City Council Meeting Agenda

Monday, August 6, 2018 - 7:00 PM
Cologne Community Center, 1211 Village Parkway

Vision Statement

The City of Cologne is a vibrant small town that respects its heritage, embraces its future and offers a high quality of life for all who live, work and visit our community.

Mayor:	Matt Lein
Councilmember:	Sarah Bruss
Councilmember:	Kyle Evenski
Councilmember:	Carol Szaroletta
Councilmember:	Jessica Spates

NOTE: AGENDA ITEMS ARE APPROXIMATE AND SUBJECT TO CHANGE ACCORDING TO LENGTH OF DISCUSSION. TO ENSURE THAT YOU ARE PRESENT FOR ITEMS OF INTEREST, PLEASE ARRIVE AT 7:00 PM.

1. **CALL MEETING TO ORDER & ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **ADOPT AGENDA**
4. **VISITOR'S PRESENTATIONS, PETITIONS, CORRESPONDENCE**
   a. **Representative Jim Nash**
5. **ADOPT CONSENT AGENDA**
   Items listed below are considered routine and non-controversial by the Council. There will be no separate discussion of these items unless requested by a Councilmember, Staff or Citizen. If removed, the item will be discussed at the end of the regular agenda.

   a. **July 16, 2018 Minutes**
   b. **August 6, 2018 Check Summary Register - TBP**

c. **July 24, 2018 Payroll**
d. **Resolution 18-12 Accepting Donations**
e. **Water Treatment Facility Pay App 21**
f. **Water Treatment Facility and Water Tower Real Property Declarations**

6. **COUNCIL BUSINESS**
   a. **Resolution 18-14 Determining Necessity to Issue Equipment Certificates**
   b. **Resolution 18-14 Approving City Clerk Hire**
   c. **City Landscape Discussion**

7. **BOARD REPORT**

8. **ANNOUNCEMENTS**

9. **ITEMS REMOVED FROM THE CONSENT AGENDA**

10. **ADJOURN**

<u>CALENDAR OF EVENTS/MEETINGS</u>

August 17-18		Fire Department Drive-in
August 20	Monday	7:00PM City Council Meeting
September 3	Monday	Labor Day - Offices Closed

City of Cologne City Council
Meeting Minutes
Monday, July 16, 2018 - 7:00 PM
Cologne Community Center, 1211 Village Parkway

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1. CALL MEETING TO ORDER & ROLL CALL

Mayor Matt Lein called the meeting to order at 7:00 p.m. Council members Evenski, Szaroletta, Bruss, and Spates were present. Also Present: City Administrator Jesse Dickson, Fire Chief Nick Joos, and Assistant Chief Chad Vos.

2. PLEDGE OF ALLEGIANCE
3. ADOPT AGENDA

MOTION BY COUNCIL MEMBER EVENSKI TO ADOPT THE AGENDA. SECONDED BY COUNCIL MEMBER SZAROLETTA. MOTION CARRIED UNANIMOUSLY.

4. VISITOR'S PRESENTATIONS, PETITIONS, CORRESPONDENCE
5. ADOPT CONSENT AGENDA

    a. June 18, 2018 Minutes
    b. July 2 & July 16, 2018 Check Summary Registers
    c. June 26 & July 10, 2018 Payrolls
    d. St. Bernard Church Gambling Application 10-6-18
    e. St. Bernard Church Temp Liquor License 10-6-18
    f. Water Treatment Facility Pay App #20
    g. Resolution 18-11 Approving Election Judges

MOTION BY COUNCIL MEMBER SZAROLETTA TO ADOPT THE CONSENT AGENDA. SECONDED BY COUNCIL MEMBER BRUSS. MOTION CARRIED UNANIMOUSLY.

6. COUNCIL BUSINESS
    a. Fire Department New Hires Helmet Presentations

Assistant Chief Vos appeared before the City Council to introduce the new members of the Fire Department: Gary Meyers, Adam Lemieux, Mitch Wickenhauser, Russ Storms. They will starting classes in the next couple weeks, which will be extensive in the first few months. Chief Joos explained that the Fire 1001 class is about 160 hours and the training takes place within the community and within some nearby communities. Medical training follows, with an encouragement to join the EMT classes. Driving and pumping classes take place as well and consist of roughly two years of training.

    b. Doug Green, Springsted Equipment Certificates

Doug Green, Springsted Inc, appeared to present options for equipment certificates for the City's upcoming CIP purchases.
Mayor Lein suggested soliciting Klein and Security banks to compare their rates against the larger Bremer and US Banks. Mr. Green suggested bringing back rates to the next meeting before passing an approving parameters resolution.

7. BOARD REPORT
    a. June Sheriff's Report
    b. Quarter 2 Sheriff's Report
8. ANNOUNCEMENTS

9. ITEMS REMOVED FROM THE CONSENT AGENDA
10. ADJOURN

MOTION BY COUNCIL MEMBER EVENSKI TO ADJOURN THE MEETING AT 7:52. SECONDED BY COUNCIL MEMBER SZAROLETTA. MOTION CARRIED UNANIMOUSLY.

