

KASSON CITY COUNCIL SPECIAL MEETING MINUTES

December 11, 2013

Pursuant to due call and notice thereof, a special City Council meeting was held at City Hall on the 11th day of December, 2013 at 5:50 p.m.

The following members were present: Tjosaas, Coleman, Egglar, Hopkins and Nelson

The following members were absent: none

The following were also present: City Administrator Lenth, Admin Assist Weigel, Community Dev Director Martin and Finance Director Zaworski

The following were also present via telephone: Attorney George C. Hoff and Attorney Shelley M. Ryan
Mayor Tjosaas presided over the meeting

Old Business:

1. **State of Minnesota by Cuomo, et al v. City of Kasson (Closed Session)**: Motion was made by Nelson and second by Egglar to close the City Council meeting pursuant to the provisions of Minn. Stat. 13D.05, subd. 3(b) to discuss the case of State of Minnesota by Cuomo, et al v. City of Kasson, currently pending in Dodge County, with our attorneys, for the purpose of receipt of confidential advice and information and to discuss and develop case strategy and settlement options at 5:51pm. The meeting was re-opened at 6:19 with a motion by Hopkins and a second by Egglar. **Outcome:** Settlement options were discussed between the council, City Administrator Lenth, Community Development Director Martin and Attorney's Hoff and Ryan.

ADJOURN: The meeting was adjourned at 6:19 p.m.

KASSON CITY COUNCIL REGULAR MEETING MINUTES

December 11, 2013

Pursuant to due call and notice thereof, a regular City Council meeting was held at City Hall on the 11th day of December, 2013 at 6:22 p.m.

The following members were present: Tjosaas, Coleman, Eggler, Hopkins and Nelson

The following members were absent: none

The following were also present: City Administrator Lenth, Admin Assist Weigel, Finance Director Zaworski, Community Dev Director Martin, City Engineer Craig Britton, Gretta Becay, Randy Carlsen, Judy Rupert, Keith Schultz, Mary Sue Smith, Jerry Struthers, Nick Kremer, Cory Kremer, Rick Erpelding and Chris Skjeveland.
Mayor Tjosaas presided over the meeting

A. COUNCIL:

1. Agenda: Motion by Nelson and second by Coleman with all voting aye, to approve the December 11, 2013 agenda with the following amendments:

Add: A.2.f.4. Superior Mechanical

L.1 Habitat Thank You Letter

Change: E.3.b from Resolution to Ordinance

E.3.c from Resolution to Ordinance

Remove: G.1.c Hunn

2. Consent Agenda: Motion by Nelson and second by Eggler to approve the December 11, 2013 consent items. Ayes: Tjosaas, Coleman, Eggler, Hopkins and Nelson. Nays: None.

a. **Minutes:** Approved the November 26, 2013 regular meeting minutes as submitted

b. **Claims:** Approved all claims processed after the November 26, 2013 regular meeting, as audited for payment in the amount of \$246,816.76

c. **Acknowledgement of Committee and Meeting Minutes:**

1. Planning & Zoning – November 4, 2013

2. EDA – November 5, 2013

d. **Annual Evaluations:**

1. Mike Bolster – Ice Arena/Park Staff, remove from probation, move to Grade 4, step 2 \$15.32 eff. 10/11/13

e. **Conferences/Training:**

1. Nancy Zaworski GFOA Annual Conference May 18-21 Minneapolis, MN

2. Dan Trapp MPCA Collect. System Oper. Jan 29-31 Brooklyn Park, MN

f. **Pay Estimates**

1. Minnowa Construction 16th Street NE Est #11 \$5,518.83

2. Swenke Ims Contracting 3rd Ave SW/Park & Ride Est #6 \$14,782.12

3. Rochester Sand & Gravel 2013 Bigelow Resurfacing Est #4 \$18,899.68

4. Superior Mechanical Aquatic Center FINAL \$8,243.75

- g. **Approve Refuse Hauler Licenses:** Approve the following refuse hauler licenses for:
 - 1. Hometown Haulers LLC
- h. Resolution Authorizing TIF Fund Transfers
- i. Resolution Committing Specific Revenue Sources and Confirming Restrictions for Specified Purposes in Special Revenue Funds
- j. 2014 Liability Coverage Waiver Form

B. VISITORS TO THE COUNCIL: NONE

C. PUBLIC FORUM:

1. Chris Skjeveland: Mr. Skjeveland noted that his company, Skjeveland Enterprises did not appear on the agenda to be approved for a Refuse Hauler License. City Administrator Lenth informed Mr. Skjeveland that his office had been made aware that there was still more information needed to process the application. Mr. Skjeveland stated he was not aware of this and would get the information to City Hall Staff as quickly as possible.

2. Rick Erpelding: Mr. Erpelding acknowledged the proposed 2.5% utility increase. He inquired about the utility costs of the new electronic sign and the additional street lights on the north side of 7th Street NW. Mr. Erpelding asked the Council to abstain from voting on the proposed budget until these questions were answered. Mr. Erpelding had a levy question regarding a fleet management style approach for vehicle purchases. He is recommending that the City does not use a fleet management style as it is his opinion that it does not work for the State of Minnesota.

