



City Council Meeting Agenda

Monday, February 20, 2024 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. February 5, 2024 City Council Minutes
- b. Accounts Payable from February 5, 2024
- c. February 13, 2024 Payroll Summary
- d. Resolution 24-03 Accepting Donation
- e. Temporary Liquor License Relief Assn Steak Fry April 27

6. NEW COUNCIL BUSINESS

- a. Cologne Village Commercial Concept Plan**
 - i. Resolution No 24-04 Approving Sketch Planned Unit Development**

- b. Ordinance Amendment – Food Preparation for Wholesale or Retail in C-2 Zoning District as an Interim Use of Property**
 - i. Ordinance 173 Amending the City of Cologne Zoning Ordinance Related to Uses in the C-2 Zoning District**

- c. 102 Lake Street West – Interim Use Permit**
 - i. Resolution 24-05 Approving an Interim Use Permit for 102 Lake Street West**

- d. Resolution No 24-06 Resolution to Terminate Orderly Annexation Agreement and Petition the Carver County Board of Commissioners to Establish Maintenance Responsibilities for 134th Street**

7. INFORMATIONAL ITEMS

- a. Staff Reports**
- b. Council / Mayor Reports**

8. ITEMS REMOVED FROM THE CONSENT AGENDA

9. ADJOURN

CALENDAR OF EVENTS/MEETINGS

March 5	Tuesday	Presidential Nomination Primary
March 6	Wednesday	Planning Commission Meeting
March 11	Monday	City Council Meeting



City Council Meeting Minutes

Monday, February 5, 2024 7:00 PM
Cologne Community Center, 1211 Village Parkway

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1. CALL MEETING TO ORDER & ROLL CALL

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

2. PLEDGE OF ALLEGIANCE

3. ADOPT AGENDA

City Administrator Morrison asked that the agenda be modified to add item e. Approve Benton Creek Area Improvements Pay Request #3 on the consent agenda. Motion by Councilmember Szaroletta to adopt the revised agenda, second by Councilmember Kells. Motion carried unanimously.

4. VISITOR'S PRESENTATIONS, PETITIONS, CORRESPONDENCE

a. Launch Café Cory Magstadt and John Pennucci

Cory Magstadt, Executive Director of Launch Ministries and John Pennucci, Launch Café manager gave a history of Launch Ministries with its focus on working with youth between the ages of 18 and 29 years old. Their mission is to help individuals move from Crisis to Stability. They provide emergency shelter for up to 60 days and have a drop-in facility in Chaska. Currently they are planning on teaching the youth employment skills by providing jobs at Launch Café. The youth will be transported to and from Chaska to work their shifts. There will always be supervised staff at the Café with the youth. Members of the audience asked questions about security at STARS and the background check process.

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. January 16, 2024 City Council Minutes**
- b. Accounts Payable from January 16, 2024**
- c. January 30, 2024 Payroll Summary**
- d. Res No 24-02 Appointing Election Judges**
- e. Benton Creek Area Improvements Pay Request #3**

After discussion, Councilmember Lenzen made a motion to approve the consent agenda, second by Councilmember Bruss. Motion carried unanimously.

6. NEW COUNCIL BUSINESS

a. Assistant Fire Chief Brian Loscheider open hiring process for Cologne Fire Department.

Mayor Lein informed the council that the Fire Department is currently at 29 Firefighters and there are at least 10 potential retirees in the next few years. The department was looking for City approval to open the hiring process to recruit new members to begin the two-year training process. After discussion Councilmember Bruss made a motion to open hiring for the fire department, second by Councilmember Kells. Motion carried unanimously.

b. Personnel Committee Update

i. Planning Commission Appointment

Mayor Lein informed the council that the Personnel Committee reviewed the applicants for the Planning Commission and introduced Kristy Naegely to the members. It was their recommendation to appoint Ms. Naegely to the Planning Commission. Motion by Councilmember Kells to appoint Ms. Naegely to the Planning Commission, second by Councilmember Szaroletta. Motion carried unanimously.

ii. Employee Policy Change

The Personnel Committee also met with City Administrator Morrison to discuss reinstating a deferred compensation plan for employees hired prior to January 1, 2024. The plan was suspended in December pending attorney questions regarding its legality. Motion by Councilmember Bruss directing the City Administrator to enact a Deferred Compensation plan for employees hired prior to January 1, 2024 who are not enrolled in the City Medical or Dental Insurance Plan, second by Councilmember Szaroletta. Motion carried unanimously.

7. INFORMATIONAL ITEMS

a. Staff Reports

Administrator Morrison updated the Council on activities the past month including completing annual State and County reporting requirements, Outstanding Bond analysis with payoff schedules, contact with election judges and election training for the March 5th PNP, Conversations with City Planner regarding multiple items for February 7 Planning Commission meeting, Sheriff Report analysis and biweekly staff meetings.

b. Council / Mayor Reports

i. Mayor Lein

1. Lions Park Update

Mayor Lein reviewed a letter he had received from Lions Club President Jeff Thompson withdrawing from negotiations to transfer ownership of Lions Park to the City.

2. Dale Schmitz Proclamation

3. Planning Commission Meeting Wednesday February 7

c. Sheriff December and Annual Report

8. ITEMS REMOVED FROM THE CONSENT AGENDA

9. ADJOURN

Motion by Councilmember Szaroletta to adjourn at 8:00 PM, second by Councilmember Lenzen. Motion carried unanimously.

Respectfully Submitted:

Attest:

Michelle Morrison

City Administrator

Matt Lein

Mayor

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02/15/24 2:24 PM

Page 1

***Check Summary Register©**

Batch:

022024CRCY,020624AFLAC,020624MVT,020624EPSON,020724WaconiaComfort,020427PSN,021224REPUBLIC,020724XCEL,030424Centerpoint,020724PartCity,020724SecurityBank,021324LIAB,021324EMPJAN,021324HSA,020924PERMARSS,021424Verizon,021324CircleK,021324CARCO,021524LOFFLER,021524PremWaters,021524MVEC,021524 Loffler,021524MNPFA,021524HealthPartners

