



City Council Meeting Agenda

Monday, November 6, 2023 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: Carol Szaroletta
Councilmember: Sarah Bruss
Councilmember: Rachel Lenzen
Councilmember: Nathan Kells

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**
- 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. **October 16, 2023 City Council Minutes**
- b. **October 24, 2023 Payroll Summary**
- c. **October 30, 2023 Special Meeting Minutes**
- d. **November 6, 2023 Check Summary**
- e. **November 7, 2023 Payroll Summary**
- f. **Quarter 3 CFD Payroll Summary**

- g. Resolution 23-30 Allowing Wire or Automated Payments
- h. Resolution 23-31 Approving Open Gym Supervisor
- i. 2024 LMCIT Waiver
- j. Benton Creek Area Geotech Payment #1

6. NEW COUNCIL BUSINESS

- a. Chad Vos Cologne Fire Department
 - i. BKV Station Improvements Presentation
- b. PUBLIC HEARING – 209 Playhouse St E Variance Denial Appeal
 - i. Resolution 23-32 Denying Variance Appeal
- c. Village Parkway School Zone
 - i. School Zone Study
 - ii. Resolution 23-33 Creating Village Parkway School Zone

7. BOARD REPORTS

8. ANNOUNCEMENTS

9. ITEMS REMOVED FROM THE CONSENT AGENDA

10. ADJOURN

CALENDAR OF EVENTS/MEETINGS

November 10	Friday	Veteran's Day – Offices Closed
November 20	Monday	7:00PM City Council Meeting
November 23-24	Thursday-Friday	Thanksgiving – Offices Closed



City Council Meeting Minutes

Monday, October 16, 2023 7:00 PM
Cologne Community Center, 1211 Village Parkway

Vision Statement

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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

Mayor Lein called the meeting to order at 7:00 PM. Councilmembers Bruss, Kells, and Szaroletta were present. Also present were City Administrator Jesse Dickson and City Clerk Michelle Morrison.

2. PLEDGE OF ALLEGIANCE

3. ADOPT AGENDA

Motion by Councilmember Szaroletta to adopt the agenda, second by Councilmember Kells. Motion carried 4-0.

4. VISITOR'S PRESENTATIONS, PETITIONS, CORRESPONDENCE

Betsy Pysick provided an update to the Council on 2023 Glad Days and plans for Christmas in Cologne.

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. October 2, 2023 City Council Minutes**
- b. October 10, 2023 Payroll Summary**
- c. October 16 Check and EFT Summary**
- d. Benton Creek Area Pay Request #1**
- e. Resolution 23-28 Approving Open Gym Supervisor**

Motion by Councilmember Kells to approve the consent agenda, second by Councilmember Bruss. Motion carried unanimously.

6. NEW COUNCIL BUSINESS

a. Kim Desmarais – Drainage Pond Issue

Property owners expressed concerns to the Council about an invasive woody shrub that is spreading between Cologne Academy and the residential area. Public Works Supervisor Brian Vos reviewed an estimate he had received from Prairie Restoration to remove and chemically treat the area. After discussion, Councilmember Kells made a motion to approve the bid from Prairie Restoration at a cost of \$10,607.00 second by Councilmember Szaroletta. Motion carried 4-0.

7. BOARD REPORTS

a. Lion's Park Transfer

Mayor Lein advised that he is in contact with Lions President Jeff Thompson regarding the Lion's Park transfer to the City.

b. Q3 Sheriff Report

8. ANNOUNCEMENTS

9. ITEMS REMOVED FROM THE CONSENT AGENDA

10. ADJOURN

Motion by Councilmember Szaroletta to adjourn at 7:55 PM, second by Councilmember Bruss. Motion carried unanimously.

Respectfully Submitted:

Attest:

Michelle Morrison

City Clerk

Matt Lein

Mayor

City of Cologne Payroll
24-Oct-23

Employee	\$ 13,195.36	October 24, 2023 Payroll
IRS	\$ 4,561.36	October 24, 2023 Payroll
MN Department of Revenue	\$ 829.35	October 24, 2023 Payroll
PERA	\$ 2,448.99	October 24, 2023 Payroll
Deferred Compensation	\$ 648.57	October 24, 2023 Payroll
Health Savings Account	\$ 1,146.00	October 24, 2023 Payroll
Total	\$ 22,829.63	

City Council Special Meeting Minutes

October 30, 2023 - 7:00 PM

1. CALL MEETING TO ORDER & ROLL CALL

Mayor Lein called the meeting to order at 7:00 PM. Councilmembers Kells and Szaroletta were present. Also present: City Administrator – Jesse Dickson and City Clerk – Michelle Morrison. Councilmembers Bruss and Lenzen were absent.

2. PUBLIC HEARING: Consider the Proposed Assessment for the Benton Creek Area Improvement Project

Motion by Councilmember Szaroletta to open the Public Hearing, second by Councilmember Kells. Motion carried 3-0.

Mayor Lein introduced Jake Saulsbury, from Bolton and Menk, to review the project, costs and assessments and opened the floor to questions.

Motion by Councilmember Szaroletta to close the public hearing at 7:10 PM, second by Councilmember Kells. Motion carried 3-0

A) Resolution No 23-29 Adopting Proposed Assessment

After questions were answered, Mayor Lein asked if Councilmembers had any further questions. There being none, Councilmember Kells made a motion to adopt Resolution 23-29 Adopting Proposed Assessment, second by Councilmember Szaroletta. Motion carried 3-0.

3. ADJOURN

Motion by Councilmember Szaroletta to adjourn at 7:12 PM, second by Councilmember Kells. Motion carried 3-0.