CITY OF COLOGNE

*Check Summary Register©

August 2018

	Name	Check Date	Check Amt	
10100 Checking				
Paid Chk# 023271	AFLAC	8/6/2018	$130.44	
Paid Chk# 023272	BEILBY, TERRA	8/6/2018	$50.00	Rental Deposit Refund
Paid Chk# 023273	BOLTON & MENK, INC	8/6/2018	$28,591.50	Conrad Ave
Paid Chk# 023274	BOUND TREE MEDICAL, LLC	8/6/2018	$33.52	
Paid Chk# 023275	BROADBAND CORP	8/6/2018	$24.95	WWTP Internet
Paid Chk# 023276	BRYAN ROCK PRODUCTS, INC.	8/6/2018	$368.14	
Paid Chk# 023277	CAR-CO INC	8/6/2018	$47.58	
Paid Chk# 023278	CARVER COUNTY	8/6/2018	$74.25	GIS Setup
Paid Chk# 023279	CENTERPOINT ENERGY	8/6/2018	$113.71	107 John Ave
Paid Chk# 023280	CINTAS CORPORATION	8/6/2018	$224.81	Rugs, Mats, Mops, Towels
Paid Chk# 023281	CORE & MAIN	8/6/2018	$3,373.97	
Paid Chk# 023282	DI-MAR CONSTRUCTION,INC.	8/6/2018	$280,017.71	Pay request #20
Paid Chk# 023283	DWK CLEAN WATER SERVICES,	8/6/2018	$960.00	WWTP Monthly Fee
Paid Chk# 023284	ECM PUBLISHERS, INC.	8/6/2018	$22.68	Notice of Filing
Paid Chk# 023285	HAWKINS, INC	8/6/2018	$4,280.00	
Paid Chk# 023286	HONSA LIGHTING SALES & SER	8/6/2018	$611.72	light bulbs
Paid Chk# 023287	HORIZON COMMERCIAL POOL S	8/6/2018	$79.09	
Paid Chk# 023288	JOSTAN SERVICES, INC.	8/6/2018	$1,663.31	
Paid Chk# 023289	METRO WEST INSPECTION SER	8/6/2018	$2,952.33	Building Inspection
Paid Chk# 023290	MID COUNTY CO-OP	8/6/2018	$1,402.50	
Paid Chk# 023291	MN PUBLIC FACILITIES AUTHOR	8/6/2018	$301,697.51	CSAH 36 Interest
Paid Chk# 023292	MN VALLEY ELECTRIC COOPER	8/6/2018	$260.80	
Paid Chk# 023293	MN VALLEY TESTING LABS	8/6/2018	$314.00	
Paid Chk# 023294	N & J SERVICES	8/6/2018	$650.00	Event Cleanup/Drapery
Paid Chk# 023295	NAPA AUTO PARTS	8/6/2018	$203.46	
Paid Chk# 023296	HEALTHSMART BENEFIT SOL.	8/6/2018	$64.00	
Paid Chk# 023297	NORTHERN SAFETY TECHNOLO	8/6/2018	$393.04	
Paid Chk# 023298	OVERLINE & SONS, INC.	8/6/2018	$2,250.00	haw
Paid Chk# 023299	PRO IRRIGATION	8/6/2018	$105.00	
Paid Chk# 023300	QUILL	8/6/2018	$335.23	Office Supplies for Water Trea
Paid Chk# 023301	RANDYS SANITATION INC	8/6/2018	$619.00	Community Center
Paid Chk# 023302	TECHSTAR IT SOLUTIONS INC	8/6/2018	$1,191.80	Monthly Contract Fee
Paid Chk# 023303	TWIN CITIES & WESTER RAILRO	8/6/2018	$524.67	Annual Permit Renewal
Paid Chk# 023304	ULINE	8/6/2018	$1,253.31	
Paid Chk# 023305	VOS, BRIAN	8/6/2018	$367.98	Reimburse for UV Light for Spl
Paid Chk# 023306	WM MUELLER & SONS, INC.	8/6/2018	$79.00	
Paid Chk# 023307	XCEL ENERGY	8/6/2018	$7,553.77	Public Works
		Total Checks	$642,884.78	

FILTER: None

City of Cologne Payroll
July 24, 2018

Employee	7/24/2018	EFT	$ 8,845.49	July 24, 2018 Payroll
IRS	7/24/2018	EFT	$ 2,980.59	July 24, 2018 Payroll
MN Department of Revenue	7/24/2018	EFT	$ 527.55	July 24, 2018 Payroll
PERA	7/24/2018	EFT	$ 717.93	July 24, 2018 Payroll
		Total	$13,071.56	

CITY OF COLOGNE
RESOLUTION NO. 18-12
RESOLUTION ACCEPTING DONATIONS

WHEREAS, The City of Cologne, Minnesota, is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of the City of Cologne and its citizens pursuant to Minnesota Statutes Section 471.17; and

WHEREAS, The following persons and entities have offered to contribute the cash amounts set forth below to the City:

Name of Donor	Amount
Carver County Community Foundation	$2,000

WHEREAS, $2,000 is being donated to the City to contribute to costs associated with the cleaning and rehabilitation of Benton Lake; and

WHEREAS, The City Council finds that it is appropriate to accept the donations offered.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF COLOGNE, MINNESOTA, AS FOLLOWS:

1. The donation described above is accepted and shall be used for the purposes described.

2. The City Administrator is hereby directed to issue receipts to each donor acknowledging the city's receipt of the donor's donation.

Adopted by the City Council of the City of Cologne, Minnesota on Monday August 6th, 2018.

Approved:

_____
Matt Lein
Mayor

Attested:

_____
Jesse Dickson
City Administrator

M/_____ Lein_____ Spates_____ Evenski_____

S/_____ Szaroletta_____ Bruss_____

BOLTON & MENK
Real People. Real Solutions.

1960 Premier Drive
Mankato, MN 56001-5900

Ph: (507) 625-4171
Fax: (507) 625-4177
Bolton-Menk.com

MEMORANDUM

Date: August 3, 2018

To: Mayor and City Council
Jesse Dickson, City Administrator

From: Jon Peterson, P.E., Project Engineer JDP

Subject: Water Treatment Facility Contract - Di Mar Construction Inc.
Pay Request No. 21
City of Cologne, Minnesota
Project No.: C12.110681

INTRODUCTION

Pay Request No. 21 for the above-referenced project in the amount of $48,360.00 is being submitted for approval.