Name	Check Date	Check Amt	
10100 Checking			
1717e AFLAC	2/6/2024	\$175.86	Employee Insurance January
1718e MN VALLEY TESTING LABS	2/6/2024	\$175.50	Water Analysis
1719e EPSON	2/6/2024	\$91.24	1/2 BLK on WHT TAPE
1720e WACONIA COMFORT	2/7/2024	\$472.50	PW Shop Furnace Repair
1721e PAYMENT SERVICE NETWORK	2/7/2024	\$677.14	Monthly PSN Fees
1722e REPUBLIC SERVICES	2/7/2024	\$614.50	PW Garbage
1723e SECURITY BANK	2/7/2024	\$2,647.74	January 2024 Statement
1724e IRS	2/8/2024	\$3,715.21	Vendor Liability
1725e MN REVENUE	2/8/2024	\$719.38	Vendor Liability
1726e PERA	2/8/2024	\$2,216.15	Vendor Liability
1727e EMPOWER	2/8/2024	\$1,112.38	January
1728e OLD NATIONAL	2/13/2024	\$258.34	Employee Health Savings- JAN
1729e SECURITY BANK	2/13/2024	\$316.68	Employee Health Savings- JAN
1730e BMO	2/13/2024	\$370.98	Employee Health Savings- JAN
1731e PER MAR SECURITY SERVICES	2/9/2024	\$125.70	Quarterly Security Services
1732e VERIZON WIRELESS	2/12/2024	\$210.06	CFD Communication
1736e CAR-CO INC	2/13/2024	\$116.13	PW Part
1737e CIRCLE K	2/13/2024	\$543.93	PW Fuel
1738e CAR-CO INC	2/13/2024	\$119.97	Grass Rig Part
1739e LOFFLER-131511	2/15/2024	\$79.60	Monthly Copier Lease Jan
1740e PREMIUM WATERS, INC.	2/15/2024	\$64.41	CCC Drinking Water - Feb
1741e MVEC	2/15/2024	\$150.85	2140 N Villave Parkway
1742e LOFFLER-131511	2/15/2024	\$121.12	Monthly Copier Lease Feb
1743e HEALTH PARTNERS	2/15/2024	\$1,414.24	Employee Medical and Dental Insurance - Febr
1744e MN PUBLIC FACILITIES AUTHOR	2/15/2024	\$30,510.00	MPFA DWRF L-042-FY17
28646 ASTRO METAL CRAFT	2/20/2024	\$48,776.67	Ball Park Panneling and End Posts
28647 BOLTON & MENK, INC	2/20/2024	\$155,767.60	Village Parkway Improvements
28648 BRYAN ROCK PRODUCTS, INC.	2/20/2024	\$450.30	
28649 CARQUEST AUTO PARTS	2/20/2024	\$16.96	Fittings
28650 CARVER COUNTY	2/20/2024	\$1,030.00	Fiber Optic Connection
28651 CENTERPOINT	2/20/2024	\$42.75	124 Hazelwood Ave LFT STN
28652 CENTRAL FIRE PROTECTION, IN	2/20/2024	\$788.10	Annual Certification of Fire Extinguishers
28653 CINTAS CORPORATION	2/20/2024	\$171.60	January 31, 2024 Statement
28654 COLLABORATIVE PLANNING, LL	2/20/2024	\$3,213.00	Misc. Planning
28655 DANEILLE SCHNEEWIND	2/20/2024	\$50.00	Damage Deposit Refund
28656 DOOR POWER SALES & SERVIC	2/20/2024	\$125.00	Coiled Cord for West Garage Door
28657 DRESSEN TRANSPORT INC.	2/20/2024	\$250.00	Loads of 3/4"
28658 GOPHER STATE ONE-CALL (INC)	2/20/2024	\$63.50	Locates - Jan
28659 HAWKINS, INC	2/20/2024	\$9,736.41	WWTP
28660 HILDI INC	2/20/2024	\$1,100.00	Actuarial Fees for CFDRA
28661 2ND WIND EXERCISE EQUIPME	2/20/2024	\$534.00	Maintanance for Fitness Center
28662 LEYMAR COMPANIES	2/20/2024	\$733.00	Annual Laserfiche License Renewal
28663 MN STATE FIRE CHIEFS ASSN.	2/20/2024	\$520.00	Membership Renewal
28664 PARK STREET PUBLIC	2/20/2024	\$4,000.00	Legislative Capital Investment
28665 SCHOOLER, ELIZABETH	2/20/2024	\$100.00	Damage Deposit Refund
28666 SCOTT COUNTY TREASURER	2/20/2024	\$2,100.00	SW Metro Drug Task Force 2024 Partner dues
28667 STORMS WELDING & MFG. INC	2/20/2024	\$1,270.31	
28668 STRAIGHT UP SERVICES, INC	2/20/2024	\$3,335.13	
28669 WICKENHAUSER, MEGAN	2/20/2024	\$50.00	Damage Deposit Refund
28670 ZULMA BELTRAN	2/20/2024	\$950.00	Refund for canceled event June 15
Total Checks		\$282,193.94	

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Page 2

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Name

Check Date

Check Amt

Clerk Treasurer

Date

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02/15/24 2:24 PM

Page 1

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 24CircleK,021324CARCO,021524LOFFLER,021524PremWaters,021524MVEC,021524 Loffler,021524MNPFA,021524HealthPartners

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
10100 Checking					
1717 e	02/06/24	AFLAC			
E 101-41400-130		Employer Paid Ins (GENE	\$25.56	919884	Employee Insurance January
G 101-21705		Aflac	\$124.74	919884	Employee Insurance January
E 602-49450-130		Employer Paid Ins (GENE	\$12.78	919884	Employee Insurance January
E 601-49400-130		Employer Paid Ins (GENE	\$12.78	919884	Employee Insurance January
		Total	\$175.86		
1718 e	02/06/24	MN VALLEY TESTING LABS			
E 602-49450-311		Analysis	\$175.50	1238057	Water Analysis
		Total	\$175.50		
1719 e	02/06/24	EPSON			
E 101-43100-200		Office Supplies (GENERA	\$91.24	0094283	1/2 BLK on WHT TAPE
		Total	\$91.24		
1720 e	02/07/24	WACONIA COMFORT			
E 101-43100-401		Repairs/Maint Buildings	\$472.50		PW Shop Furnace Repair
		Total	\$472.50		
1721 e	02/07/24	PAYMENT SERVICE NETWORK			
E 601-49440-301		Auditing and Acct g Servic	\$251.18	290234	Monthly PSN Fees
E 602-49490-301		Auditing and Acct g Servic	\$251.19	290234	Monthly PSN Fees
E 101-41400-301		Auditing and Acct g Servic	\$174.77	290235	Monthly PSN Fees
		Total	\$677.14		
1722 e	02/07/24	REPUBLIC SERVICES			
E 101-45200-384		Refuse/Garbage Disposal	\$0.00		Lions Park Garbage
E 101-41940-384		Refuse/Garbage Disposal	\$227.96	0894-006561	PW Garbage
E 101-42210-384		Refuse/Garbage Disposal	\$158.58	0894-006561	CFD Garbage
E 101-45100-384		Refuse/Garbage Disposal	\$227.96	0894-006561	CCC Garbage
		Total	\$614.50		
1723 e	02/07/24	SECURITY BANK			
E 101-41400-200		Office Supplies (GENERA	\$145.51		January 2024 Statement
E 101-41400-207		Computer Software/Hardw	\$1,177.08		January 2024 Statement
E 101-43100-401		Repairs/Maint Buildings	\$49.40		January 2024 Statement
E 101-43100-240		Small Tools and Minor Eq	\$1,168.94		January 2024 Statement
E 101-41400-207		Computer Software/Hardw	\$16.25		January 2024 Statement
E 101-45200-430		Miscellaneous (GENERAL	\$82.56		January 2024 Statement
E 101-42400-433		Dues and Subscriptions	\$8.00		Dep of Labor Permit Surcharge
		Total	\$2,647.74		
1724 e	02/08/24	IRS			
G 101-21701		Federal Withholding	\$1,271.97		021324Payroll
G 101-21703		FICA Tax Withholding	\$2,443.24		021324Payroll
		Total	\$3,715.21		
1725 e	02/08/24	MN REVENUE			
G 101-21702		State Withholding	\$719.38		021324PAYROLL

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Page 2

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Total			\$719.38		
1726 e	02/08/24	PERA			
G 101-21704		PERA	\$2,216.15		021324PAYROLL
Total			\$2,216.15		
1727 e	02/08/24	EMPOWER			
G 101-21708		Deferred Compensation	\$1,112.38		January
Total			\$1,112.38		
1728 e	02/13/24	OLD NATIONAL			
G 101-21710		Health Savings Account	\$258.34		Employee Health Savings- JAN
Total			\$258.34		
1729 e	02/13/24	SECURITY BANK			
G 101-21710		Health Savings Account	\$316.68		Employee Health Savings- JAN
Total			\$316.68		
1730 e	02/13/24	BMO			
G 101-21710		Health Savings Account	\$370.98		Employee Health Savings- JAN
Total			\$370.98		
1731 e	02/09/24	PER MAR SECURITY SERVICES			
E 101-45100-312		Contractual Services	\$125.70	3255987	Quarterly Security Services
Total			\$125.70		
1732 e	02/12/24	VERIZON WIRELESS			
E 101-42230-320		Communications (GENER	\$210.06		CFD Communication
Total			\$210.06		
1736 e	02/13/24	CAR-CO INC			
E 101-43100-404		Repairs/Maint Machinery/	\$17.19	490732180	PW Part
E 101-42230-404		Repairs/Maint Machinery/	\$98.94	490733496	CFD
Total			\$116.13		
1737 e	02/13/24	CIRCLE K			
E 101-43100-212		Motor Fuels	\$387.22		PW Fuel
E 101-42230-212		Motor Fuels	\$156.71		CFD Fuel
Total			\$543.93		
1738 e	02/13/24	CAR-CO INC			
E 101-42230-500		Capital Outlay (GENERAL	\$119.97	733339	Grass Rig Part
Total			\$119.97		
1739 e	02/15/24	LOFFLER-131511			
E 101-41400-404		Repairs/Maint Machinery/	\$79.60		Monthly Copier Lease Jan
Total			\$79.60		
1740 e	02/15/24	PREMIUM WATERS, INC.			
E 101-43100-200		Office Supplies (GENERA	\$64.41		CCC Drinking Water - Feb
Total			\$64.41		