Respectfully Submitted:

Attest:

Michelle Morrison, City Clerk

Matt Lein, Mayor

CITY OF COLOGNE

11/02/23 2:44 PM

Page 1

***Check Detail Register©**

Batch:

101623Aflac,101723Nuvera,101723SecurityVisa,101723Premium,101723Loffler,102023MVEC,101723MNFIRECHIEF,110123Xcel,102023MVTL,102323NAPASTAR,110623CR,102323ECM,102323Melchert,102423Pitney,1025234Imprint,102523SecurityVisa,102523Lano,102523Melchert,110323Nuvera,110323MVEC,110123QualityFlow,110123RecTech,110123Metronet,110123Techstar,110123Broadband,110123MidCountry

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
10100 Checking					
1522 e	10/12/23	AFLAC			
E 101-41400-130		Employer Paid Ins (GENE	\$37.88	549363	Employee Insurance October
G 101-21705		Aflac	\$129.66	549363	Employee Insurance October
E 602-49450-130		Employer Paid Ins (GENE	\$12.62	549363	Employee Insurance October
E 601-49400-130		Employer Paid Ins (GENE	\$12.62	549363	Employee Insurance October
		Total	\$192.78		
1525 e	10/13/23	NUVERA COMMUNICATIONS INC			
E 101-45100-433		Dues and Subscriptions	\$120.24		Fitness Center Cable TV Oct
		Total	\$120.24		
1526 e	10/13/23	SECURITY CARD MEMBER SERVICE			
E 101-41400-430		Miscellaneous (GENERAL	\$23.91		Administrators Meeting Lunch
E 101-41400-207		Computer Software/Hardw	\$77.28		Monthly Adobe Subscription
E 101-41400-207		Computer Software/Hardw	\$145.00		Annual 3Cx Voicemail Subscription
E 101-45200-430		Miscellaneous (GENERAL	\$32.95		Soap Bathrooms
E 101-43100-210		Operating Supplies (GEN	\$33.91		Marking Paint
E 603-49570-404		Repairs/Maint Machinery/	\$30.90		VFW Park Pad Lock
E 101-45200-430		Miscellaneous (GENERAL	\$16.10		Annual Prime Membership
E 101-45200-404		Repairs/Maint Machinery/	\$9.63		Pipe Fittings
E 101-43100-404		Repairs/Maint Machinery/	\$10.73		Toro Mower Parts
E 101-45200-404		Repairs/Maint Machinery/	\$9.34		Dpraying Tip
E 101-43100-401		Repairs/Maint Buildings	\$89.97		LED Strip
		Total	\$479.72		
1528 e	10/13/23	PREMIUM WATERS, INC.			
E 101-43100-200		Office Supplies (GENERA	\$66.18		CCC Drinking Water
		Total	\$66.18		
1530 e	10/17/23	LOFFLER-131511			
E 101-41400-404		Repairs/Maint Machinery/	\$66.81		Monthly Copier Lease Oct
		Total	\$66.81		
1531 e	10/17/23	MN VALLEY ELECTRIC COOPERATIVE			
E 602-49470-381		Electric Utilities	\$79.94		2140 N Village Parkway
E 101-43160-381		Electric Utilities	\$58.07		2043 Village Parkway Light
		Total	\$138.01		
1543 e	10/23/23	MN VALLEY TESTING LABS			
E 602-49450-311		Analysis	\$252.45	1217685	Water Analysis
E 602-49450-311		Analysis	\$252.45	1219030	Water Analysis
E 602-49450-311		Analysis	\$252.45	1219644	Water Analysis
E 602-49450-311		Analysis	\$252.45	1220401	Water Analysis
E 602-49450-311		Analysis	\$190.85	1221745	Water Analysis
E 602-49450-311		Analysis	\$190.85	1222518	Water Analysis
		Total	\$1,391.50		
1544 e	10/23/23	ECM PUBLISHERS, INC.			
E 101-41400-350		Print/Publications (GENE	\$152.25	968691	Publish Public Hearing Benton Creek Project

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101623Aflac,101723Nuvera,101723SecurityVisa,101723Premium,101723Loffler,102023MVEC,101723MNFIRECHIEF,110123Xcel,102023MVT,102323NAPASTAR,110623CR,102323ECM,102323Melchert,102423Pitney,1025234Imprint,102523SecurityVisa,102523Lano,102523Melchert,110323Nuvera,110323MVEC,110123QualityFlow,110123RecTech,110123Metronet,110123Techstar,110123Broadband,110123MidCountry

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-41400-350		Print/Publications (GENE	\$36.75	969626	Publish Nov 6 PH 209 Playhouse St E
		Total	\$189.00		
1545 e	10/23/23	MELCHERT, HUBERT,SJODIN, PLLP			
E 101-41600-304		Legal Fees	\$442.55	169525	2023 Employee Handbook
E 101-41600-304		Legal Fees	\$384.10	169865	Misc Legal
E 101-41600-304		Legal Fees	\$217.10	169866	209 Playhouse St
		Total	\$1,043.75		
1546 e	10/24/23	PITNEY BOWES			
E 101-41400-312		Contractual Services	\$91.29	1024115767	Ink for Postage Machine
		Total	\$91.29		
1547 e	10/25/23	4IMPRINT			
E 101-45100-350		Print/Publications (GENE	\$851.95	26804802	COB Welcome Bags Donation Received CFD Relief
		Total	\$851.95		
1548 e	10/25/23	SECURITY CARD MEMBER SERVICE			
E 101-45100-210		Operating Supplies (GEN	\$157.16		CCC Supplies
E 101-41400-207		Computer Software/Hardw	\$107.28		Monthly Adobe and Flowroute Subscription
E 101-41400-430		Miscellaneous (GENERAL	\$24.00		Administrator Lunch
E 101-43100-210		Operating Supplies (GEN	\$245.94		PW Supplies
E 101-43100-404		Repairs/Maint Machinery/	\$34.99		PW Supplies
E 101-42400-433		Dues and Subscriptions	\$1,575.84		Quarterly Water Surcharge
		Total	\$2,145.21		
1549 e	10/25/23	LANO EQUIPMENT OF NORWOOD			
E 101-43100-404		Repairs/Maint Machinery/	\$1,004.22	30655	Bobcat Repairs
		Total	\$1,004.22		
1550 e	10/25/23	MELCHERT, HUBERT,SJODIN, PLLP			
E 101-41600-304		Legal Fees	\$1,023.00	169910	Winkler Crossing 5th
		Total	\$1,023.00		
1551 e	10/31/23	NUVERA COMMUNICATIONS INC			
E 101-45100-433		Dues and Subscriptions	\$120.24		Fitness Center Cable TV Nov
		Total	\$120.24		
1552 e	10/31/23	MN VALLEY ELECTRIC COOPERATIVE			
E 101-43160-381		Electric Utilities	\$268.20		Street Light Account
		Total	\$268.20		
1553 e	11/01/23	QUALITY FLOW SYSTEMS, INC			
E 602-49450-404		Repairs/Maint Machinery/	\$537.50	45791	Meadow Lift Station Repairs
		Total	\$537.50		
1554 e	11/01/23	RECTECH OUTDOOR SOLUTIONS			
E 101-45200-404		Repairs/Maint Machinery/	\$13.99	12955	Hydro Gear Oil
		Total	\$13.99		
1555 e	11/01/23	METRONET			

