attendance and explained why the project needs to proceed.

Craig Kepler, the legal counsel for the Cologne Academy, said he was confident the sale would go through.

Motion by Meyer, seconded by Evenski to approve the revised Agreement of Sale and Purchase (Outlot B). Motion passed unanimously.

c) Agreement of Sale and Purchase (City Parcel)

Attorney Harris recommended approval of the Agreement. After discussion with Hans Hagen, the Council approved the Agreement with the removal of, ix. Bond Purchase Agreement contingency.

Motion by Evenski, seconded by McInnis to approve the revised Agreement of Sale and Purchase (City Parcel). Motion passed unanimously.

d) First Amendment to Easement Agreement

Attorney Harris recommended approval of the First Amendment to Easement Agreement subject to Attorney Harris and City Administrator John Hendel's authority to fill in the areas left blank, the percentages and negotiation needed to be completed for City Lot South and City Lot East Maintenance.

Motion by McInnis seconded by Meyer to approve the First Amendment to Easement Agreement contingent upon Attorney Larry Harris and City Administrators authority to modify the First Amendment to Easement. Motion passed unanimously.

e) Res. No. 14-17 Vacation of Easement

Resolution 14-17 Vacating Certain Platted Drainage and Utility Easements Within the Village at Cologne Second Addition, The Village at Cologne Sixth Addition, The Village at Cologne Tenth Addition and the Village at Cologne Twelfth Addition revised.

City Engineer Kreg Schmidt reported the following issues:

- 1) The proposed improvements appear to encroach on existing easements in place for various issues. In addition, it is his understanding that numerous existing easements are proposed to be vacated and replaced with new/revised easements.
- 2) All final easements must be clearly shown on the final plat and construction plans.
- 3) An adjustment in the School site ERU's is appropriate due to the proposed improvements.
- 4) It is Bolton and Menk's opinion the expansion of the school will require the access road lying west of Village Market Drive to be increased to 38-feet from back of curb to back of curb. This width will allow for one 12-foot drive lane to remain open in each direction while a 10-foot "shoulder" are is utilized along the north side of the roadway for westbound vehicles queuing to enter the site for student drop off or pick up. We review this improvement as one of health, safety and welfare for those in and around the site.

City Administrator John Hendel agreed with Kreg Schmidt's assessment of the road on Village Market Drive, and recommended the road be increased to 38-feet for the safety of students and people, groups using the Cologne Community Center.

City Administrator John Hendel reported that for long term planning now is the time to address the issue before it becomes an issue. Councilmember Jeff McInnis asked if a fire truck can currently get through with the road as it currently is. Administrator Hendel reported not during the drop-off/pick-up times and during times when events are scheduled at the Cologne Community Center and at Cologne Academy.

Motion by McInnis seconded by Meyer to approve Resolution No. 14-17 Vacation of Easement Motion passed unanimously.

f) Res. No. 14-18 Approving Resolution – Village at Cologne 16th Addition

City Attorney Larry Harris recommended approval of Resolution No. 14-18 Approving the Village at Cologne 16th Addition. Following comments from the City Engineer, Council decided to eliminate the watermain extension and looping plan.

Motion by McInnis seconded by Meyer to approve the revised Resolution No. 14-18-Village at Cologne 16th Addition. Motion passed unanimously.

g) Developers Agreement

Motion by Meyer seconded by McInnis to approve the Developers Agreement. Motion passed unanimously.

h) Res. No. 14-19 Authorizing Issue and Sale of Bonds

City Attorney Larry Harris recommended approval of Resolution No. 14-19 Authorizing Issuance and Sale of Bonds subject to City Administrator John Hendel and City Attorney Larry Harris review. Approval is contingent upon:

- The issuance and sale of the Bonds, the execution and delivery by the City of the Bond Documents and the performance of all covenants and agreements of the City contained in the Bond Documents and of all other acts and things required under the constitution and laws of the State of Minnesota to make the Bond documents and the Bonds valid and binding obligations of the City in accordance with their terms, are authorized to Act;

Motion by Meyer seconded by Evenski to approve Resolution No. 14-19 Authorizing Issuance and Sale of Bonds contingent upon the recommended revision. Motion passed unanimously.

i) City Land (West and East of Hwy 284) – Plan for future use

City Administrator John Hendel reported the city is the owner of a strip of land on the west and east side of Hwy 284 in which there is a rail spur sitting on it. City staff is requesting if the City Council would like to proceed in options available to use the property for future use. No action was taken at this time.

j) Fire Department /Louis Hall roof replacement

City Administrator John Hendel reported the roof at the Fire Department is in need maintenance/replacement. The townships would share the cost of replacing the roof. The low bid received from Vos Constructions was \$45,969.00. The cities portion would be 31.66% or \$14,553.79

Motion by Meyer seconded by Williams to approve the replacement of the Louis Hall roof. Motion passed unanimously.

BOARD REPORTS

- a) Staff Workshop – Late September
- b) Preconstruction Meeting CSAH 36 Watermain Loop – Wednesday, September 24th, 1:00 pm.

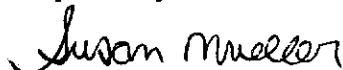
ANNOUNCEMENTS

Standard and Poor Rating -City Administrator John Hendel reported the City of Cologne received an increase in their bond rating to AA-

ADJOURN MEETING

Motion by McInnis, seconded by Evenski to adjourn the meeting. Motion passed unanimously.

Respectfully submitted,



Susan Mueller, Deputy Clerk

ATTEST:



Matt Lein, Mayor