CITY OF COLOGNE

02/15/24 2:24 PM

Page 3

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 24CircleK,021324CARCO,021524LOFFLER,021524PremWaters,021524MVEC,021524 Loffler,021524MNPFA,021524HealthPartners

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
1741 e	02/15/24	MVEC			
E 602-49470-381		Electric Utilities	\$83.26		2140 N Villave Parkway
E 101-43160-381		Electric Utilities	\$67.59		2043 Village Parkway Light
		Total	\$150.85		
1742 e	02/15/24	LOFFLER-131511			
E 101-41400-404		Repairs/Maint Machinery/	\$121.12	4612771	Monthly Copier Lease Feb
		Total	\$121.12		
1743 e	02/15/24	HEALTH PARTNERS			
G 101-21706		Health/Dental Ins	\$1,414.24		Employee Medical and Dental Insurance - February
		Total	\$1,414.24		
1744 e	02/15/24	MN PUBLIC FACILITIES AUTHORITY			
E 601-48930-610		Interest	\$28,075.00		MPFA DWRF L-042-FY17
E 601-48920-610		Interest	\$2,435.00		MPFA-14-0040-R-FY15
		Total	\$30,510.00		
28646	02/20/24	ASTRO METAL CRAFT			
E 101-45200-500		Capital Outlay (GENERAL	\$48,776.67	11717	Ball Park Panneling and End Posts
		Total	\$48,776.67		
28647	02/20/24	BOLTON & MENK, INC			
E 101-43100-303		Engineering Fees	\$1,885.25	329686	Benton Creek Area Improvements
E 101-43100-303		Engineering Fees	\$1,535.50	329687	Misc Engineering
E 101-43100-303		Engineering Fees	\$88.25	329688	Modern Design
E 101-41700-303		Engineering Fees	\$195.00	329689	STARS ELC
E 101-43100-500		Capital Outlay (GENERAL	\$361.00	329690	Street & Utility Reconstruction
E 101-45200-303		Engineering Fees	\$264.50	329691	VFW Park Improvements
E 101-43100-303		Engineering Fees	\$9,347.50	329692	Village Parkway Improvements
E 101-43100-303		Engineering Fees	\$82.50	329693	Village Parkway Speed Zone
E 603-49540-303		Engineering Fees	\$139,612.10	329694	Wastewater Treatment Facility
E 101-41700-303		Engineering Fees	\$514.50	329695	Winkler Crossing 4th
E 101-41700-303		Engineering Fees	\$1,881.50	329696	Winkler Crossing 5th
		Total	\$155,767.60		
28648	02/20/24	BRYAN ROCK PRODUCTS, INC.			
E 101-43100-210		Operating Supplies (GEN	\$450.30	62899	
		Total	\$450.30		
28649	02/20/24	CARQUEST AUTO PARTS			
E 101-43100-404		Repairs/Maint Machinery/	\$16.96	283165	Fittings
		Total	\$16.96		
28650	02/20/24	CARVER COUNTY			
E 101-41910-310		Other Professional Servic	\$820.00		Special Assessment Entry
E 101-43100-320		Communications (GENER	\$40.00	3541	Fiber Optic Connection
E 101-42210-320		Communications (GENER	\$40.00	3541	Fiber Optic Connection
E 101-45100-320		Communications (GENER	\$40.00	3541	Fiber Optic Connection
E 601-49400-320		Communications (GENER	\$40.00	3541	Fiber Optic Connection
E 602-49450-320		Communications (GENER	\$25.00	3541	Fiber Optic Connection

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02/15/24 2:24 PM

Page 4

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 24CircleK,021324CARCO,021524LOFFLER,021524PremWaters,021524MVEC,021524 Loffler,021524MNPFA,021524HealthPartners

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 602-49450-320		Communications (GENER	\$25.00	3541	Fiber Optic Connection
		Total	\$1,030.00		
28651	02/20/24	CENTERPOINT			
E 602-49470-383		Gas Utilities	\$18.62	11956981-2	1022 Meadow St LFT STN
E 602-49470-383		Gas Utilities	\$24.13	6403157343-	124 Hazelwood Ave LFT STN
		Total	\$42.75		
28652	02/20/24	CENTRAL FIRE PROTECTION, INC.			
E 101-41400-404		Repairs/Maint Machinery/	\$153.15	47914	Annual Certification of Fire Extinguishers
E 601-48930-404		Repairs/Maint Machinery/	\$121.15	47914	Annual Certification of Fire Extinguishers
E 101-42230-404		Repairs/Maint Machinery/	\$364.15	47914	Annual Certification of Fire Extinguishers
E 101-43100-404		Repairs/Maint Machinery/	\$149.65	47914	Annual Certification of Fire Extinguishers
		Total	\$788.10		
28653	02/20/24	CINTAS CORPORATION			
E 101-43100-417		Uniforms	\$19.09	4179000247	January 31, 2024 Statement
E 101-43100-417		Uniforms	\$19.09	4179668923	January 31, 2024 Statement
E 101-43100-417		Uniforms	\$40.89	4180394664	January 31, 2024 Statement
E 101-45100-401		Repairs/Maint Buildings	\$54.35	4180394903	January 31, 2024 Statement
E 101-43100-417		Uniforms	\$19.09	4181112263	January 31, 2024 Statement
E 101-43100-417		Uniforms	\$19.09	4181838376	January 31, 2024 Statement
		Total	\$171.60		
28654	02/20/24	COLLABORATIVE PLANNING, LLC			
E 101-41910-310		Other Professional Servic	\$976.50	2024-051	Misc. Planning
E 101-41910-310		Other Professional Servic	\$378.00	2024-052	Misc. Planning
E 101-41910-310		Other Professional Servic	\$1,669.50	2024-053	Misc. Planning
E 101-41910-310		Other Professional Servic	\$189.00	2024-054	Misc. Planning
		Total	\$3,213.00		
28655	02/20/24	DANEILLE SCHNEEWIND			
G 101-22000		Deposits	\$50.00		Damage Deposit Refund
		Total	\$50.00		
28656	02/20/24	DOOR POWER SALES & SERVICE			
E 101-42210-401		Repairs/Maint Buildings	\$125.00	257788	Coiled Cord for West Garage Door
		Total	\$125.00		
28657	02/20/24	DRESSEN TRANSPORT INC.			
E 101-43100-210		Operating Supplies (GEN	\$250.00	895937	Loads of 3/4"
		Total	\$250.00		
28658	02/20/24	GOPHER STATE ONE-CALL (INC)			
E 101-43100-310		Other Professional Servic	\$63.50	4010309	Locates - Jan
		Total	\$63.50		
28659	02/20/24	HAWKINS, INC			
E 602-49450-216		Chemicals and Chem Pro	\$9,736.41	6683874	WWTP
		Total	\$9,736.41		

CITY OF COLOGNE

02/15/24 2:24 PM

Page 5

***Check Detail Register©**

Batch:

022024CRCY,020624AFLAC,020624MVTI,020624EPSON,020724WaconiaComfort,020427PSN,021224REPUBLIC,020724XCEL,03042
 4Centerpoint,020724PartCity,020724SecurityBank,021324LIAB,021324EMPJAN,021324HSA,020924PERMARSS,021424Verizon,0213
 24CircleK,021324CARCO,021524LOFFLER,021524PremWaters,021524MVEC,021524 Loffler,021524MNPFA,021524HealthPartners

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
28660	02/20/24	HILDI INC			
E 101-41400-301		Auditing and Acct g Servic	\$1,100.00	15883	Actuarial Fees for CFDR
		Total	\$1,100.00		
28661	02/20/24	2ND WIND EXERCISE EQUIPMENT, INC			
E 101-45100-401		Repairs/Maint Buildings	\$534.00	22042402	Maintanance for Fitness Center
		Total	\$534.00		
28662	02/20/24	LEYMAR COMPANIES			
E 101-41400-207		Computer Software/Hardw	\$733.00		Annual Laserfiche License Renewal
		Total	\$733.00		
28663	02/20/24	MN STATE FIRE CHIEFS ASSN.			
E 101-42200-433		Dues and Subscriptions	\$520.00	7340	Membership Renewal
		Total	\$520.00		
28664	02/20/24	PARK STREET PUBLIC			
E 101-41400-312		Contractual Services	\$4,000.00	3758	Legislative Capital Investment
		Total	\$4,000.00		
28665	02/20/24	SCHOOLER, ELIZABETH			
G 101-22000		Deposits	\$100.00		Damage Deposit Refund
		Total	\$100.00		
28666	02/20/24	SCOTT COUNTY TREASURER			
E 101-42110-310		Other Professional Servic	\$2,100.00	30523	SW Metro Drug Task Force 2024 Partner dues
		Total	\$2,100.00		
28667	02/20/24	STORMS WELDING & MFG. INC			
E 101-43100-404		Repairs/Maint Machinery/	\$1,142.21	65984	
E 101-45100-223		Building Repair Supplies	\$128.10	66219	
		Total	\$1,270.31		
28668	02/20/24	STRAIGHT UP SERVICES, INC			
E 101-43100-404		Repairs/Maint Machinery/	\$3,335.13	54307	
		Total	\$3,335.13		
28669	02/20/24	WICKENHAUSER, MEGAN			
G 101-22000		Deposits	\$50.00		Damage Deposit Refund
		Total	\$50.00		
28670	02/20/24	ZULMA BELTRAN			
G 101-22000		Deposits	\$950.00		Refund for canceled event June 15
		Total	\$950.00		
		10100 Checking	\$282,193.94		

CITY OF COLOGNE

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Page 6

*Check Detail Register©

Batch:

022024CRCY,020624AFLAC,020624MVTL,020624EPSON,020724WaconiaComfort,020427PSN,021224REPUBLIC,020724XCEL,030424Centerpoint,020724PartCity,020724SecurityBank,021324LIAB,021324EMPJAN,021324HSA,020924PERMARSS,021424Verizon,021324CircleK,021324CARCO,021524LOFFLER,021524PremWaters,021524MVEC,021524 Loffler,021524MNPFA,021524HealthPartners

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
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Fund Summary

10100 Checking		
101 GENERAL FUND		\$101,294.84
601 WATER FUND		\$30,935.11
602 SEWER FUND		\$10,351.89
603 STORM WATER FUND		\$139,612.10
		\$282,193.94

Clerk Treasurer

Date

City of Cologne Payroll
30-Jan-24

Employee	\$ 11,507.82	February 13, 2024 Payroll
IRS	\$ 3,715.21	February 13, 2024 Payroll
MN Department of Revenue	\$ 719.38	February 13, 2024 Payroll
PERA	\$ 2,216.15	February 13, 2024 Payroll
Deferred Compensation	\$ 1,112.38	February 13, 2024 Payroll
Health Savings Account	\$ 946.00	February 13, 2024 Payroll
Total	\$ 20,216.94	

**CITY OF COLOGNE
RESOLUTION NO. 24-03
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:

<u>Name of Donor</u>	<u>Amount</u>
Ron and Gail Arndt	\$100.00

WHEREAS, Ron and Gail Arndt are donating \$100.00 to the City of Cologne;

WHEREAS, Ron and Gail Arndt are requesting the full amount be used for the Cologne Fire Department general expenditures; and

WHEREAS, The City Council finds that this is appropriate, and the City will accept this donation.

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 Tuesday February 20, 2024.

Approved:

Matt Lein
Mayor

Attested:

Michelle Morrison
City Administrator

M/_____

Lein_____

Szaroletta_____ Kells_____

S/_____

Bruss_____ Lenzen_____



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
445 Minnesota Street, Suite 1600, St. Paul, MN 55101
651-201-7507 TTY 651-282-6555
**APPLICATION AND PERMIT FOR A 1 DAY
TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization		Date of organization		Tax exempt number	
Cologne Fire and Relief Assoc		1949		8021357	
Organization Address (No PO Boxes)		City	State	Zip Code	
110 Louis St W		Cologne	Minnesota	55322	
Name of person making application		Business phone		Home phone	
Mick Swanson		952-466-2586			
Date(s) of event		Type of organization <input type="checkbox"/> Microdistillery <input type="checkbox"/> Small Brewer			
4/27/2024		<input type="checkbox"/> Club <input type="checkbox"/> Charitable <input type="checkbox"/> Religious <input checked="" type="checkbox"/> Other non-profit			
Organization officer's name		City	State	Zip Code	
Sarah Foley		Cologne	MN	55322	
Organization officer's name		City	State	Zip Code	
			MN		
Organization officer's name		City	State	Zip Code	
			MN		

Location where permit will be used. If an outdoor area, describe.
110 Louis St Cologne Fire and Rescue Station

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.
N/A

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.
Mn Joint Underwriters

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City of Cologne	2-20-2024
City or County approving the license	Date Approved
5500	4-27-2024
Fee Amount	Permit Date
Event in conjunction with a community festival <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Michelle.m@Colognemn.com
2600	City or County E-mail Address
Current population of city	
Michelle Morrison	Michelle Morrison
Please Print Name of City Clerk or County Official	Signature City Clerk or County Official

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event
No Temp Applications faxed or mailed. Only emailed.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.

**PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY
PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY
CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US**

Collaborative Planning, LLC

MEMORANDUM

TO: Honorable Mayor and Council

FROM: Cindy Nash, AICP, City Planner

MEETING DATE: February 20, 2024

SUBJECT: **Cologne Village Commercial Concept Plan** for (1) PUD Sketch Plan

APPLICANT: DDK Construction, Inc.

LOCATION: Generally located south of Village Parkway and west of CSAH 53

ZONING DISTRICT: Planned Unit Development (PUD)

Description of Request

DDK Construction, Inc is proposing an amendment to the existing PUD to update the configuration and uses within the Village Market area of the PUD.

The property is guided Retail and Other Commercial in the Comprehensive Plan. It is zoned PUD, which is a mixed-use PUD.

A copy of the proposed plans for the development of the site are included for your consideration.

Item 1: Recommendation on PUD Sketch Plan

Request

A PUD was previously approved for the entire Village at Cologne and was later subsequently modified for the commercial area called Village Market. The Village Market area was planned in 2005 to contain 108,400 square feet of building floor area with 561 parking spaces as shown in the image below. The site was also planned to have approximately 200 apartments to the west of the commercial area.

