

GLENCOE CITY COUNCIL MEETING MINUTES
MARCH 18, 2019
7:00 P.M.

Mayor Wilson called the regular meeting of the city council to order at 7:00 p.m. Members present: Schrupp, Alexander, Robeck, Lemke and Neid. Also present: City Administrator Mark Larson, Assistant City Administrator Dan Ehrke, City Attorney Mark Ostlund, Finance Director Trippel, PWDs Schreifels and Voigt, Police Chief Raiter and Fire Chief Scheidt.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

CONSENT AGENDA

Councilor Neid entered the motion to approve the consent agenda as presented. Councilor Robeck seconded. All members voted in favor.

- A. Approve the minutes of the regular meeting of March 4, 2019.
- B. Approve the following building permits:
 1. Tony DeCasas, 105 16th St W; Re-roof
 2. Larry Cash, 1107 Baxter Ave N; Re-side
 3. Speedway, 2306 9th St E; Sign change out
 4. Ron Knop, 406 20th St W; Windows/Patio Door Replacement

PUBLIC HEARINGS: None

BIDS AND QUOTES: None

REQUESTS TO BE HEARD:

A. PRESENTATION OF DOWNTOWN ACTION PLAN

Assistant City Administrator Dan Ehrke and John Rodeberg of SEH gave an overview of the Downtown Action Plan initiated by the Chamber of Commerce Tourism Committee. The plan is to be used as a road map to support existing businesses and attract new businesses and provide opportunities to enhance the quality of life for local residents and draw more visitors to Glencoe.

The action required at this time is to adopt the Downtown Action Plan and appoint an advisory committee to the City Council for making recommendations for the immediate and short term implementation steps set forth in the Plan. The committee appointments will have temporary status through December 31, 2021 and consist of 15 voting members. Those who served on the steering committee will be asked to serve on the advisory committee and additional volunteers will be solicited to complete the membership.

Councilor Robeck entered that motion with Councilor Lemke seconding. Motion carried 5-0.

B. RESOLUTION NO. 2019-06 COMPREHENSIVE ROAD AND TRANSIT FUNDING

City Administrator Larson reviewed the resolution supporting additional road and transit funding from the Minnesota Governor and legislature.

Councilor Schrupp entered the following resolution and moved for its adoption:

**RESOLUTION NO. 2019-06
A RESOLUTION REQUESTING
COMPREHENSIVE ROAD AND TRANSIT FUNDING**

WHEREAS, all Minnesota communities benefit from a sound, efficient, and adequately funded transportation system that offers diverse modes of travel; and

WHEREAS, the integrity of Minnesota's transportation infrastructure is dependent upon long-term planning and ongoing maintenance, both of which require dedicated and sustainable revenue sources; and

WHEREAS, current funding for roads, bridges, and transit systems across all government levels in Minnesota is inadequate, and this under-investment diminishes quality of life for Minnesota residents and hinders Minnesota's progress as a national business, economic, and civic leader; and

WHEREAS, Minnesota's transportation system is failing to meet the capacity needs necessary to sustain population growth and promote economic development; and

WHEREAS, many rural roads are not built to modern safety standards and are not meeting the needs of industries that depend on the ability to transport heavy loads; and

WHEREAS, insufficient state funding has delayed regionally significant road construction and reconstruction projects across Minnesota; and

WHEREAS, transportation infrastructure maintenance and improvement costs significantly contribute to rising property taxes; and

WHEREAS, for every one dollar spent on maintenance, a road authority—and therefore taxpayers—save seven dollars in repairs; and

WHEREAS, Minnesota contains over 141,000 miles of roadway, and over 22,500 miles—or 16 percent—are owned and maintained by Minnesota's 853 cities; and

WHEREAS, almost 85 percent of all municipal streets are not eligible for dedicated Highway User Tax Distribution Fund dollars; and

WHEREAS, the more than 700 Minnesota cities with populations below 5,000 are ineligible for dedicated Highway User Tax Distribution Fund dollars, but have benefitted from the creation of the Small Cities Assistance Account; and

WHEREAS, city streets are a separate but integral piece of the network of roads supporting movement of people and goods; and

WHEREAS, existing funding mechanisms, such as Municipal State Aid (MSA), property taxes, and special assessments, have limited applications, leaving cities under-equipped to address growing needs; and