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-43100-320		Communications (GENER	\$178.20		Phones
		Total	\$178.20		
1556 e	11/01/23	TECHSTAR IT SOLUTIONS INC			
E 101-43100-312		Contractual Services	\$330.35		November IT Support
E 101-42200-310		Other Professional Servic	\$330.35		November IT Support
E 602-49450-312		Contractual Services	\$330.35		November IT Support
E 101-41400-312		Contractual Services	\$330.35		November IT Support
		Total	\$1,321.40		
1557 e	11/01/23	BROADBAND CORP			
E 602-49450-320		Communications (GENER	\$24.95		WWTP Internet Nov
		Total	\$24.95		
1558 e	11/01/23	MID COUNTY CO-OP			
E 101-45200-404		Repairs/Maint Machinery/	\$77.77	17678	Lawnmower Tire Repair
E 101-43100-210		Operating Supplies (GEN	\$1.00	8277	Annual Tank Rental
E 602-49450-210		Operating Supplies (GEN	\$1.00	8278	Annual Tank Rental
		Total	\$79.77		
28446	10/17/23	MN FIRE CHIEFS ASSOCIATION			
E 101-42220-208		Training and Instruction	\$365.00	6184	2023 Conference Registration S Foley
E 101-42220-208		Training and Instruction	\$365.00	6192	2023 Conference Registration J Rademacher
E 101-42220-208		Training and Instruction	\$365.00	6193	2023 Conference Registration C Milbrett
E 101-42220-208		Training and Instruction	\$440.00	6195	2023 Conference Registration B Loscheider
E 101-42220-208		Training and Instruction	\$365.00	6202	2023 Conference Registration C Vos
E 101-42220-208		Training and Instruction	\$365.00	6214	2023 Conference Registration C Schrupp
		Total	\$2,265.00		
28450	10/23/23	STAR GROUP, L.L.C.			
E 101-43100-404		Repairs/Maint Machinery/	\$63.76	358879	PW Truck Light
		Total	\$63.76		
28451	11/06/23	SAMUEL ANDERSON			
E 101-45100-312		Contractual Services	\$120.00		Event Security - October 14, 2023
		Total	\$120.00		
28452	11/06/23	BAKER TILLY MUNICIPAL ADVISORS			
E 101-41400-312		Contractual Services	\$20,575.00	BTMA22417	Costs Associated with Bond Issuance
		Total	\$20,575.00		
28453	11/06/23	BENTON TOWNSHIP			
E 101-43100-312		Contractual Services	\$7,872.00		Dustcoating 134th
E 101-43100-312		Contractual Services	\$3,667.39		Gravel
		Total	\$11,539.39		
28454	11/06/23	ED BORAK			
E 101-45200-310		Other Professional Servic	\$300.00		Beaver Removal
		Total	\$300.00		
28455	11/06/23	BOUND TREE MEDICAL, LLC			

CITY OF COLOGNE

11/02/23 2:44 PM

Page 4

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-42230-210		Operating Supplies (GEN	\$109.89	85021110	CFD Nitrile Gloves
E 101-42230-210		Operating Supplies (GEN	\$38.62	85053186	CFD Nasal Nalozone Trainers
E 101-42230-210		Operating Supplies (GEN	\$610.77	85132835	CFD AED Batteries and Defib Pads
		Total	\$759.28		
28456	11/06/23	CARVER COUNTY			
E 101-42110-310		Other Professional Servic	\$50,176.50		2nd Half Police Contract
E 101-41910-310		Other Professional Servic	\$21,662.06	6573	Final Payment Cologne area Transportation Plan
		Total	\$71,838.56		
28457	11/06/23	CARVER COUNTY ATTORNEY			
E 101-41600-304		Legal Fees	\$685.54		Q 3 Prosecution Contract
		Total	\$685.54		
28458	11/06/23	CARVER COUNTY REPUBLICANS			
G 101-22000		Deposits	\$50.00		Deposit Refund
		Total	\$50.00		
28459	11/06/23	TOM CLABO			
E 101-45100-312		Contractual Services	\$120.00		Event Security October 14, 2023
		Total	\$120.00		
28460	11/06/23	CUSTOMIZED FIRE RESCUE TRAIN			
E 101-42220-208		Training and Instruction	\$1,950.00	2338	NFPA 1021 Officer Training
		Total	\$1,950.00		
28461	11/06/23	FLOW MEASUREMENT AND CONTROL C			
E 602-49450-312		Contractual Services	\$452.00	2398	Certification Channel Flow Meter
		Total	\$452.00		
28462	11/06/23	HAWKINS, INC			
E 602-49450-216		Chemicals and Chem Pro	\$9,727.85	6597409	Chemicals WWTP
E 602-49450-216		Chemicals and Chem Pro	\$20.00	6602415	Chlorine/Sulfur Dioxide
E 601-49400-216		Chemicals and Chem Pro	\$10.00	6603193	Chlorine Well #3
		Total	\$9,757.85		
28463	11/06/23	MIGUEL JIMENEZ			
G 101-22000		Deposits	\$800.00		Deposit Refund
		Total	\$800.00		
28464	11/06/23	JOSTAN SERVICES, INC.			
E 101-45100-223		Building Repair Supplies	\$123.45		CCC Toilet Paper
E 101-45100-401		Repairs/Maint Buildings	\$2,206.68	9179	CCC Cleaning - October
		Total	\$2,330.13		
28465	11/06/23	KUSSKE CONSTRUCTION			
E 602-49450-210		Operating Supplies (GEN	\$320.00		Sewer Parts
		Total	\$320.00		
28466	11/06/23	LENZEN CHEVROLET-BUICK, INC.			
E 101-42230-404		Repairs/Maint Machinery/	\$449.60	318376	CFD 2018 Silverado Sensor Replacement