DISCUSSION

This pay application covers work completed on the project through July 28, 2018. The Contractor has been working on completing completion list items, and on completing landscaping, paving and grading work on the site. We recommend approval of the attached Request for Payment No.21

BUDGET IMPACT

This expenditure is part of the overall water system improvements and will be covered by the PFA loan proceeds.

ACTION REQUESTED

Approve the attached pay request from Di-Mar Construction, Inc. in the total amount of $48,360.00.

Bolton & Menk is an equal opportunity employer.

APPLICATION FOR PAYMENT

DATE: 7/28/2018 APPL. # Twenty one

TO: City of Cologne, MN PROJECT: Water Treatment Plant

FROM: DI-MAR Construction, Inc
7900 Excelsior Blvd; Suite 100
Hopkins, MN 55343

ENG: Bolton and Menk

Original Contract Amount		$5,930,000.00
Net Change by Change Order		-
Contract Sum Todate		$5,930,000.00
Total Completed & Stored Todate		$5,782,063.25
Retainage:	2.5 % of Contract	$144,551.58
Total Earned less Retainage		$5,637,511.67
Total Previously Certified	(prev. total less ret.)	$5,589,151.67
AMOUNT DUE THIS REQUEST		$48,360.00

CERTIFICATE OF CONTRACTOR

I hereby ceritfy that, to the best of my knowledge and belief, all items, quantities, and prices of work and material shown on this Estimate are correct and that all work has been performed in full accordance with the terms and conditions of the Contract for this project between the Owner and the undersigned Contractor and as amended by any authorized changes, and that the foregoing is a true and correct statement of the contract amount for the period covered by this Estimate.

DI-MAR Construction, Inc
BY: R L Haeckatz

CERTIFIED BY ENGINEER

This is to certified that in accordance with the terms of the contract the contractor is entiltled to the amount certified below.

AMOUNT CERTIFIED $48,360.00

Bolton and Menk
By: Jm D Rt

ACCEPTED BY OWNER

City of Cologne, MN
By:

DI-MAR CONSTRUCTION, INC.

SCHEDULE OF VALUES

APPL # Twenty one

DATE 7/28/2018

DISCRIPTION	SCHEDULE OF VALUES	PREVIOUS APPLICATION	THIS APPLICATION	MAT'L STORED	COMPLETED TO DATE	% COMPLETE	BALANCE
			-		-		-
			-		-		-
General Conditions	288,000.00	288,000.00	-		288,000.00	100%	-
Bonds and Insurance	55,000.00	55,000.00	-		55,000.00	100%	-
Mobilization	42,000.00	42,000.00	-		42,000.00	100%	-
Allowances	425,000.00	251,463.25	40,000.00	-	291,463.25		133,536.75
Site Utilites	645,000.00	645,000.00	-		645,000.00	100%	-
Landscaping	24,000.00		9,600.00		9,600.00	40%	14,400.00
Earthwork @ Bldg	205,000.00	205,000.00	-		205,000.00	100%	-
Earthwork @ Bkwash Tank	21,000.00	21,000.00	-		21,000.00	100%	-
Concrete Reinforcing Steel	225,000.00	225,000.00	-		225,000.00	100%	-
Concrete Construction	496,000.00	496,000.00	-		496,000.00	100%	-
Precast Planks	79,000.00	79,000.00	-		79,000.00	100%	-
Precast Double Tees	52,000.00	52,000.00	-		52,000.00	100%	-
Masonry	665,000.00	665,000.00	-		665,000.00	100%	-
Misc Metals	89,000.00	89,000.00	-		89,000.00	100%	-
Rough Carpentry	26,000.00	26,000.00	-		26,000.00	100%	-
Arch. Milwork	75,000.00	75,000.00	-		75,000.00	100%	-
Perimeter Insulation	9,450.00	9,450.00	-		9,450.00	100%	-
Damproofing	12,650.00	12,650.00	-		12,650.00	100%	-
CMU Vapor Barrior	60,000.00	60,000.00	-		60,000.00	100%	-
Roofing/Sh Metal/ Siding	107,000.00	107,000.00	-		107,000.00	100%	-
Caulking	25,000.00	25,000.00	-		25,000.00	100%	-
Hollow Metal Doors	49,100.00	49,100.00	-		49,100.00	100%	-
Windows	25,000.00	25,000.00	-		25,000.00	100%	-
Ceramic and Quarry Tile	6,500.00	6,500.00	-		6,500.00	100%	-
Resilient Floors	3,000.00	3,000.00	-		3,000.00	100%	-
Accoustical Ceilings	4,200.00	4,200.00	-		4,200.00	100%	-
Painting	150,000.00	150,000.00	-		150,000.00	100%	-

Water Treatment Plant
Cologne, MN

Signs/ Marker BoardToilet Acc.	7,500.00	7,500.00	-		7,500.00	100%	-
Vertical Turbine Pumps	62,000.00	62,000.00	-		62,000.00	100%	-
Air Wash Blower	21,000.00	21,000.00	-		21,000.00	100%	-
Aerator	35,000.00	35,000.00	-		35,000.00	100%	-
Underdarain/Media/ Troughs	84,000.00	84,000.00	-		84,000.00	100%	-
Submersible Pumps	62,000.00	62,000.00	-	-	62,000.00	100%	
Air Compressor	15,000.00	15,000.00	-		15,000.00	100%	-
Int. Process Piping & Valves	454,600.00	454,600.00	-		454,600.00	100%	-
Plumbing	215,000.00	215,000.00	-		215,000.00	100%	-
HVAC	241,000.00	241,000.00	-	-	241,000.00	100%	
Electrical	869,000.00	869,000.00	-		869,000.00	100%	-
			-		-		-
			-		-		-
			-		-		-
			-		-		-
			-		-		-
			-		-		-
	5,930,000.00	5,732,463.25	49,600.00	-	5,782,063.25		147,936.75

R. Lawrence Harris, Esq.
Direct Dial:
(952) 442-7744
Email Address:
rlharris@mhslaw.com

MELCHERT • HUBERT • SJODIN
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Telephone (952) 442-7700

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Chaska, Minnesota
Hutchinson, Minnesota

www.mhslaw.com

July 31, 2018

Jesse Dickson
City of Cologne
1211 Village Parkway, PO Box 120
Cologne, MN 55322

Re: City of Cologne
Existing Water Tower Site and Proposed Water Treatment Facility Declarations

Dear Mr. Dickson:

Enclosed are two copies of each of the following documents:

1. Real Property Declaration regarding the existing water tower site – Parcel A.

2. Real Property Declaration regarding the proposed water treatment facility– Parcel B.

They are acceptable to be approved by the Cologne City Council and then signed.