WHEREAS, city cost participation in state and county highway projects diverts resources from city-owned streets; and

WHEREAS, maintenance costs increase as road systems age, and no city—large or small—is spending enough on roadway capital improvements to maintain a 50-year lifecycle; and

WHEREAS, cities need greater resources, including an additional dedicated state funding source for transportation, and flexible policies to meet growing demands for street improvements and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENCOE that this Council requests that the Minnesota Legislature pass and Governor Tim Walz sign a comprehensive and balanced transportation funding package that permanently increases dedicated funding for transportation; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF GLENCOE that this Council defines a comprehensive and balanced transportation funding package as an initiative that permanently increases dedicated funding for state and local road and transit systems in Greater Minnesota and the Metropolitan Area.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF GLENCOE that this Council requests an omnibus transportation funding bill that provides additional dedicated state funding for city streets, including funding that can be used for non-MSA city street maintenance, construction, and reconstruction.

Councilor Neid seconded the motion. Upon a roll call vote all members voted in favor. Whereupon said resolution was adopted and approved.

C. RESOLUTION NO. 2019-07 WASTE WATER PROJECT REIMBURSEMENT BOND REGULATIONS

City Administrator Larson reviewed the resolution for the authorization of the City to reimburse itself from proceeds of grants and bonds for the Waste Water Treatment Facility Project. Paul Donna of RW Baird will attend the Council Workshop on March 25th to review how the PFA loan will be funded,

Councilor Alexander entered the following resolution and moved for its adoption:

**RESOLUTION NO. 2019-07
RESOLUTION RELATING TO FINANCING CERTAIN WASTEWATER PROJECTS;
ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS
UNDER THE INTERNAL REVENUE CODE**

BE IT RESOLVED by the City Council of the City of Glencoe, Minnesota (the “City”), as follows:

1. Recitals.

(a) The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the "Regulations") dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse the City for project expenditures made by the City prior to the date of issuance.

(b) The Regulations generally require that the City make a declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued series of bonds within 60 days after payment of the expenditures, that the bonds be issued and the reimbursement allocation be made from the proceeds of such bonds within the reimbursement period (as defined in the Regulations), and that the expenditures reimbursed be capital expenditures or costs of issuance of the bonds.

(c) The City desires to comply with requirements of the Regulations with respect to certain projects hereinafter identified.

2. Official Intent Declaration.

(a) The City proposes to undertake the following project or projects and to make original expenditures with respect thereto prior to the issuance of reimbursement bonds, and reasonably expects to issue reimbursement bonds for such project or projects in the maximum principal amounts shown below:

<u>Projects</u>	<u>Maximum Amount of Bonds Expected to be Issued for Projects</u>
Wastewater Treatment Plan Improvements	\$25,000,000

(b) Other than (i) de minimis amounts permitted to be reimbursed pursuant to Section 1.150-2(f)(1) of the Regulations or (ii) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, the City will not seek reimbursement for any original expenditures with respect to the foregoing projects paid more than 60 days prior to the date of adoption of this resolution. All original expenditures for which reimbursement is sought will be capital expenditures or costs of issuance of the reimbursement bonds.

3. Budgetary Matters. As of the date hereof, there are no City funds reserved, pledged, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, pledged, allocated on a long term basis or otherwise set aside) to provide permanent financing for the original expenditures related to the projects, other than pursuant to the issuance of the reimbursement bonds. Consequently, it is not expected that the issuance of the reimbursement bonds will result in the creation of any replacement proceeds.

4. Reimbursement Allocations. The City Administrator shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the reimbursement bonds to reimburse the source of temporary financing used by the City to make payment of the original expenditures relating to the projects. Each reimbursement allocation shall be made within 30 days of the date of issuance of the reimbursement bonds, shall be evidenced by an entry on the official books and records of the City

maintained for the reimbursement bonds and shall specifically identify the original expenditures being reimbursed.

Councilor Schrupp seconded the motion. Upon a roll call vote all members voted in favor. Whereupon said resolution was adopted and approved.