CITY OF COLOGNE

11/02/23 2:44 PM

Page 5

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101623Aflac,101723Nuvera,101723SecurityVisa,101723Premium,101723Loffler,102023MVEC,101723MNFIRECHIEF,110123Xcel,102023MVT,102323NAPASTAR,110623CR,102323ECM,102323Melchert,102423Pitney,1025234Imprint,102523SecurityVisa,102523Lano,102523Melchert,110323Nuvera,110323MVEC,110123QualityFlow,110123RecTech,110123Metronet,110123Techstar,110123Broadband,110123MidCountry

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
Total			\$449.60		
28467	11/06/23	BRIAN LOSCHEIDER			
E 101-42210-500		Capital Outlay (GENERAL	\$933.02		Fire Department Furniture
Total			\$933.02		
28468	11/06/23	MORGAN LOSCHEIDER			
R 101-00000-34793		Gym Fees/Rentals	\$40.00		Refund Rental Cancelled
G 101-20300		Sales Tax Payable	\$2.75		Refund Rental Cancelled
G 101-20301		Sales Tax Payable - Trans	\$0.20		Refund Rental Cancelled
G 101-22000		Deposits	\$50.00		Refund Rental Cancelled
Total			\$92.95		
28469	11/06/23	N & J SERVICES			
E 101-45100-300		Professional Svcs (GENE	\$725.00	240	CCC - Event Cleaning/Draperly Install Oct 15
Total			\$725.00		
28470	11/06/23	NCPERS Group Life Ins			
E 101-41400-130		Employer Paid Ins (GENE	\$32.00		Employee Life Insurance - November
E 601-49400-130		Employer Paid Ins (GENE	\$16.00		Employee Life Insurance - November
E 602-49450-130		Employer Paid Ins (GENE	\$16.00		Employee Life Insurance - November
E 101-43100-130		Employer Paid Ins (GENE	\$16.00		Employee Life Insurance - November
Total			\$80.00		
28471	11/06/23	NIHCA			
E 101-45100-312		Contractual Services	\$449.00		Annual Dues
Total			\$449.00		
28472	11/06/23	POST OFFICE			
E 101-41400-322		Postage	\$310.00		Annual Permit Fee
Total			\$310.00		
28473	11/06/23	RIDGEVIEW MEDICAL			
G 101-22000		Deposits	\$500.00		Deposit refund
Total			\$500.00		
28474	11/06/23	STERLING FENCE			
E 101-45200-500		Capital Outlay (GENERAL	\$18,842.00	26476	Marion Park Fence
Total			\$18,842.00		
28475	11/06/23	TEE JAY NORTH, INC			
E 101-45100-401		Repairs/Maint Buildings	\$1,592.34	49386	Repair Front Door Motor Gearbox
Total			\$1,592.34		
28476	11/06/23	UTILITY LOGIC			
E 601-49400-220		Repair/Maint Supply (GEN	\$1,185.00	14305	Ferromagnetic Locator
Total			\$1,185.00		
28477	11/06/23	WICKENHAUSER EXCAVATING, INC.			
E 602-49450-312		Contractual Services	\$350.00		Clean Storm Drain Outlet by Winkler Trail4472
Total			\$350.00		

CITY OF COLOGNE

11/02/23 2:44 PM

Page 6

*Check Detail Register©

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101623Aflac,101723Nuvera,101723SecurityVisa,101723Premium,101723Loffler,102023MVEC,101723MNFIRECHIEF,110123Xcel,102023MVTL,102323NAPASTAR,110623CR,102323ECM,102323Melchert,102423Pitney,1025234Imprint,102523SecurityVisa,102523Lano,102523Melchert,110323Nuvera,110323MVEC,110123QualityFlow,110123RecTech,110123Metronet,110123Techstar,110123Broadband,110123MidCountry

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
10100			\$160,783.33		

Fund Summary

10100 Checking

101 GENERAL FUND	\$146,265.10
601 WATER FUND	\$1,223.62
602 SEWER FUND	\$13,263.71
603 STORM WATER FUND	\$30.90
	\$160,783.33

Clerk Treasurer

Date

City of Cologne Payroll 7-Nov-23			
Employee	\$	13,436.33	November 7, 2023 Payroll
IRS	\$	4,665.83	November 7, 2023 Payroll
MN Department of Revenue	\$	848.68	November 7, 2023 Payroll
PERA	\$	2,495.17	November 7, 2023 Payroll
Total	\$	21,446.01	

