

KASSON CITY COUNCIL REGULAR MEETING MINUTES

May 14, 2014

Pursuant to due call and notice thereof, a regular City Council meeting was held at City Hall on the 14th day of May, 2014 at 6:00 p.m.

The following members were present: Nelson, Coleman, Egger, Hopkins and Worden

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 Neil Britton, City Engineer Craig Britton, Public Works Supervisor Burt Fjerstad, Police Officer Jesse Kasel, Deputy Fire Chief Chris Seljan, Laura Seljan, Superintendent Mark Matuska, Paul Tucci and Tom Ryan – Oppidan, Mike Bubany – David Drown Associates, Gretta Becay, Randy Carlsen, Judy Ruport and Mr. & Mrs. Doug Buck.
Mayor Nelson presided over the meeting

A. COUNCIL:

1. Agenda: Motion by Egger and second by Hopkins with all voting aye, to approve the May 14, 2014 agenda with the following amendments:

- Add: G.4½ Resolution Ordering Preparations of Report on Improvements in Lion's Park
- G.5.a Feasibility Report
- G.8 Kasson Oppidan Agreement
- G.9 Resolution Approving Conveyance of Real Property to KTJ 234, LLC
- H.1. American Legion Purchase Agreement
- L.2 1st Quarter Cash & Investment Summary
- Change: A.2.f.3 – Should be \$189, 068.40
- I.2 to F.2 Clean Up Results – Old Business
- G.5.b – Petition and Waiver
- G.10. Amendment to Library Architect/Engineering Agreement

2. **Consent Agenda:** **Motion** by Coleman and second by Worden to approve the May 14, 2014 consent items. Ayes: Nelson, Coleman, Hopkins and Worden. Nays: None. Council Member Egger abstained from the vote.

a. **Minutes:** Approved the following regular meeting minutes as submitted

1. April 9, 2014

2. April 23, 2014

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

1. Park Board – April 15, 2014

c. **Annual Evaluations:**

- 1. Deb Flock Util Billing Specialist Move to Grade 8 Step 7 \$24.16 eff. 5/9/14
- 2. Krista Weigel Admin Asst/Program Asst Move to Grade 7 step 3 \$19.85 eff.5/12/14
- 3. Cathy Pletta Liquor Manager Move to Grade 12 Step 4 \$28.76 eff 4/23/14

d. **Conferences/Training**

- | | | | |
|-----------------|------------|------------|-----------|
| 1. Cathy Pletta | MMBA Conf. | Alexandria | May 18-20 |
| 2. Katy Paynic | MMBA Conf. | Alexandria | May 18-20 |

e. **Pay Estimates:**

- | | | | |
|---------------------|-------------------|---------------|--------------|
| 1. Mohs Contracting | Change Order #003 | Folkestad II | \$5,355.00 |
| 2. Mohs Contracting | Change Order #004 | Folkestad II | \$4,957.00 |
| 3. Mohs Contracting | Est # 2 | Folkestad III | \$189,068.40 |

f. Update on Green Energy Products

g. Resolution Accepting Charitable Gambling Funds; Resolution #5.9-14

h. Hire Sarah Underwood seasonal Lifeguard at Aquatic Center

i. **Claims:** Approved all claims processed after the April 23, 2014 regular meeting, as audited for payment in the amount of \$325,069.87

B. VISITORS TO THE COUNCIL:

1. Superintendent Mark Matuska: Superintendent Matuska presented the Council with information regarding the 2014 Building Bond Referendum that goes to a public vote on May 20, 2014.

C. PUBLIC FORUM:

1. Judy Ruport; 403 3rd Ave SW: Mrs. Ruport asked if there would be trees on the south and west sides of Shopko to block the building and parking lot from the houses. Council Member Coleman asked that if this was not in the plan that it be looked at. Mrs. Ruport also asked when the deadline was to be a candidate in the November Elections for Mayor and City Council. She was told that the filing deadline was August 12, 2014 at 5:00 p.m.

2. Doug Buck; 9 Abbey Lane: Mr. Buck wanted to discuss the Street Supervisor position. He was told that this would be discussed later in the meeting and that discussion regarding individual candidates could not happen as that would violate personnel policies.

D. PUBLIC HEARINGS: NONE

E. COMMITTEE REPORTS:

1. Water/Sewer Committee:

a. Update on Mantorville Connection: After more than five years the City of Kasson and the City of Mantorville have come to an agreement regarding a dollar amount for the Sewer Connection project.