Once the documents have been approved, signed, and dated, please forward to me duplicate originals and I will then forward them to the Carver County Recorder for recording.

Please contact me with your questions and comments.

Sincerely,

R. Lawrence Harris

R. Lawrence Harris

RLH:jj
Enclosure
https://mhslaw.sharepoint.com/sites/clients/6/32537/draftdocs/letter to dickson 07.31.18.docx

FOR USE BY FILING OFFICER ONLY

Minnesota Public Facilities Authority

REAL PROPERTY DECLARATION

The undersigned has the following interest in the real property located in the County of Carver, State of Minnesota, that is legally described in **Exhibit A** attached and all facilities situated thereon (collectively the "Restricted Property"):

(Check the appropriate box):

☒ a fee simple title

☐ a lease

☐ an easement

and as owner of such fee title, lease or easement, does hereby declare that such interest in the Restricted Property is made subject to the following restrictions and encumbrances:

A. The Restricted Property is bond financed property within the meaning of Minn. Stat. Sec. 16A.695, is subject to the encumbrance created and requirements imposed by such statute, and cannot be sold, mortgaged, encumbered or otherwise disposed of without the approval of the Commissioner of Minnesota Management and Budget, which approval must be evidenced by a written statement signed by the said commissioner and attached to the deed, mortgage, encumbrance or instrument used to sell or otherwise dispose of the Restricted Property; and

B. The Restricted Property is subject to all of the terms, conditions, provisions, and limitations contained in that certain Bond Purchase and Project Loan Agreement between the Minnesota Public Facilities Authority and City of Cologne for Loan No. 14-0040-FY15, dated 10-29-2014;

The Restricted Property shall remain subject to this State of Minnesota General Obligation Bond Financed Declaration for 125% of the useful life of the Restricted Property or until the Restricted Property is sold with the written approval of the Commissioner of Minnesota Management and Budget, at which time it shall be released therefrom by way of a written release in recordable form signed by both the Chair of the Minnesota Public Facilities Authority and the Commissioner of Minnesota Management and Budget, and such written release is recorded in the real estate records relating to the Restricted Property. This Declaration may not be terminated, amended, or in any way modified without the specific written consent of the Commissioner of Minnesota Management and Budget.

City of Cologne, a political subdivision of the state of Minnesota

By: Matt Lein
Title: Mayor, City of Cologne
Dated: _____

By: Jesse Dickson
Title: City Administrator, City of Cologne
Dated: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF CARVER)

This foregoing instrument was acknowledged before me this _____ day of December, 2017, by Matt Lein, the Mayor, and Jesse Dickson, the City Administrator, respectively, of the City of Cologne, (borrower) a political subdivision of the state of Minnesota.

_____
Notary Public

This Declaration was drafted by:
(insert name and address)

Bolton & Menk, Inc.
1960 Premier Drive
Mankato, MN 56001

Exhibit A
LEGAL DESCRIPTION

EXISTING WATER TOWER SITE – PARCEL A

All that part of the following described PARCEL A which lies easterly of the hereinafter described Line A:

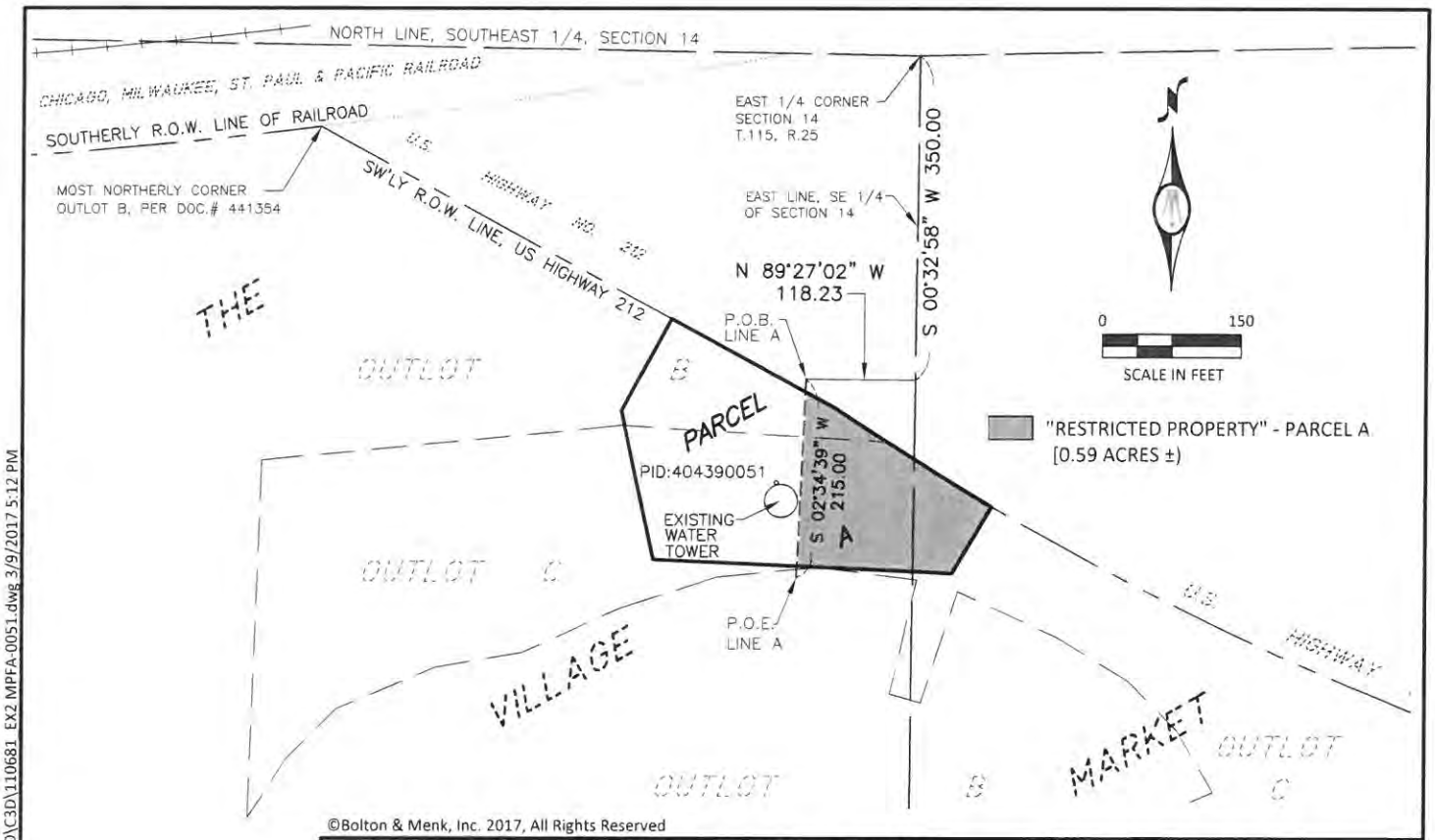
PARCEL A: (Per Warranty Deed Document No. 453791)