City of Cologne Fire Department Payroll
10/25/2023 Quarter 3

Employee	EFT	\$ 14,330.09	October 25, 2023 Q3 Payroll
IRS	EFT	\$ 2,374.22	October 25, 2023 Q3 Payroll
	Total	\$16,899.79	



**CITY OF COLOGNE
RESOLUTION NO. 23-30**

**A RESOLUTION ALLOWING WIRE/AUTOMATED BANK PAYMENTS AND
AUTHORIZING PRE-PAYMENT OF CLAIMS**

WHEREAS, the banking industry has promoted electronic funds transfers to reduce paper transactions, move resources more rapidly and respond to customer demands; and

WHEREAS, Minnesota State Statutes defines electronic funds transfer as the process of value exchange via mechanical means without the use of checks, drafts or similar negotiable instruments; and

WHEREAS, Minnesota State Statute 471.38, states that payment of claims, obligations and investment transactions of a statutory city may be made by warrant, check or all forms of electronic or wire funds transfer and that a statutory city may accept payment by use of a credit card, debit card, or all forms of electronic or wire funds transfer; and

WHEREAS, the Cologne City Council acknowledges this new technology and the need for electronic fund transfer transactions both coming into and going out of the City bank and investment accounts.

NOW, THEREFORE, BE IT RESOLVED that the Cologne City Clerk may accept and make payment by electronic funds transfer and wire transfer and that these transactions are subject to the same approval requirements as any paper transaction and that these electronic funds transfer and wire transfer transactions met all of the required policies of the financial institutions the City of Cologne transacts with and includes but may not be limited to the following:

Utility and Miscellaneous Receipts, Credit Card Receipts and Monthly Charges, MN State Retirement System, State of Minnesota, IRS, PERA, Federal Funding, Bond Payments, Lease Payments, Health/Dental/Life/STD<D Insurances.

BE IT FURTHER RESOLVED, that the City Clerk is authorized to issue pre-payment of claims as directed the the Cologne City Council and Minnesota State Statute 412.271 as follows:

All utilities, including electrical, heating fuel, telephone, water and sewer; postage; payroll activity; sales taxes; registrations; other miscellaneous taxes, expenses subject to finance charges; and payment required under contracts or that have been otherwise pre-authorized by the City Council and entered into by the City.

Adopted by the City Council of the City of Cologne, Minnesota, this 6th day of November, 2023.

Matt Lein, Mayor

ATTEST:

Michelle Morrison
City Clerk

M/ _____	Lein _____	Szaroletta _____
	Bruss _____	Lenzen _____
S/ _____	Kells _____	



**CITY OF COLOGNE
RESOLUTION NO. 23-31
APPROVING 2023 OPEN GYM SUPERVISOR**

WHEREAS, The City of Cologne budgets annually for seasonal help; and

WHEREAS, the City of Cologne is responsible for promoting public health and provides a public facility; and

WHEREAS, the City Staff is recommending the hiring of the following individual for the 2023 Open Gym Supervisor position;

Kaasandra Thymian \$14.00/hr.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cologne, Minnesota, to authorize the hiring of the position for the 2023 season.

Adopted by the City Council of the City of Cologne, Minnesota, this 6th day of November, 2023.

Matt Lein, Mayor

ATTEST:

Michelle Morrison
City Clerk

M/ _____

Lein

Szaroletta

Kells

Bruss _____

Lenzen _____

S/ _____

LIABILITY COVERAGE WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before their effective date of coverage. Email completed form to your city's underwriter, to psstech@lmc.org, or fax to 651.281.1298.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. *The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.* The decision has the following effects:

- *If the member does not waive the statutory tort limits*, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.
- *If the member waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
- *If the member waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name: City of Cologne

Check one:

☒ The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04.

☐ The member **WAIVES** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: _____

Signature: _____

Position: _____



**BOLTON
& MENK**

Real People. Real Solutions.

2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172

Ph: (952) 448-8838
Fax: (952) 448-8805
Bolton-Menk.com

October 18, 2023

City of Cologne
Attn: Jesse Dickson
1211 Village Parkway
Cologne, MN 55322

**RE: Benton Creek Area Improvements Project
Geotechnical Invoice**

Dear Mr. Dickson:

Enclosed please find an invoice for geotechnical work on the above referenced project. The work completed includes concrete testing for this invoice.

We have reviewed the invoice and recommend the City make payment in the amount of **\$1,495.00** to Haugo GeoTechnical Services, LLC.

Please contact me if you have any questions regarding this invoice or this project.

Sincerely,

Bolton & Menk, Inc.

Ryan R. Johnson, P.E.

cc: Jake Saulsbury, Bolton & Menk

enclosure

Haugo GeoTechnical Services, LLC
 13570 grove Dr #278
 Maple Grove, MN 55311 US
 612-554-4829
 phaugo@haugogts.com

Invoice

BILL TO

City of Cologne
 1211 Village Parkway
 Cologne, MN 55322

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
13236	10/13/2023	\$1,495.00	11/12/2023	Net 30	

P.O. NUMBER

23-0680 Benton Creek Area Impro

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
09/26/2023	602E PM Setup	Project Manager - Project Initialization	1:00	110.00	110.00
09/26/2023	101A Curb	Concrete Testing - Curb & Gutter	2:30	76.00	190.00
09/27/2023	101A Curb	Concrete Testing - Curb & Gutter	3:00	76.00	228.00
09/28/2023	105 SPUC	Sample Pick-up, Concrete	1:30	76.00	114.00
10/01/2023	102 Curing & Testing	Concrete Cylinder(s) Curing & Testing	10:00	20.00	200.00
10/01/2023	110 Trip charge	Trip Charge(s), Week of	3:00	40.00	120.00
10/06/2023	602C PM Coord	Project Manager - Project Coordination	0:30	110.00	55.00
10/06/2023	101A Curb	Concrete Testing - Curb & Gutter	3:00	76.00	228.00
10/08/2023	110 Trip charge	Trip Charge(s), Week of	1:00	40.00	40.00
10/08/2023	102 Curing & Testing	Concrete Cylinder(s) Curing & Testing	5:00	20.00	100.00
10/13/2023	602A PM Reporting	Project Manager - Report Review	1:00	110.00	110.00