2. Planning Commission:

a. Resolution approving Kasson Meadows Preliminary Plat: *Motion to approve Resolution #5.10-14 approving the Preliminary Plat for Kasson Meadows 6th Subdivision was made by Council Member*

Egglar and duly seconded by Council Member Hopkins. Ayes: Nelson, Coleman, Hopkins and Worden. Nays: None.

b. Resolution approving Ryan Lee Minor subdivision: *Motion to approve Resolution #5.11-14 approving the Minor Subdivision for Ryan Lee was made by Council Member Worden and duly seconded by Council Member Coleman. Ayes: Nelson, Coleman, Egglar, Hopkins and Worden. Nays: None.*

c. Resolution approving CUP for Electronic Sign Requested by Events by Saker: *Motion to approve Resolution #5.12-14 approving the Conditional Use Permit for Electronic Sign for Events by Saker, LLC was made by Council Member Coleman and duly seconded by Council Member Hopkins. Ayes: Nelson, Coleman, Egglar, Hopkins and Worden. Nays: None.*

F. OLD BUSINESS:

1. Dust Control Policy: Public Works Director Burt Fjerstad asked Council to make a formal decision regarding dust control on 16th Street NE as the City owns the road. Fjerstad's proposal was to treat 16th Street just as we would any other gravel road with the exception of sharing the cost since the four people that live on this road are not city residents. Motion to approve the dust control policy for 16th Street with the homeowner paying 50% of the cost yearly was made by Council Member Egglar and duly seconded by Council Member Hopkins. Ayes: Nelson, Coleman, Hopkins and Worden. Nays: None.

2. Clean Up Results: Public Works Director Fjerstad was available to answer questions that Council may have in regards to the 2014 clean up results. Fjerstad summarized that 64 truckloads of brush were hauled and 7,183 Bags of brush and yard clippings. This is an increase in 25 truckloads and 4,995 bags over 2013. Fjerstad asked for a meeting with the Administrative Committee and himself to discuss clean up week policy.

G. NEW BUSINESS:

1. Resolution making Negative Declaration for EAW: City Engineer Neil Britton presented the findings of fact for the Citizens' Petition that was filed with the Minnesota Environmental Quality Board for the proposed Shopko Hometown Store at 301 Mantorville Avenue South. *Motion to approve Resolution #5.3-14 making a negative declaration on a petition for an environmental assessment worksheet was made by Council Member Worden and duly seconded by Council Member Egglar. Ayes: Nelson, Coleman, Egglar, Hopkins and Worden. Nays: None.*

2. Resolution for Shopko Preliminary Plat Revision: Community Development Director Martin informed Council that this in fact was a resolution request they had seen before, but for financial reasons regarding the tax increment financing there was a need to redo the preliminary plat for the Shopko Addition. *Motion to approve Resolution #5.4-14 approving the preliminary plat for the Shopko Addition was made by Council Member Hopkins and duly seconded by Council Member Worden. Ayes: Nelson, Coleman, Egglar, Hopkins and Worden. Nays: None.*

3. Resolution for Shopko Final Plat: Community Development Director Martin summarized that the Department of Natural Resources, FEMA and the Minnesota Department of Transportation have

had the appropriate time needed to comment on the plat. Martin stated that both the DNR and MNDOT will make any necessary comments during the permitting process. *Motion to approve Resolution #5.5-14 approving the final plat for the Shopko Addition was made by Council Member Egger and duly seconded by Council Member Hopkins. Ayes: Nelson, Coleman, Egger, Hopkins and Worden. Nays: None.*

4. Resolution approving Purchase and Development Agreement and Contract for Private Development including a Business Subsidy Agreement with KTJ 234, LLC and authorizing other actions related thereto

a. Purchase and Development Agreement by and between the City of Kasson and KTJ 234, LLC and b. Contract for Private Development between the City of Kasson and KTJ 234, LLC: Mike Bubany of David Drown Associates was present to answer questions regarding the agreements and documents necessary for the tax increment financing bonds for the Shopko Hometown/Oppidan Project. Mr. Bubany explained that with the Purchase and Development Agreement and the Contract for Private Development between the City of Kasson and KTJ 234, LLC both contracts can be approved with one action and that all TIF requirements have been met. *Motion to approve Resolution #5.1-14 approving the Purchase and Development Agreement and the Contract for Private Development both between the City of Kasson and KTJ 234, LLC was made by Council Member Coleman and duly seconded by Council Member Worden. Ayes: Nelson, Coleman, Egger, Hopkins and Worden. Nays: None.*