That part of Outlots B and C, all in THE VILLAGE MARKET, Carver County, Minnesota, described as follows:

Commencing at the most northerly corner of said Outlot B, said point also being the intersection of the southwesterly right-of-way line of U.S. Highway No. 212 with the southerly right-of-way line of Chicago, Milwaukee, St. Paul and Pacific Railroad, said intersection is further defined in document 441354 as found in the office of the Carver County Recorder, said document is a Land Surveyors Certificate of Correction which redefines the right-of-way location of said Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 61 degrees 24 minutes 14 Seconds East (assumed bearing) along the southwesterly right-of-way line of U.S. Highway No. 212 as depicted on said plat 431.68 feet to the point of beginning of the land to be described; thence continuing along said right-of-way line South 61 degrees 24 minutes 14 seconds East 202.94 feet; thence continuing along said right-of-way line South 57 degrees 06 minutes 53 seconds East 65.49 feet; thence continuing along said right-of-way line 133.35 feet along a tangential curve concave to the northeast, having a radius of 3225.22 feet and a central angle of 02 degrees 22 minutes 08 seconds; thence South 30 degrees 31 minutes 02 seconds West 83.61 feet; thence North 87 degrees 25 minutes 21 seconds West 323.84 feet; thence North 12 degrees 06 minutes 10 seconds West 164.96 feet; thence North 28 degrees 35 minutes 46 seconds East 112.67 feet to the point of beginning.

Line A: Commencing at the East 1/4 corner of Section 14, Township 115, Range 25, Carver County, Minnesota; thence on an assumed bearing of South 00 degrees 32 minutes 58 seconds West along the East line of the Southeast Quarter of said Section 14 a distance of 350.00 feet; thence North 89 degrees 27 minutes 02 seconds West a distance of 118.23 feet to the POINT OF BEGINNING of said Line A; thence South 02 degrees 34 minutes 39 seconds West a distance of 215.00 feet and said Line A there terminating.

Subject to easements and restrictions of record, if any.



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REAL PROPERTY DECLARATION - EXHIBIT A

"RESTRICTED PROPERTY" - PARCEL A

BOLTON & MENK

PART OF OUTLOT B & C, THE VILLAGE MARKET
CARVER COUNTY, MINNESOTA
EXISTING WATER TOWER PARCEL
PID: 404390051

FOR: CITY OF COLOGNE
SHEET 1 OF 2

JOB NUMBER: C12.110681 FIELD BOOK: DRAWN BY: EJR

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PARCEL A - "RESTRICTED PROPERTY" DESCRIPTION (EXISTING TOWER SITE)

All that part of the following described PARCEL A which lies easterly of the hereinafter described Line A:

PARCEL A: (Per Warranty Deed Document No. 453791)

That part of Outlots B and C, all in THE VILLAGE MARKET, Carver County, Minnesota, described as follows:

Commencing at the most northerly corner of said Outlot B, said point also being the intersection of the southwesterly right-of-way line of U.S. Highway No. 212 with the southerly right-of-way line of Chicago, Milwaukee, St. Paul and Pacific Railroad, said intersection is further defined in document 441354 as found in the office of the Carver County Recorder, said document is a Land Surveyors Certificate of Correction which redefines the right-of-way location of said Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 61 degrees 24 minutes 14 Seconds East (assumed bearing) along the southwesterly right-of-way line of U.S. Highway No. 212 as depicted on said plat 431.68 feet to the point of beginning of the land to be described; thence continuing along said right-of-way line South 61 degrees 24 minutes 14 seconds East 202.94 feet; thence continuing along said right-of-way line South 57 degrees 06 minutes 53 seconds East 65.49 feet; thence continuing along said right-of-way line 133.35 feet along a tangential curve concave to the northeast, having a radius of 3225.22 feet and a central angle of 02 degrees 22 minutes 08 seconds; thence South 30 degrees 31 minutes 02 seconds West 83.61 feet; thence North 87 degrees 25 minutes 21 seconds West 323.84 feet; thence North 12 degrees 06 minutes 10 seconds West 164.96 feet; thence North 28 degrees 35 minutes 46 seconds East 112.67 feet to the point of beginning.