3. Keith Schultz: Mr. Schultz feels 2.5% is too extravagant for residents of Kasson to absorb. He asked if a vote was needed to be taken to make the increase. Mayor Tjosaas stated that this is a sensitive topic for every one as we all live in this community. **Judy Rupert** stated that it's preferred to have small increases done yearly instead of larger increases and a letter should have been sent regarding this increase.

D. PUBLIC HEARINGS: NONE

E. COMMITTEE REPORTS:

1. Electric Committee:

a. Conservation Improvement Program; 2014 Programs: City Administrator Lenth updated Council on the requirement to provide electric conservation programs to help reduce the need for use of electricity. The City already manages a full line of energy efficiency and rebate programs and as there are changes in the market and efficiency ratings, analysis of past programs and new technologies available, staff is asking to make additional incentives for residents to conserve electricity. *Motion to approve the **Resolution Implementing Conservation Improvement Programs; Resolution #12.9-13** was made by Council Member Egger and duly seconded by Council Member Nelson. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.*

2. Economic Development Authority:

a. Resolution Granting the Kasson EDA Permission to Make a Loan to Swenke Properties: Community Development Director Martin informed Council that EDA has approved this and is asking Council for the same approval. *Motion to approve the **Resolution Granting the Kasson EDA Permission to Make a Loan to Swenke Properties; Resolution #12.1-13** was made by Council*

Member Nelson and duly seconded by Council Member Hopkins. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.

3. Planning & Zoning Commission:

a. Resolution Approving the Final Plat of Overland Addition: Motion to approve the **Resolution Approving the Final Plat of Overland Addition; Resolution #12.2-13** was made by Council Member Egger and duly seconded by Council Member Coleman. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.

b. Ordinance Adopting an Amendment to the Kasson Municipal Code for C-3: Motion to approve the **Ordinance Adopting an Amendment to the Kasson Municipal Code for C-3; Ordinance #849** was made by Council Member Nelson and duly seconded by Council Member Hopkins. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.

c. Ordinance Adopting an Amendment to the Kasson Municipal Code for C-M: Motion to approve the **Ordinance Adopting an Amendment to the Kasson Municipal Code for C-M; Ordinance #850** was made by Council Member Egger and duly seconded by Council Member Nelson. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.

d. Resolution Authorizing an EDA Promotional Expenditure: The Kasson Area Foundation has asked for the City to pay a portion of the large concrete Kasson sign installation. As monies become available to the Foundation they will repay the City over 2014. Motion to approve the **Resolution Authorizing an EDA Promotional Expenditure; Resolution #12.7-13** was made by Council Member Hopkins and duly seconded by Council Member Coleman. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.

4. Park Board:

a. Approve Adult Basketball League Supervisors for 2014 at a net wage of \$35 per night for Nick Fitch and Lucas Gannon: Motion to approve Nick Fitch and Lucas Gannon as Adult Basketball League Supervisors for 2014 at a net wage of \$35 per night was made by Council Member Coleman and duly seconded by Council Member Nelson. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.

F. OLD BUSINESS:

1. Final Levy:

a. Resolution Approving Final 2013 Tax Levy, Collectible in 2014: There was discussion regarding the 2013 tax levy. No action was taken.

b. Approve 2014 Budget: There was discussion regarding the 2014 budget. No action was taken.

G. NEW BUSINESS:

1. Assessments:

a. Tierra AKA – Assessment Request: Tierra AKA is requesting an extension of the “interest only” provision with the likelihood that the remaining lots will be sold in 2014. Motion to approve the extension of the interest only provision for two lots in Blaine’s 12th through 2014 was made by Council Member Egger and duly seconded by Council Member Coleman. Upon a vote being taken,

the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.

b. Grant: This has been assessed to the tax roll for a failing septic. No action needed.

H. MAYOR'S REPORT: NONE

I. CLERK-ADMINISTRATOR'S REPORT:

1. Cuomo, et al. v. City of Kasson Court File No. 20-CV-13-298: Outcome of Closed Session: *Motion to agree to execute the settlement agreement and authorize implementation of the change in the purchase agreements effective end date to June 1, 2014 modifying the closing date to April 1, 2014 was made by Council Member Hopkins and duly seconded by Council Member Nelson. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.*

J. ENGINEER'S REPORT:

1. Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Concrete Work in the Folkestad Building: *Motion to approve the Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Concrete Work in the Folkestad Building: Resolution #12.8-13 was made by Council Member Nelson and duly seconded by Council Member Coleman. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.*

K. PERSONNEL:

1. Ice Arena Staff:

a. Dave Marquardt Zamboni Driver/Janitor – Retired: *Motion to approve the retirement of Dave Marquardt as Zamboni Drive/Janitor was made by Council Member Hopkins and duly seconded by Council Member Egger. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.*

b. Mike Kelly Zamboni Driver/Janitor – New Hire Part Time: *Motion to approve the part time employment of Mike Kelly as Zamboni Drive/Janitor was made by Council Member Coleman and duly seconded by Council Member Nelson. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.*

L. CORRESPONDENCE:

1. Habitat for Humanity Thank You Letter: No Discussion

M. ADJOURN:

1. The meeting was adjourned at 7:30 p.m.

ATTEST:

Randy D. Lenth, City Administrator

Tim Tjosaas, Mayor