23-0680 Benton Creek Area Improvements CMT

BALANCE DUE

\$1,495.00

**CITY OF COLOGNE
CITY COUNCIL
RESOLUTION NO. 23-32**

**RESOLUTION DENYING APPEAL OF VARIANCE DECISION BY THE BOARD OF
APPEALS AND ADJUSTMENT FOR 209 PLAYHOUSE STREET EAST**

WHEREAS, Bernie and Karen Shambour (“Applicant”) are the applicants for an application related to property located at 209 Playhouse St E (the “Subject Property”); and

WHEREAS, the property is zoned C-2 Central Business District and lies within the Shoreland Overlay District, which limits impervious surface coverage to 25%; and

WHEREAS, the property currently has a structure consisting of approximately 1,133 square feet that has been used for storage as per the application submitted by the Applicant for at least 85 years; and

WHEREAS, the property also currently has approximately 50% impervious surface coverage; and

WHEREAS, the Applicant applied for a variance on May 25, 2023 requesting the City to permit impervious surface coverage of 79% of the Subject Property following a nearly complete demolition of the existing 1,133 square foot structure and building a new structure consisting of 2,050 square feet; (“Original Application Submittal”); and

WHEREAS, the Applicant submitted a revised application and plan set on August 22, 2023 (“Revised Application”) that reduces the size of the proposed addition to an additional 493.43 square feet and 64% impervious surface coverage and also provided the following list of activities for the building:

- K&B Property Services – volunteer lawn cutting, herbicide application, seasonal power vacuuming, tree trimming, brush removal, snow thrower/loader volunteer services. Light preventative maintenance work such as mower deck blade sharpening, greasing, air-oil filter changing, etc. (no motor repairs)
- Christmas Light and Seasonal Decoration Volunteer Testing and Repairs – Cologne Lions, Benton Gardens, and Shambour Park
- CAP Agency, Carver, Scott, Dakota Counties transfer seasonal items using an aged SUV and pickup truck
- Volunteer Senior auto detailing and moving assistance
- Red Cross Bloodmobile Drive – Volunteer Coordinator Services (since 1988)

WHEREAS, the Applicant has not stated which of the uses listed in the C-2 Business District that his proposed activities are consistent with; and

WHEREAS, neither the original application nor the amended application state the specific requirements of the Zoning Ordinance from which a variance is sought; and

WHEREAS, because of the conflict between the request in the application and the applicable provisions of the Zoning Code, and the emphasis on uses and exhibits related to water runoff in the application, the City Council interprets the application as amended as a request for a variance from the impervious surface coverage requirements and from the list of permitted uses in the zoning district; and

WHEREAS, the activities provided by the Applicant in the Revised Application appear to be primarily related to the storage of personal items used for various purposes for volunteer activities or maintenance of their own properties, and includes the repair of motorized equipment; and

WHEREAS, the design of the building with no office, two garage doors and a possible floor trench drain are consistent with an auto-repair/motorized equipment repair shop or an expansion of a storage use neither of which is a permitted use in the C-2 Zoning District; and

WHEREAS, the C-2 Zoning District allows the following uses as either permitted uses or interim uses:

Permitted uses.

- (1) Retail sales conducted within structures, but excluding automobile and motorized equipment sales, truck stops, gasoline and fuel sales, drive-through restaurants and adult-oriented businesses.
- (2) Repair and service conducted within structures, but excluding automobile and motorized equipment repair.
- (3) Professional and business offices.
- (4) Legal, nonconforming residences and accessory uses.
- (5) Accessory apartments.
- (6) Theaters and recreational businesses conducted within structures, but excluding adult-oriented businesses.
- (7) Daycare centers.
- (8) Cabinet making and sales showroom.

Interim uses.

- (1) Tractor trailer parking.
- (2) Masonry construction trade business and showroom.
- (3) Churches and pre-schools in renovated pre-existing commercial structures, located on A-Minor Arterial Highways as depicted on figure four of the City of Cologne 2030 Comprehensive Plan.
- (4) Used automobile sales as an accessory use to legal nonconforming automobile body repair businesses.

WHEREAS, storage is not listed as a permitted or interim use, and as such is considered a non-conforming use in the C-2 Business District; and

WHEREAS, Section 153.007 of the Cologne City Code does not permit the expansion or enlargement of nonconforming uses; and

WHEREAS, the subject property is within the Shoreland Overlay District, being approximately 915 feet from Benton Lake, which the Minnesota Pollution Control Agency has declared to be an impaired body of water; and

WHEREAS, the maximum allowed impervious surface coverage in the Shoreland Overlay District is 25%;

WHEREAS, Minnesota Statute Section 462.357, subd. 6 provides:

- a. Variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) when the variances are consistent with the comprehensive plan.

- b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.
- c. The board of appeals and adjustments or the governing body as the case may be, may not permit as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located.

In order to merit a variance, the request must satisfy all three of the practical difficulties criteria listed.