Line A: Commencing at the East 1/4 corner of Section 14, Township 115, Range 25, Carver County, Minnesota; thence on an assumed bearing of South 00 degrees 32 minutes 58 seconds West along the East line of the Southeast Quarter of said Section 14 a distance of 350.00 feet; thence North 89 degrees 27 minutes 02 seconds West a distance of 118.23 feet to the POINT OF BEGINNING of said Line A; thence South 02 degrees 34 minutes 39 seconds West a distance of 215.00 feet and said Line A there terminating.

Subject to easements and restrictions of record, if any.

SURVEYOR'S CERTIFICATION

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Edward J. Rock III
License Number 43810

03/10/2017
Date

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REAL PROPERTY DECLARATION - EXHIBIT A
"RESTRICTED PROPERTY" - PARCEL A

BOLTON & MENK

PART OF OUTLOT B & C, THE VILLAGE MARKET
CARVER COUNTY, MINNESOTA
EXISTING WATER TOWER PARCEL
PID: 404390051

FOR: CITY OF COLOGNE
SHEET 2 OF 2

JOB NUMBER: C12.110681 FIELD BOOK: DRAWN BY: EJR

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FOR USE BY FILING OFFICER ONLY

Minnesota Public Facilities Authority

REAL PROPERTY DECLARATION

The undersigned has the following interest in the real property located in the County of Carver, State of Minnesota, that is legally described in **Exhibit A** attached and all facilities situated thereon (collectively the "Restricted Property"):

(*Check the appropriate box):*

☒ a fee simple title

☐ a lease

☐ an easement

and as owner of such fee title, lease or easement, does hereby declare that such interest in the Restricted Property is made subject to the following restrictions and encumbrances:

A. The Restricted Property is bond financed property within the meaning of Minn. Stat. Sec. 16A.695, is subject to the encumbrance created and requirements imposed by such statute, and cannot be sold, mortgaged, encumbered or otherwise disposed of without the approval of the Commissioner of Minnesota Management and Budget, which approval must be evidenced by a written statement signed by the said commissioner and attached to the deed, mortgage, encumbrance or instrument used to sell or otherwise dispose of the Restricted Property; and

B. The Restricted Property is subject to all of the terms, conditions, provisions, and limitations contained in that certain Bond Purchase and Project Loan Agreement between the Minnesota Public Facilities Authority and City of Cologne for Loan No. 14-0040-FY15, dated 10-29-2014;

The Restricted Property shall remain subject to this State of Minnesota General Obligation Bond Financed Declaration for 125% of the useful life of the Restricted Property or until the Restricted Property is sold with the written approval of the Commissioner of Minnesota Management and Budget, at which time it shall be released therefrom by way of a written release in recordable form signed by both the Chair of the Minnesota Public Facilities Authority and the Commissioner of Minnesota Management and Budget, and such written release is recorded in the real estate records relating to the Restricted Property. This Declaration may not be terminated, amended, or in any way modified without the specific written consent of the Commissioner of Minnesota Management and Budget.

City of Cologne, a political subdivision of the state of Minnesota

By: Matt Lein
Title: Mayor, City of Cologne
Dated: _____

By: Jesse Dickson
Title: City Administrator, City of Cologne
Dated: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF CARVER)

This foregoing instrument was acknowledged before me this _____ day of December, 2017, by Matt Lein, the Mayor, and Jesse Dickson, the City Administrator, respectively, of the City of Cologne, (borrower) a political subdivision of the state of Minnesota.

_____
Notary Public

This Declaration was drafted by:
(insert name and address)

Bolton & Menk, Inc.
1960 Premier Drive
Mankato, MN 56001

Exhibit A
LEGAL DESCRIPTION

EXISTING WATER TOWER SITE – PARCEL A

All that part of the following described PARCEL A which lies easterly of the hereinafter described Line A:

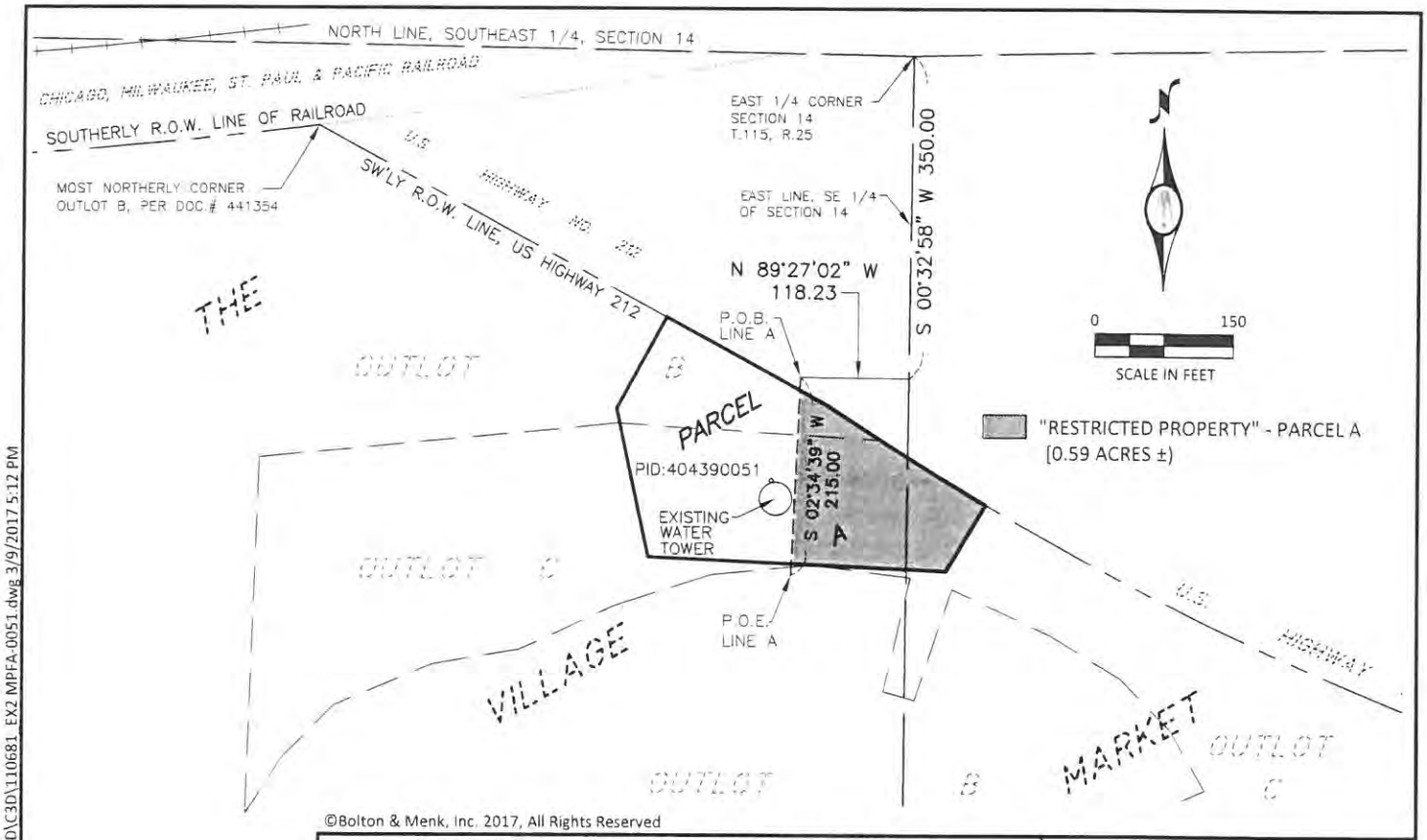
PARCEL A: (Per Warranty Deed Document No. 453791)

That part of Outlots B and C, all in THE VILLAGE MARKET, Carver County, Minnesota, described as follows:

Commencing at the most northerly corner of said Outlot B, said point also being the intersection of the southwesterly right-of-way line of U.S. Highway No. 212 with the southerly right-of-way line of Chicago, Milwaukee, St. Paul and Pacific Railroad, said intersection is further defined in document 441354 as found in the office of the Carver County Recorder, said document is a Land Surveyors Certificate of Correction which redefines the right-of-way location of said Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 61 degrees 24 minutes 14 Seconds East (assumed bearing) along the southwesterly right-of-way line of U.S. Highway No. 212 as depicted on said plat 431.68 feet to the point of beginning of the land to be described; thence continuing along said right-of-way line South 61 degrees 24 minutes 14 seconds East 202.94 feet; thence continuing along said right-of-way line South 57 degrees 06 minutes 53 seconds East 65.49 feet; thence continuing along said right-of-way line 133.35 feet along a tangential curve concave to the northeast, having a radius of 3225.22 feet and a central angle of 02 degrees 22 minutes 08 seconds; thence South 30 degrees 31 minutes 02 seconds West 83.61 feet; thence North 87 degrees 25 minutes 21 seconds West 323.84 feet; thence North 12 degrees 06 minutes 10 seconds West 164.96 feet; thence North 28 degrees 35 minutes 46 seconds East 112.67 feet to the point of beginning.

Line A: Commencing at the East 1/4 corner of Section 14, Township 115, Range 25, Carver County, Minnesota; thence on an assumed bearing of South 00 degrees 32 minutes 58 seconds West along the East line of the Southeast Quarter of said Section 14 a distance of 350.00 feet; thence North 89 degrees 27 minutes 02 seconds West a distance of 118.23 feet to the POINT OF BEGINNING of said Line A; thence South 02 degrees 34 minutes 39 seconds West a distance of 215.00 feet and said Line A there terminating.

Subject to easements and restrictions of record, if any.



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REAL PROPERTY DECLARATION - EXHIBIT A

"RESTRICTED PROPERTY" - PARCEL A

BOLTON & MENK

PART OF OUTLOT B & C, THE VILLAGE MARKET
CARVER COUNTY, MINNESOTA
EXISTING WATER TOWER PARCEL
PID: 404390051

FOR: CITY OF COLOGNE
SHEET 1 OF 2

JOB NUMBER: C12.110681 FIELD BOOK: DRAWN BY: EJR

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PARCEL A - "RESTRICTED PROPERTY" DESCRIPTION (EXISTING TOWER SITE)

All that part of the following described PARCEL A which lies easterly of the hereinafter described Line A:

PARCEL A: (Per Warranty Deed Document No. 453791)

That part of Outlots B and C, all in THE VILLAGE MARKET, Carver County, Minnesota, described as follows:

Commencing at the most northerly corner of said Outlot B, said point also being the intersection of the southwesterly right-of-way line of U.S. Highway No. 212 with the southerly right-of-way line of Chicago, Milwaukee, St. Paul and Pacific Railroad, said intersection is further defined in document 441354 as found in the office of the Carver County Recorder, said document is a Land Surveyors Certificate of Correction which redefines the right-of-way location of said Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 61 degrees 24 minutes 14 Seconds East (assumed bearing) along the southwesterly right-of-way line of U.S. Highway No. 212 as depicted on said plat 431.68 feet to the point of beginning of the land to be described; thence continuing along said right-of-way line South 61 degrees 24 minutes 14 seconds East 202.94 feet; thence continuing along said right-of-way line South 57 degrees 06 minutes 53 seconds East 65.49 feet; thence continuing along said right-of-way line 133.35 feet along a tangential curve concave to the northeast, having a radius of 3225.22 feet and a central angle of 02 degrees 22 minutes 08 seconds; thence South 30 degrees 31 minutes 02 seconds West 83.61 feet; thence North 87 degrees 25 minutes 21 seconds West 323.84 feet; thence North 12 degrees 06 minutes 10 seconds West 164.96 feet; thence North 28 degrees 35 minutes 46 seconds East 112.67 feet to the point of beginning.