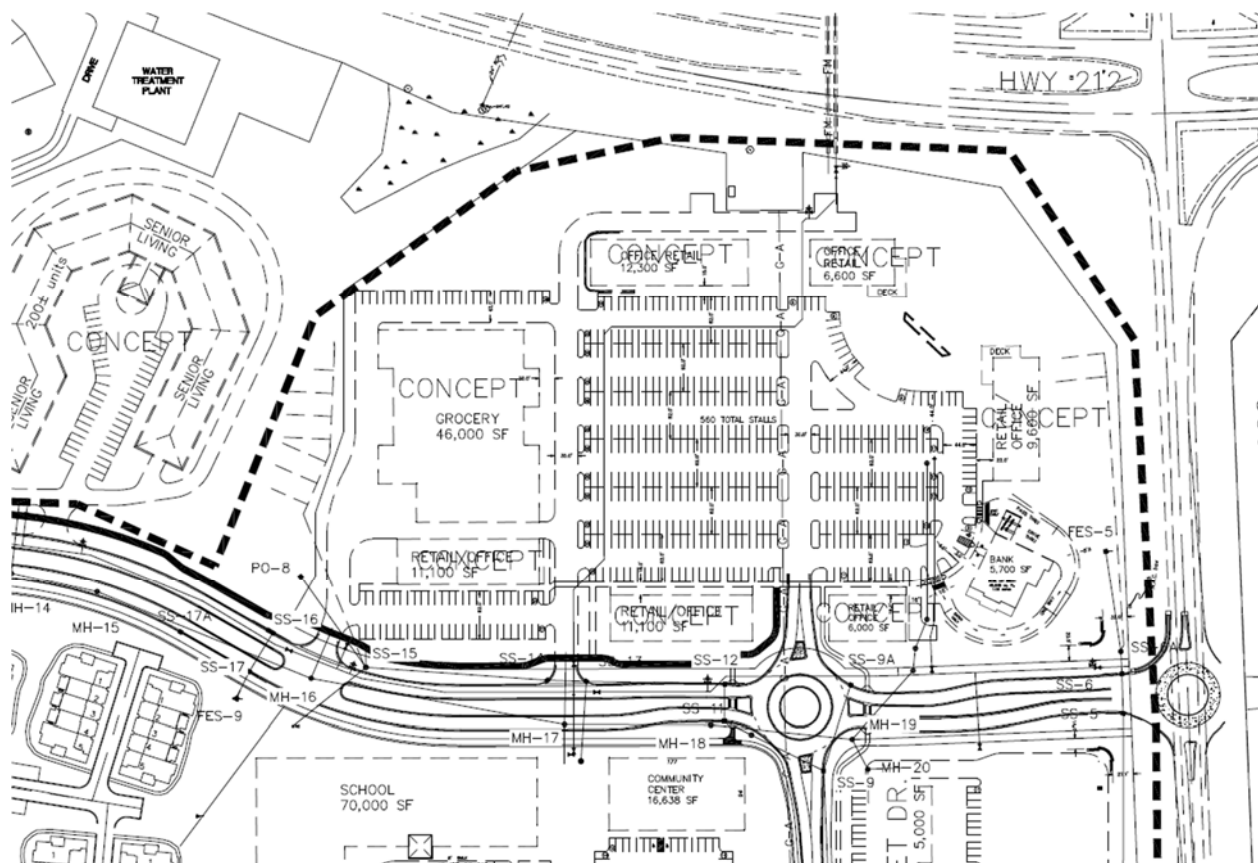


Figure 1. Original Village Market Concept, 2006.

Since its approval nearly 20 years ago, this portion of the PUD has been developed with a bank, and the configuration of the residential to the west was changed by the developer to contain single-family homes.

The developer is proposing to modify the Village Market portion of the PUD to include the following:

- Approximately 40-45,000 square feet of new retail and other commercial space
- 67 market-rate 1- and 2-BR apartment units, with monthly rents estimated at between \$1,400 and \$1,850 per month.

The apartments would be similar to a project that has been constructed in St. Peter called Traverse Green, which includes surface lot parking as well as garage parking. The anticipated tenants would primarily consist of seniors, young professionals, and single parents. The Developer has indicated that if the project moves forward that they will request the City establish a housing tax increment financing district.



Figure 2. Traverse Green Apartments, source: Google Maps, June 2023.

The Sketch PUD is the first step towards considering a PUD amendment for a property. If the Sketch PUD is approved by the City Council, the Developer would need to prepare detailed plans for a preliminary plat, site plan, and PUD. If the Preliminary Plat and PUD are later approved, the Developer would next need to submit a Final Plat and PUD.

Per Section 153.037 of the Zoning Ordinance, during the Sketch PUD phase, the following are considered in making a determination (emphasis added):

Sketch plan. The Planning Commission shall recommend either approval, approval with modifications, or denial of the PUD sketch plan. Such recommendation shall be based upon the determination that the proposed development either may qualify as a PUD and appears to be capable of satisfying the provisions and requirements of the PUD District or the proposed development does not qualify as a PUD. **The City Council shall consider**

the recommendations of the Planning Commission and either approve, approve with modifications, or deny the PUD sketch plan. Such action shall be based upon the determination that the proposed development either may qualify as a PUD and appears to be capable of satisfying the provisions and requirements of the PUD District or the proposed development does not qualify as a PUD.

Planning Commission Recommendation

The Planning Commission recommended approval of the Sketch PUD on a vote of 4-1 subject to the conditions contained in Resolution 24-04.

Collaborative Planning, LLC

MEMORANDUM

To: Michelle Morrison, City Administrator

From: Cindy Nash, City Planner

Date: January 29, 2024

Subj: Planning Review Comments – Concept Plan for Cologne Village Commercial

The proposed concept plan encompasses the area currently encompassing Outlot A of the plat called THE VILLAGE MARKET. This area is the subject of a PUD that was adopted in 2005 and amended in 2006.

I have reviewed the concept plans submitted by Community Asset Development Group and have the following comments:

1. The site is guided as Retail and Other Commercial in the Comprehensive Plan. In order to include a residential component to the Village Market Area, a Comprehensive Plan Amendment will be required.
2. The property is zoned PUD. Amendments to the PUD would be required depending on the final proposal for development. If this Sketch PUD is approved, the next step will be to submit a detailed application for a concept PUD/Preliminary Plat.
3. A right-in only access to the convenience store is proposed off CSAH 53. Comments from Carver County Engineering will be provided separately.
4. It is recommended to provide both a pedestrian and vehicular connection between the commercial area and the apartment.
5. Proposed parking for the commercial area has not been reviewed against ordinance requirements as specific retail/commercial uses are not known. Consider refining the building and parking plan to reduce as much as possible the number of parking spaces provided and to add more commercial square footage back into the site.

6. The zoning ordinance requires two parking spaces per apartment. In addition, the existing 2005 PUD requires an additional one parking space for every two apartments for guest parking.
7. Lot 2 should be an outlot instead as it is proposed to be shared parking for the area. A cross-access and shared parking agreement will be required with the plat.
8. Engineering comments will be included within a separate memo.
9. A title commitment shall be provided for review with the application for Preliminary Plat.
10. Provide a copy of any existing agreements that exist for the shared parking and driveway for the commercial area.
11. Easements shall be provided to the City, if they do not already exist, for the City monument sign, trails, and any other facilities maintained by the City on the Subject Property.
12. A landscape plan will be required to be submitted with the application for preliminary plat and site plan.

cc: Jake Saulsbury, Bolton and Menk
John Swanson, Bolton and Menk
Christophe Morschen, Melchert Hubert Sjodin



Real People. Real Solutions.

2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172

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

January 25, 2024

City of Cologne
Attn: Michelle Morrison
1211 Village Parkway
PO Box 120
Cologne, MN 55322

RE: Cologne Village Commercial Concept Plan
Comments

Dear Ms. Morrison:

We have completed an engineering review of the information submitted for the above referenced project. Our review is based on the Concept Plan packet bearing the general title "Cologne Village Commercial Concept Plan", undated, prepared by Community Asset Development Group.

We offer the following comments and recommendations for your consideration:

General:

- 1) The proposed development appears to include 5 office/retail facilities, a convenience store and a 64 unit multi-family facility.
- 2) The original development plan included 6 office/retail facilities, a grocery store and a 200 unit senior living facility.
- 3) Considering the above, it appears the total Equivalent Residential Units (ERUs) for the proposed development are not significantly different than the original plan.