WHEREAS, the public hearing was properly noticed and held on July 17, 2023; and

WHEREAS, the application was reviewed by the Board of Appeals and Adjustment at its meetings on July 17, 2023 and September 5, 2023; and

WHEREAS, the Board of Appeals and Adjustment made the following findings of fact at its meeting on September 5, 2023:

1. A variance related to the expansion of the non-conforming use is not in harmony with the general purpose and intent of the ordinance, because it requests permission to expand a use which is not allowed in the district. A variance from the impervious surface requirements would be inconsistent with the purpose and intent of the City ordinances and would be counter to public policy indicated in state statute, which is to regulate and reduce the amount of impervious surfaces.
2. The variance requested is not consistent with the comprehensive plan.
3. The application does not establish practical difficulties in complying with the ordinance. The proposed variance does not meet criteria 1 and 2 of the practical difficulties analysis:
 1. The proposed use is not reasonable in light of the disharmony with the general purpose and intent of the ordinance. The Zoning Ordinance provides for the continued use of non-conforming structures and uses subject to the terms of Section 153.007, but does not permit the expansion of those non-conforming structures and uses. Per the application, the property has been used in this scale and manner for the past 85 years and could continue but for the existing condition of two walls of the building. The applicant has not proposed a repair or replacement plan that stabilizes the existing building or reconstructs a new building of the same size and scale on the same footprint as an option.

The use is not permitted in the district, and the Zoning Ordinance and Minnesota law do not permit variances for the expansion of non-conforming uses. If a new building is desired, it has not been shown that it could not be constructed on the same footprint without expansion, which may be permissible under Minnesota law.

2. The plight of the landowner is due to circumstances created by the landowner and are not unique to the property. There is nothing unique about the property that prevents the Applicant from complying with City ordinances. The applicant desires to expand a non-conforming use by approximately 43%, and to do so by increasing the impervious coverage on the property. If a property owner were to construct on a vacant lot they

would be required to meet both the performance and use standards of the Zoning Ordinance. No circumstances have been provided to identify why the circumstances are unique to the property, nor has the property owner demonstrated that they could not stabilize the existing building without the need for an addition.

3. A variance will not significantly alter the essential character of the locality. A maintained structure would be more attractive than one that has deferred maintenance. The existing building does not have apparent historic value that would be recommended to preserve. Nearby properties are in the older portion of the city and consist of a mix of homes, commercial structures, utility structures and park land. The proposed structure is considerably larger than the existing building.

WHEREAS, the Board of Appeals and Adjustment adopted Resolution 23-01 denying the variance at its meeting on September 5, 2023; and

WHEREAS, the Applicant filed an appeal of the decision of the Board of Appeals and Adjustment as permitted Under Section 153.090 (C) of the City Code of Ordinances; and

WHEREAS, a public hearing before the City Council was held on November 6, 2023; and

THE CITY COUNCIL FINDS THAT:

1. The requested variance is not in harmony with the general purpose and intent of the City's zoning ordinance, which does not permit storage as a use in the C-2 District. Further, the variance regarding impervious surface coverage is not in harmony with the shoreland overlay ordinance and state statute which direct the *reduction of* impervious surfaces rather than their *expansion*.
2. The requested variance is inconsistent with the comprehensive plan, which generally directs this district to contain businesses that provide services to customers, and not warehouses and garages.
3. The proposed use under the requested variance is unreasonable given the disharmony with the general purpose of the ordinance and the inconsistency with the comprehensive plan.
4. The plight of the landowner is caused by actions of the landowner or the landowner's predecessors-in-interest by the construction of the building and not by circumstances unique to the property, which is typical of the neighborhood in all relevant respects.
5. The proposed uses described in the application are not among the uses permitted in the City's ordinance Section 462.375, subdivision 6, which applies to the property.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council concurs with and adopts the findings of the Board of Adjustment and Appeal;
2. The Recitals and Findings above are adopted as resolutions of the Council.
3. The City Council AFFIRMS the decision of the Planning Commission acting as the Board of Adjustment and Appeal.
4. The requested variance is DENIED.

Approved:

Matt Lein
Mayor

Attested:

Michelle Morrison
City Clerk

M/_____

Lein_____

Szaroletta_____

Kells_____

S/_____

Bruss_____

Lenzen_____



Real People. Real Solutions.

12224 Nicollet Avenue
Burnsville, MN 55337-1649

Ph: (952) 890-0509
Fax: (952) 890-8065
Bolton-Menk.com

MEMORANDUM

Date: October 23, 2023
To: Jesse Dickson
City Administrator, City of Cologne
From: Jake Saulsbury, P.E.
Aaron Bartling
Subject: Village Parkway School Zone Speed Limit Establishment
City of Cologne
BMI Project No.: OC1.132353

BACKGROUND

The City of Cologne requested that Bolton & Menk complete the review of a new school zone speed limit on Village Parkway by Cologne Academy to satisfy requirements put forth by the Minnesota Department of Transportation's (MnDOT) Guide for Establishing School Zone Speed Limits. This memo satisfies the requirements of the "engineering and traffic investigation as prescribed by the commissioner of transportation" under Minnesota Statute 169.14 subd 5a.(a).

FINDINGS

Existing Conditions

Cologne Academy is located in the southwest quadrant of Village Parkway and Village Market Drive, next to the Cologne Community Center and City Hall. The primary access into the school area is located on Village Parkway, which is classified as a local road with a posted speed limit of 30mph.

Based on MnDOT's Guide for Establishing School Zone Speed Limits (SZSLs), Village Parkway falls under Condition 1 requirements (**Attachment D**). According to the guide, SZSLs that fall within Condition 1 satisfy best practices for both lowering the SZSL and reducing the speed differential. This group has an existing speed limit of 30 mph or less and a speed differential of 10 mph or less. This group does not require a full engineering and traffic (E&T) investigation. Village Parkway is currently 30 mph and the proposed school zone is 20 mph, resulting in a speed differential of 10 mph. SZSLs in Condition 1 are also not required to include an SZSL buffer zone or advance warning.

School Route Plan

A school route plan has been developed to identify all crossings or access locations that students use to bike, walk, or stroll to school (**Attachment A**). Students currently have a mix of sidewalks and trails to access the school from areas to the west of Cologne Academy. In general, school route paths and crossings are located on just one side of the street or intersection.

Crash History

Zero crashes have been recorded on Village Parkway in the past five years and only one non-injury crash has been recorded in the past 10 years.