4½. Resolution Ordering Preparations of Report on Improvements in Lion's Park: *Motion to approve Resolution #5.13-14 ordering preparation of report on improvements in Lion's Park was made by Council Member Worden and duly seconded by Council Member Egger. Ayes: Nelson, Coleman, Egger, Hopkins and Worden. Nays: None.*

5. Resolution Receiving feasibility Report, accepting Petition and Waiver Agreement and Ordering Improvements:

a. Feasibility Report and b. Petition and Waiver Agreement: *Motion to approve Resolution #5.2-14 receiving feasibility report, accepting petition and waiver agreement and ordering improvements was made by Council Member Hopkins and duly seconded by Council Member Worden. Ayes: Nelson, Coleman, Egger, Hopkins and Worden. Nays: None.*

6. Resolution Authorizing Issuance of Taxable General Obligation Tax Increment Financing Bond: *Motion to approve Resolution #5.6-14 awarding the sale of taxable general obligation tax increment bonds, series 2014B, in the original aggregate principal amount of \$1,655,000; fixing their form and specifications; directing their execution and delivery; and providing for their payment was made by Council Member Hopkins and duly seconded by Council Member Worden. Ayes: Nelson, Coleman, Egger, Hopkins and Worden. Nays: None.*

7. Resolution Authorizing Issuance of General Obligation Improvement Bonds: *Motion to approve Resolution #5.7-14 awarding the sale of general obligation improvement bonds, series 2014C, in the original aggregate principal amount of \$430,00; fixing their form and specifications; directing their execution and delivery; and providing for their payment was made by Council Member Egger and*

duly seconded by Council Member Hopkins. Ayes: Nelson, Coleman, Egger, Hopkins and Worden.

Nays: None.

8. Kasson Oppidan Agreement: Motion to approve the agreement between the City of Kasson and KTJ 234, LLC to allow the start of demolition and construction work was made by Council Member Egger and duly seconded by Council Member Worden. Ayes: Nelson, Coleman, Egger, Hopkins and Worden. Nays: None.

9. Resolution Approving Conveyance of Real Property to KTJ 234, LLC: Motion to approve Resolution #5.8-14 approving conveyance of real property to KTJ 234, LLC was made by Council Member Hopkins and duly seconded by Council Member Egger. Ayes: Nelson, Coleman, Egger, Hopkins and Worden. Nays: None.

10. Amendment to Library Architect/Engineering Agreement: Motion to approve the amendment #1 to the agreement signed 27 August, 2013 for Architectural/Engineering services was made by Council Member Coleman and duly seconded by Council Member Hopkins. Ayes: Nelson, Coleman, Egger, Hopkins and Worden. Nays: None.

H. MAYOR'S REPORT:

1. American Legion Purchase Agreement: Motion to approve the purchase agreement between the City of Kasson and Adolph Oiseth Post 333 American Legion labeled as parcel number 24.100.2340 was made by Council Member Coleman and duly seconded by Council Member Worden. Ayes: Nelson, Coleman, Egger, Hopkins and Worden. Nays: None.

I. CLERK-ADMINISTRATOR'S REPORT: NONE

J. ENGINEER'S REPORT:

1. Neil Britton, WSN reported the status on the projects in progress.

K. PERSONNEL:

1. Recommend hiring Tom Ricke, Street Supervisor Grade 13, Step1 \$27.95: Motion to approve hiring Tom Ricke as Street Supervisor at Grade 13, Step 1, \$27.95 per hour was made by Council Member Worden and duly seconded by Council Member Hopkins. Upon a vote being taken, the following members voted in favor thereof: Nelson, Coleman, Egger, Hopkins and Worden. Those against same: none.

2. Promote Josh Hanson to Sergeant/Patrol Officer: Motion to approve promoting Josh Hanson as Sergeant/Patrol Officer at Grade 11, Step 6, \$28.64 per hour 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: Nelson, Coleman, Egger, Hopkins and Worden. Those against same: none.

L. CORRESPONDENCE:

1. Arbor Day Proclamation: No Discussion

2. 1st Quarter Cash & Investment Summary: No Discussion

M. ADJOURN:

1. The meeting was adjourned at 7:27 p.m.

ATTEST:

Linda Rappe, City Clerk

Matt Nelson, Mayor