Sanitary Sewer and Watermain:

- 1) It appears the existing sewer and water system pipe network is capable of serving the proposed development.
- 2) The Village Parkway Lift Station should be evaluated to determine if a pump upgrade is needed. This can be completed in the preliminary plat submittal process if the project moves forward.
- 3) The WWTF is in the design and approval process for an upgrade. The WWTF may not have capacity for the entire proposed improvements until the upgrade is operational.

- 4) Internal development sanitary sewer and watermain locations and looping will be reviewed during preliminary plat and final plans stages of the development.

Storm Water:

- 1) Storm water conveyance, ponding, and water quality requirements for the original development plan was constructed in previous phases of construction.
- 2) CCWMO and other permitting agency rules have changed over the years since the original work was completed. Additional requirements may be imposed by permitting agencies for storm water volume and rate control, water quality standards, etc. The applicant should contact CCWMO to determine the permit requirements for the proposed improvements.
- 3) The applicant shall verify the proposed total hard surface coverage does not exceed the original. If it does, additional stormwater facilities are likely required.
- 4) The proposed convenience store paving appears to impact the existing stormwater pond located in the NE corner of the site. Site layout should be revised to avoid the pond, or additional contiguous ponding will be required.
- 5) The proposed right-in access from CR 53 impacts an infiltration basin. Existing storm water facilities shall be avoided, or replacement facilities shown in future submittals to mitigate the impact.

Ingress and Egress:

- 1) The concept plan shows a right-in access from CR 53. This access location requires approval from Carver County. It appears to be too close to the 212/53 access, and 53/Village Parkway access.
- 2) The proposed access from the Village Parkway Roundabout is consistent with the original plan.
- 3) The westerly access to the multi-family facility is not located in a current access location but is somewhat consistent with the original plan. The final location of the access can be evaluated during the preliminary plat and plan review process. The access should be centered on the median opening to the extent practicable, to allow full turning movements.
- 4) An additional access between the multi-family facility and commercial area may be appropriate for emergency vehicle access. The plan should be submitted to the Fire Chief for review.

City of Cologne

RE: Cologne Village Commercial Concept Plan
Comments

- 5) The existing access point between the roundabout and westerly access is not proposed to be used for the improvements. It may be appropriate to remove that access as part of the development process.

We are available to discuss this matter at your convenience.

Respectfully Submitted,
Bolton & Menk, Inc.

A handwritten signature in black ink, appearing to read 'John K. Swanson', with a long horizontal flourish extending to the right.

John K. Swanson

cc: Jake Saulsbury, P.E.
Cindy Nash, City Planner
Cristophe Morschen, MHS



**Carver County
Public Works**

11360 Highway 212, Suite 1
Cologne, MN55322

February 16, 2024

Collaborative Planning, LCC
c/o Cindy Nash
763-473-0569

Delivered via email: Cindy Nash cnash@collaborative-planning.com

Re: Development Review Comments: Cologne Village Commercial Concept Plan

Thank you for the opportunity to review the Cologne Village Commercial Concept Plan for the Outlot A, The Village Market development in the City of Cologne.

The comments from Public Works on the proposed concept plan include:

- The proposed right-in access from CR 53 does not meet the County's access spacing policy. There is already an existing southbound right turn lane on CR 53 at the Village Parkway intersection, which should be utilized to accommodate right-turning vehicles onto Village Parkway to enter the development.
- A reminder that Carver County requires a Traffic Impact Analysis if a proposed developed is anticipated to generate 750 trips or more per day or 100 trips or more during any one hour period. Trip generation volumes should be determined by the ITE *Trip General Manual*, 11th Edition.

If you have any questions or need further assistance, please contact the staff noted below:

Whitney Schroeder, PE PTOE Traffic Engineer Carver County Public Works 952.254.6818 wschroeder@co.carver.mn.us	Darin Mielke, PE Assistant Public Works Director Carver County Public Works 952.466.5222 dmielke@co.carver.mn.us
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CARVER COUNTY

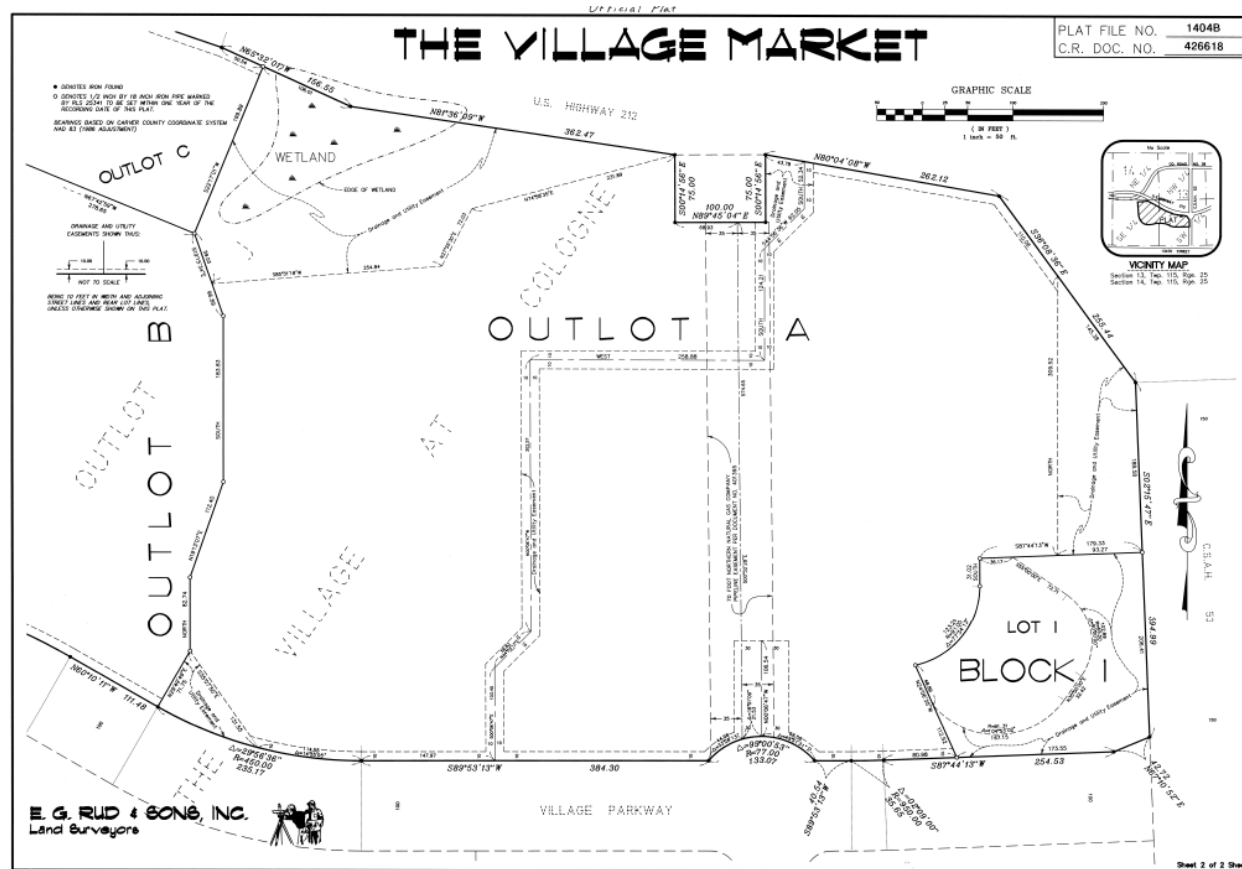


Cologne Village Commercial Concept Plan



Prepared by Community Asset Development Group

Community Asset Development Group is seeking approval of a sketch plan for Outlot A, The Village Market. CADG has executed a purchase agreement to acquire the property. The following plat map depicts the parcel being acquired:



The revised concept plan envisions a multi-family apartment on the west third of the property with the east portion of the 14.35 acres planned for retail and office. The retail element the plan would include a small grocery/ convenience store with gas with the three remaining buildings being a mix of office and retail. As planned, the concept will comply with City requirements for setbacks, parking and building design standards. The following is an image of the concept plan:



As the project proceeds, we anticipate subdividing the outlot so that each of the uses are located on separate parcels with direct access to a public street. A master association will be created to assure compliance with architectural standards and to provide for joint maintenance and upkeep of such things as signs, landscaping and parking lots. A development identification sign will be located at the north east corner of the property.