IMPLEMENTATION

Following guidance from MnDOT's Guide for Establishing School Zone Speed Limits (June 2023) and the Minnesota Manual on Uniform Traffic Control Devices (MnMUTCD), the following improvements are being recommended to establish a school zone speed limit on Village Parkway. Proposed signage can be viewed in **Attachment C**.

Recommendations

- It is recommended that a school speed limit be set and signed at 20 mph on Village Parkway, a 10 mph decrease from the current posted speed limit. The school zone's western terminus will be at Silver Leaf Trail and eastern terminus at CSAH 53.
- Remove the existing 15 m.p.h. sign upon entering Village Parkway from Paul Street and replace with school speed limit assembly (S4-3P, R2-1, S4-1P, S4-6P).
- Remove the existing 30 m.p.h. sign mid-block between Village Market Drive and Naples Avenue (westbound).
- Install school speed limit assembly (S4-3P, R2-1, S4-1P, S4-6P) 200 feet prior to Silver Leaf Trail (eastbound).
- End school zone (S5-2) signs are to be installed at the end of the school zone along Village Parkway. Install westbound sign 200 feet beyond Silver Leaf Trail and eastbound sign ahead of the roundabout at CSAH 53.
- At Village Market Drive roundabout (west side), remove existing pedestrian crossing signs (W11-2) with arrow (W16-7P) and replace with school crossing assembly (S1-1, W16-7P)
- On Village Parkway at NE corner of Naples Avenue, remove existing pedestrian crossing sign (W11-2) with arrow (W16-7P) and replace with a flashing beacon pedestrian crossing sign. Install flashing beacon pedestrian crossing sign at SW corner along Village Parkway. Flashing beacon signs will be included in the city's upcoming LRIP grant application, therefore, installation may coincide with a project funding award. If LRIP grant application is unsuccessful, it's recommended to move forward with installation.
- At Silver Leaf Trail, install flashing beacon pedestrian crossing signs on NE and SW corners. Flashing beacon signs will be included in the city's upcoming LRIP grant application, therefore, installation may coincide with a project funding award. If LRIP grant application is unsuccessful, it's recommended to move forward with installation.
- School zone signage and school zone speed limit signage should be in accordance with Chapter 7 of the MnMUTCD.

Additional Considerations

- Recommend adding school crossing assembly (S1-1 with W16-7p) on both Silver Leaf Trail and Naples Avenue at trail crossings (in both directions).
- Consider the use of flashing beacons on school speed limit assemblies, paired with when flashing sign (S4-4P). This would be in place of the S4-1P and S4-6P signs recommended above.

If this school zone speed limit is approved by the City Council, it is recommended that City staff proceed with ordering and installing the signs as shown herein.

APPENDIX



LEGEND

↔ Existing Pedestrian Routes

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& MENK**
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Attachment A: Pedestrian Routes

Village Parkway School Zone Study
City of Cologne, MN



Attachment D

Figure A – Appropriate SZSL ranges and requirements based on MN State Statute 169.14.5a and MnDOT identified best practices

EXIST. ROAD SPEED LIMIT	20	25	30	35	40	45	50	55	60	65
Range of School Zone Speed Limits										
15-mph SZSL	C1	C1	C3							
20-mph SZSL		C1	C1	C3	C3					
25-mph SZSL			C2	C2	C3	C3				
30-mph SZSL				C2	C2	C3	C3	C3	C3	
35-mph SZSL					C2	C2	C3	C3	C3	C3

Condition 1 (C1)

Satisfies SZSL best practices

- No E&T investigation required unless there is a history of non-motorist crashes
- No SZSL buffer zone or advance warning signing required
- Additional countermeasures should be considered if pedestrian safety is the justification of the SZSL

Condition 2 (C2)

Satisfies one, but not all best practices

- E&T investigation required
- No SZSL buffer zone or advance warning signing required
- Additional countermeasures should be considered regardless of crash history, if pedestrian safety is the justification for the SZSL

Condition 3 (C3)

Does not satisfy any best practices without additional countermeasures and/or warnings

- E&T investigation required
- SZSL buffer zone or advance warning signing required
- Additional countermeasures should be considered regardless of crash history

Summary of SZSL Best Practices:

- Selecting a SZSL that reduces the risk of severe injury and fatal crashes for vulnerable users
- Minimize differential between existing speed limit and SZSL (5-10 mph is best, no more than 15 mph)
- Use of a SZSL buffer zone or advance warning signage when there is a 15 mph or more differential
- Redundancy with additional countermeasures

**CITY OF COLOGNE
RESOLUTION NO. 23-33**

RESOLUTION ESTABLISHING SCHOOL ZONE SPEED LIMIT ON VILLAGE PARKWAY

WHEREAS, the City of Cologne conducted an engineering investigation for the roadway adjacent to Cologne Academy pursuant to Minnesota Statutes 169.14 Subdivision 5a; and

WHEREAS, the study collected crash data and developed a school route plan to make recommendations for consideration and implementation to improve pedestrian safety; and

WHEREAS, the study recommends that the posted speed limits be reduced from 30 miles per hour to 20 miles per hour during school peak hours when children are present at Cologne Academy; and

NOW, THEREFORE BE IT FURTHER RESOLVED, the Cologne City Council authorizes the City Engineer to establish and place signage creating a school zone speed limit of 20 miles per hour on Village Parkway from just west of Silver Leaf Trail to County Road 53 in accordance with the Minnesota Manual of Uniform Traffic Control Devices effective when children are present.

Adopted by the City Council of the City of Cologne, MN on this 6th day of November, 2023.

Matt Lein, Mayor

ATTEST:

Michelle Morrison
City Clerk

M/ _____

Lein _____

Szaroletta _____

Kells _____

S/ _____

Bruss _____

Lenzen _____