Line A: Commencing at the East 1/4 corner of Section 14, Township 115, Range 25, Carver County, Minnesota; thence on an assumed bearing of South 00 degrees 32 minutes 58 seconds West along the East line of the Southeast Quarter of said Section 14 a distance of 350.00 feet; thence North 89 degrees 27 minutes 02 seconds West a distance of 118.23 feet to the POINT OF BEGINNING of said Line A; thence South 02 degrees 34 minutes 39 seconds West a distance of 215.00 feet and said Line A there terminating.

Subject to easements and restrictions of record, if any.

SURVEYOR'S CERTIFICATION

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Edward J. Rock III
License Number 43810

03/10/2017
Date

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REAL PROPERTY DECLARATION - EXHIBIT A
"RESTRICTED PROPERTY" - PARCEL A

BOLTON & MENK

PART OF OUTLOT B & C, THE VILLAGE MARKET
CARVER COUNTY, MINNESOTA
EXISTING WATER TOWER PARCEL
PID: 404390051

FOR: CITY OF COLOGNE
SHEET 2 OF 2

JOB NUMBER: C12.110681 FIELD BOOK: DRAWN BY: EJR

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EXTRACT OF MINUTES OF A MEETING OF THE
CITY COUNCIL OF THE
CITY OF COLOGNE, MINNESOTA

HELD: August 6, 2018

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Cologne, Carver County, Minnesota, was duly held at the City Hall on August 6, 2018, at 7:00 o'clock P.M.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION 18-13

RESOLUTION DETERMINING THE NECESSITY TO ISSUE
$693,000 GENERAL OBLIGATION EQUIPMENT CERTIFICATES OF INDEBTEDNESS,
SERIES 2018A

WHEREAS, Minnesota Statutes, Section 412.301, authorizes the council to issue equipment certificates within existing debt limits for the purpose of purchasing capital equipment; and

WHEREAS, said statute also provides that if the amount of the equipment certificates to be issued to finance such equipment exceeds 0.25% of the market value of taxable property in the City, excluding money and credits, the equipment certificates shall not be issued for at least ten days after publication in the official newspaper of a council resolution determining to issue them; and if before the end of that time, a petition asking for an election on the proposition signed by voters equal to ten percent of the number of voters at the last regular municipal election is filed with the clerk, the equipment certificates shall not be issued until the proposition of their issuance has been approved by a majority of the votes cast on the question at a regular or special election; and

WHEREAS, the council proposes to issue the equipment certificates for said purposes in an amount which exceeds 0.25% of the market value of taxable property in the City, excluding money and credits; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Cologne, Minnesota, as follows:

1. That it is necessary and expedient for the City Council to issue General Obligation Equipment Certificates of Indebtedness, Series 2018A, pursuant to Minnesota Statutes, Section 412.301, in the amount of $693,000 for the purpose of financing the acquisition of equipment, including a fire truck for the City of Cologne (the "Certificates").

2. The amount of the Certificates is hereby determined and declared to be in excess of 0.25% of the market value of taxable property in the City, excluding money and credits.

3. The Administrator is authorized and directed to publish forthwith this resolution in the official newspaper.

4. At least ten days shall elapse after publication in the official newspaper of this resolution before the Certificates shall be issued.

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Adopted by the City Council of the City of Cologne, Minnesota on Monday August 6th, 2018.

Approved:

_____
Matt Lein
Mayor

Attested:

_____
Jesse Dickson
City Administrator

STATE OF MINNESOTA)
COUNTY OF CARVER) SS
CITY OF COLOGNE)

I, the undersigned, being the duly qualified and acting Administrator of the City of Cologne, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council, duly called and held on the date therein indicated insofar as such minutes relate to the necessity to issue $693,000 General Obligation Equipment Certificates of Indebtedness, Series 2018A.

WITNESS my hand on August 6, 2018.

_____
Administrator

ADMINISTRATOR'S CERTIFICATE

I, the undersigned, being the duly qualified and acting Administrator of the City of Cologne, Carver County, Minnesota, hereby certifies that on August 9, 2018, there was published in the official newspaper of the City a resolution duly adopted by the City Council on August 6, 2018, determining to issue $693,000 General Obligation Equipment Certificates Series 2018A and no petition asking for an election on the proposition signed by voters equal to ten percent of the number of voters at the last regular municipal election has been filed with the Administrator, ten days having elapsed since the publication date.

Dated: _____, 2018. CITY OF COLOGNE, MINNESOTA.

By: _____
Administrator

(SEAL)

CITY OF COLOGNE
RESOLUTION NO. 18-14
APPROVING FULL TIME CITY CLERK

WHEREAS, the City of Cologne budgets annually for a full time City Clerk position; and

WHEREAS, the City of Cologne advertised the position in the official newspaper, the City website and LMC; and

WHEREAS, the City of Cologne received 23 applicants with three applicants being asked to interview for the position; and

WHEREAS, after the interviews, Michelle Morrison is being recommended to fill the vacant position; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cologne, Minnesota, to authorize tendering a conditional offer letter to Michelle Morrison.

Adopted by the City Council of the City of Cologne, Minnesota, this 6th day of August, 2018

_____
Matt Lein, Mayor

ATTEST:

_____
Jesse Dickson
City Administrator

M/ _____	Lein _____	Bruss _____
	Szaroletta _____	Spates _____
S/ _____	Evenski _____	