Consistent with the design of adjacent properties such as the school, city hall and child care center, exterior building material for the retail/office facilities will be a mix of brick, stone, Hardie board and glass. Concept images of the retail buildings are shown below:



Access to the retail portion of the development will be off of the existing round about which is consistent with the current approved City plan.

Traversing through the site is a watermain which is shown on the plat. The retail building pad locations have been designed to avoid impacting the easement. The concept will be to expand this existing easement for inclusion of a sanitary sewer line to serve the parcels.

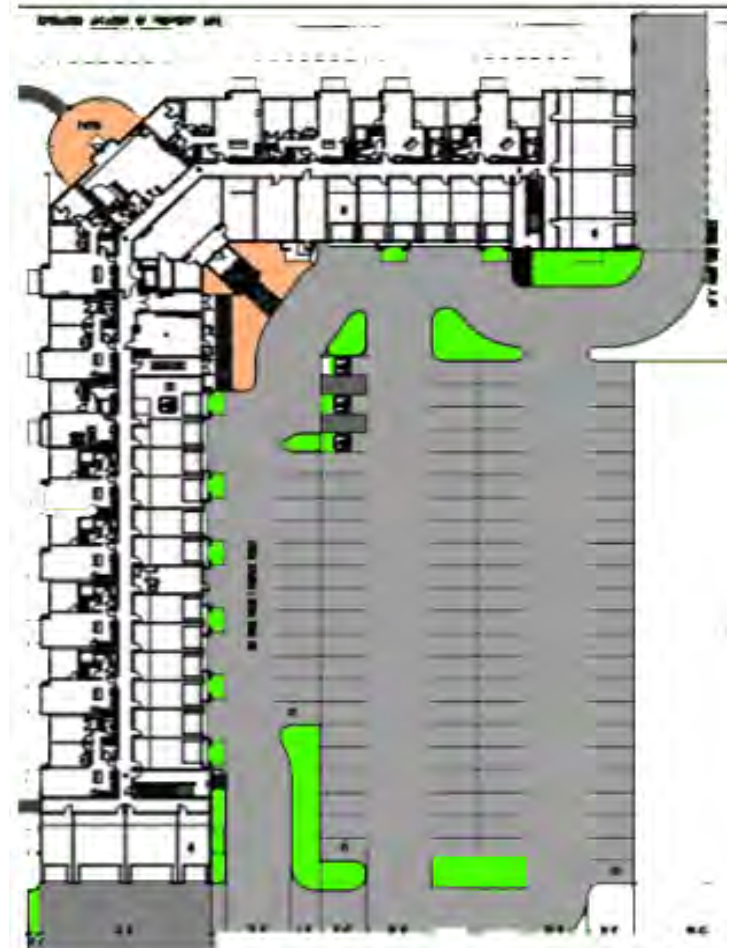
When this area was originally developed, watermain and sanitary sewer lines were sized and installed to serve the development. The overall stormwater plan was based on a similar level of development as is being shown in the revised plan and thus we envision that the existing storm water ponds are adequate to serve this plan. If necessary, the concept has shown a location on the north side of the parcel for an addition pond.

The multi-family building will be a 3-story building generally consistent with the following image.



The current design is for 67 units consisting of a mix of one bedroom and 2-bedroom units with amenities such as a community room, exercise room, business center, outdoor patio and pet park. The site plan has been designed to place the parking lot adjacent to the retail element as opposed to the residential to the west. Under this design the rear yard of the apartment will be adjacent to the existing wetlands and rear yards of the residential creating an appropriate transition between the two uses. The apartment parking will meet the City's required parking of 2 spaces per unit. Access to the site will be from the existing curb cut provided on Village Parkway . The exterior materials of the apartment will be constituent with the required materials for the retail with the primary material being Hardi board.

Utility extensions to serve the property are shown in the following plans:





Currently we are actively marketing the retail portion of the site and are working with two investment groups on the 67-unit apartment. To effectively market the site, we need to assure potential buyers that the plan is generally supported by the City.

Previously the property was plat as Outlot A, Village Market. Lot 1 Block 1 Of that plat was developed as Security Bank. Based on an existing cross access parking agreement the bank has access across the existing parking lot. This lot will in the future be used by the future office retail use.

The following is a sketch of the proposed replat of Outlot A:



The following table is a breakdown of lot sizes and proposed land uses:

Parcel	Acrerage	Use
Lot 1	0.5	Office /retail
Lot 2	0.75	Shared parking
Lot 3	3.4	Small grocery/Gas
Lot 4	2.6	Office /retail
Lot 5	1.5	Office /retail
Lot 6	5.6	Multifamily
	14.35	

We truly look forward to working closely with the City on the implementation of this concept. CADG understands that prior to proceeding we will need to obtain City approvals for modification of the PUD, subdivision and site and build plan approvals. If you have questions or desire additional information regarding our plans feel free to contact me at your convenience.

**CITY OF COLOGNE
CARVER COUNTY, MINNESOTA
RESOLUTION NO. 24-04**

**A RESOLUTION RELATED TO A SKETCH PLANNED UNIT DEVELOPMENT
AMENDMENT FOR VILLAGE MARKET**

WHEREAS, the City of Cologne is a Minnesota Municipal Corporation, duly organized and authorized to conduct its affairs under the laws of the State of Minnesota; and

WHEREAS, DDK Construction, Inc, LLC, a Minnesota corporation (the “Applicant”) is the proposed purchaser of certain real property located in the City of Cologne, State of Minnesota, legally described as follows:

Outlot A, THE VILLAGE MARKET

(the “Subject Property”); and

WHEREAS, the Planning Commission of the City did on February 7, 2024, conduct a public hearing in relation to the Applicant’s request for a Sketch Planned Unit Development; and

WHEREAS, the Planning Commission of the City did on February 7, 2024 recommend approval to the City Council that the Sketch Planned Unit Development may qualify as an amendment to the existing Planned Unit Development and appears capable of satisfying the provisions and requirements of the PUD District; and

NOW, THEREFORE, BE IT RESOLVED the Sketch Planned Unit Development is approved subject to the following conditions:

1. This approval does not amend the existing PUD for the Village Market Area. Instead, it is a finding that the proposed development may qualify as an amendment to the existing PUD and appears capable of satisfying the provisions and requirements of the PUD District. The applicant must next submit a detailed Concept PUD/Preliminary Plat application. This approval finds that:
 - a. The proposed PUD amendment contains uses that may be permitted in a PUD per Section 153.037 of the Zoning Ordinance.
 - b. The existing residential/commercial mixed-use PUD to be amended consists of at least 100 acres.
 - c. Details of the development will be considered as part of the Concept PUD/Preliminary Plat application.

2. Not later than concurrently with a Concept PUD/Preliminary Plat application, an application to amend the Comprehensive Plan must also be submitted to the City. Approval of a PUD Amendment/Preliminary Plat cannot occur unless the City amends the Comprehensive Plan, subject to Metropolitan Council approval.
3. The Developer shall submit formal requested modifications to the text of the Village Market PUD with the Concept PUD/Preliminary plat application, addressing such as items as parking, setbacks, and land uses for review and consideration by the City Council.
4. Concept PUD/Preliminary Plat submissions should address comments made by the City Engineer in their letter dated January 25, 2024 and the City Planner in their letter dated January 29, 2024.