D. RESOLUTION NO. 2019-08 LRIP GRANT 11TH STREET PROJECT FUNDING

Assistant City Administrator Dan Ehrke reviewed for the council as previously discussed at the council workshop the 11th Street rehab and extension project east of Morningside Avenue. The project is warranted due to new development creating increased traffic. The grant application was reviewed and will be submitted for MnDOT's Local Road Improvement Program (LRIP) for this project. Funding requests are limited to \$1,000,000. Proposed 11th Street Project to support local development activities as well as address safety issues within this transportation corridor is projected to cost \$1,121,567.85. The Governor's current Capital Budget recommends \$100 million for this program. The funds are being solicited in anticipation that the funding will be provided through this current legislative session.

Councilor Neid entered the following resolution and moved for its adoption:

**RESOLUTION NO. 2019-08
LOCAL ROAD IMPROVEMENT PROGRAM RESOLUTION**

WHEREAS, the City of Glencoe has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for Local Road Improvement and

WHEREAS, the Commissioner of Transportation has given notice of the 2019 solicitation process; and

WHEREAS, the amount of the grant has been determined to be \$1,000,000 with the city engineer estimating project costs to be \$1,121,567.85;

NOW THEREFORE, be it resolved that the City of Glencoe does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52 and will pay any additional amount by which the cost exceeds the estimate if the project is awarded. The proper city officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

Councilor Lemke seconded the motion. Upon a roll call vote all members voted in favor. Whereupon said resolution was adopted and approved.

E. SPECIAL USE PERMIT REQUEST WERTH DEVELOPMENT LLC

The Planning and Industrial Commission held a public hearing at their March 14th meeting in regards to the Special Use Request of Werth Developing, LLC to allow for the remodel

of 1015 Greeley Avenue North for temporary/short term housing for individuals needing temporary housing such as interns at the hospital, construction workers, etc. The building located in a B-1 zone. The Planning Commission passed the request 3-0. Special Use Permit to be renewed annually.

Council members voted 5-0 to table the request and discussion will be held at the next Council workshop on March 25th.

F. TIF NOTE FOR PANTHER HEIGHTS APARTMENT

Motion entered by Councilor Alexander and seconded by Councilor Schrupp to authorize the Mayor and City Administrator to execute the TIF Note Financing Agreement with the developer of the Panther Heights Apartment Project. Councilor Schrupp seconded the motion. Motion carried 5-0.

G. FIRST READING OF ORDINANCE TO AMEND THE DANGEROUS DOG ORDINANCE

City Attorney Mark Ostlund presented the proposed ordinance to allow the City to handle dangerous dog dispositions in a more practical manner. The amendment will allow the animal control officer (Police Chief) to elect to pursue the dangerous dog designation under the state statute, rather than the city ordinance. Under the state statute the City can then appoint a neutral party to act as the judge. The third party attorney is in a much better position to conduct the quasi-judicial hearing that would be necessary.

Councilor Schrupp motioned approval of the First Reading of the amendment to the Dangerous Dog Ordinance and set the public hearing on said ordinance for 7:15 p.m. on April 15, 2019. Councilor Alexander seconded the motion. Motion carried 5-0.

H. DEADLY FORCE POLICY UPDATE

Police Chief Raiter presented the updated Deadly Force Policy as previously reviewed at the Council Workshop. The policy needed language revisions regarding rules for department weapons usage.

Councilor Neid entered the motion to approve the revised Deadly Force Policy. Councilor Robeck seconded. Motion carried 5-0.

ITEMS FOR DISCUSSION:

A. WINTER PARKING REGULATIONS

Snowbird ordinance lifted due to warmer temps.

B. CENTRAL STORM SEWER PROJECT UPDATE

Where there is gravel, the streets are closed to traffic. Contractor to be on site on when frost is out.

ROUTINE BUSINESS:

PROJECT UPDATES: Tree removal at the Harpel's Development is to be completed by end of March. Harpel's pond bids came in favorably and will be brought to council when the Army Corps of Engineers permitting is completed.

ECONOMIC DEVELOPMENT: None

PUBLIC INPUT: None

REPORTS: Entering cemetery information into the system will require additional help.

CITY BILLS: Motion to approve payment of the city bills entered by Member Neid and seconded by Member Lemke. All voted in favor.

ADJOURN: Mayor Wilson called for adjournment at 8:10 p.m. Member Robeck entered that motion with Member Alexander seconding. All voted in favor.

Mark D. Larson
City Administrator

ATTEST:

Randy Wilson
Mayor