Adopted and approved by the City Council of the City of Cologne on a vote of ____ ayes and ____ nays effective on the 20th day of February, 2024.

Approved:

Matt Lein
Mayor

Attested:

Michelle Morrison
City Administrator/Clerk

M/_____

Lein_____

Szaroletta_____

Kells_____

S/_____

Bruss_____

Lenzen_____

Collaborative Planning, LLC

Memorandum

To: Honorable Mayor and Council
From: Cindy Nash, AICP, EDFP
Date: February 15, 2024
Subject: Ordinance Amendment – Food Preparation for Wholesale or Retail in C-2 Zoning District as an Interim Use of Property

An application has been received from Matthew Kolander who owns Oak and Steel to request an amendment to the City's Zoning Ordinance to allow the following as an interim use in the C-2 CBD zoning district:

Shared or commercial kitchen or other food preparation including wholesale distribution and/or retail sales not to exceed 7500 square feet of gross floor space.

Mr. Kolander has a business that smokes meat and then packages it for wholesale distribution to local meat shops. He may also be interested in the future in retail sales. The existing vacant space at 102 Lake Street West would meet his business needs, but his business does not fit into any of the uses currently listed within the zoning ordinance.

The intended purpose of the C-2 Central Business District zoning district is to “provide for the unique layout and character of a traditional central business district with retail and professional office functions and mixed uses”.

Downtown Plan

The City is currently developing a Downtown Plan with the assistance of HKGI. A primary reason for preparing a downtown plan is to identify potential improvements to the downtown and the steps necessary to achieve those improvements to have a thriving downtown filled with businesses and activity.

This type of business would bring employees to the downtown if it operates without a retail component. If in the future he is able to add a retail component to the operations, it would also result in customers visiting the downtown area and could provide synergy for other businesses in the area.

Planning Commission Recommendation

The Planning Commission recommended approval of the proposed ordinance amendment on a 5-0 vote.

§ 153.039 C-2 CENTRAL BUSINESS DISTRICT.

(A) Purpose. In addition to the purposes stated in § 153.002, it is intended that the C-2 District provide for the unique layout and character of a traditional central business district with retail and professional office functions and other mixed uses.

(B) 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.

(C) 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.

[5] Shared or commercial kitchen or other food preparation including wholesale distribution and/or retail sales not to exceed 7500 square feet of gross floor space.

(Ord. 150, passed 2-22-2000; Ord. passed 3- -2007; Am. Ord. 150-Q, passed 10-5-2009; Am. Ord. 150-R, passed 4-5-2010)

**CITY OF COLOGNE
CARVER COUNTY
STATE OF MINNESOTA**

ORDINANCE NO. 173

**AN ORDINANCE AMENDING THE CITY OF COLOGNE ZONING ORDINANCE
RELATED TO USES IN THE C-2 ZONING DISTRICT**

The City Council of Cologne, Minnesota ordains:

SECTION 1. RESCIND AND REPLACE SECTION. Section 153.039 of the Cologne Zoning Ordinance is hereby rescinded and a new Section 153.039 is added as follows:

§ 153.039 C-2 CENTRAL BUSINESS DISTRICT.

(A) Purpose. In addition to the purposes stated in § 153.002, it is intended that the C-2 District provide for the unique layout and character of a traditional central business district with retail and professional office functions and other mixed uses.

(B) 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.

(C) 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.

(5) Shared or commercial kitchen or other food preparation including wholesale distribution and/or retail sales not to exceed 7500 square feet of gross floor space.

SECTION 2. EFFECTIVE DATE

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

SECTION 3. REPEALER

All prior ordinances to the extent that they are inconsistent with the terms and provisions of this Ordinance, shall be deemed repealed after the effective date of this Ordinance with regard to those inconsistent terms and provisions.

Passed by the City Council of Cologne this _____ day of _____, 2024.

Approved:

Matt Lein
Mayor

Attested:

Michelle Morrison
City Clerk

C:\Users\cnash\Dropbox\Cologne\Ordinance Amendments\2024\Meat Smoker\Ordinance Amend Draft3 clean.docx
February 16, 2024

Collaborative Planning, LLC

Memorandum

To: Honorable Mayor and Council
From: Cindy Nash, AICP, EDFP
Date: February 15, 2024
Subject: 102 Lake Street West – Interim Use Permit

Overview of Request

The subject property is a parcel of record consisting of approximately .32 acres. The property is zoned C-2 Central Business District.

Mr. Matt Kolander of Oak and Steel Smokehouse has submitted an application for an Interim Use Permit (copy of application included in packet). He also submitted an application for a proposed text amendment to the Zoning Ordinance to permit a business such as this in the C-2 district as an interim use.

All food preparation is proposed to occur inside the building. No activities including the smoking of meats would occur outside the building.



The site plan identifies an existing building and the portions of it that would be used for this proposed use. The owner of the building will be leasing the other portions of the building to other tenants, who may require their own permits for their operations or may not require permits if they propose to use those tenant spaces for uses permitted within the C-2 Zoning District.

Planning Commission Recommendation on Interim Use Permit

The Planning Commission recommended approval on a 5-0 vote of the Interim Use Permit subject to the conditions contained with Resolution 24-05 contained within the packet.



PO Box 120, 1211 Village Parkway
Cologne, MN 55322
(952) 466-2064
www.colognemn.com

Planning and Zoning Application Form

GENERAL REQUIREMENTS – Please read before completing the application.

The City will not begin processing an application that is incomplete. You will be notified within fifteen business days if your application is not complete. Applications deemed complete will be submitted to the City Planner for review. The City Planner will notify the applicant if additional information or modifications are necessary. The applicant is responsible for all information necessary to describe the land use/development request and may be required to submit additional information to fully explain the aspects unique to the request that may not appear on this application. Applicants are encouraged to review the applicable City Code (available at City Hall) related to their request.

Fees and escrow are due at the time an application is submitted (or the application will be considered incomplete). Fees and escrow are listed on the attached sheet. Please note that the applicant is responsible for all planning, legal, engineering, publication, notification, and other expenses related to the application.

Certain applications, such as variances and sign permits, require Planning Commission consideration. Please check with the City Clerk to determine if your application requires Planning Commission consideration. If so, your completed application must be submitted four weeks prior to a regularly scheduled planning commission meeting. Completed applications that are submitted within four weeks of a regularly scheduled planning commission meeting may be considered at the next regularly scheduled meeting if time constraints allow, otherwise they will be considered at the following regularly scheduled meeting.

APPLICANT INFORMATION

Applicant(s) Matthew Kolander

Property Owner(s) – (if different from applicant) Paul Modeen

Property Street Address 102 Lake Street W.
Cologne, MN 55322

Applicant Mailing Address (if different from property address)

3120 Westedge Blvd Mound, MN 55364

Applicant Telephone (612) 761 - 2375 (day) (612) 760 - 2375 (eve)

Applicant Fax No. () - E-mail matt@oakandsteel.us

Applicant is: ☐ Owner ☐ Contractor ☒ Other Prospective Tennant

Type of Request(s):

☐ Site Plan Approval (Bldg permit may also be needed)

(Include Site Plan Review Requirements document)

☐ Variance

(Include Variance Addendum document)

☐ Building Alterations/Additions

(Bldg permit needed)

☐ Other _____

☒ Zoning Ordinance Amendment

(Include Zoning Amendment Information document)

☐ Sign Permit

(Include Sign Permit Addendum document)

☒ Interim Use Permit

(Include Interim Use Permit Information document)

☐ Preliminary Plat ☐ Final Plat ☐ Lot Division/Combination

****Please attach a site plan showing existing and proposed features, including setbacks.****

Brief description of request Zoning Ordinance Text Amendment to add the following use to the C-2

Central Business District as an interim use "Shared or Commercial Kitchen or other Food Preparation including wholesale distribution and/or retail sales not to exceed 7500 sq./ft. of gross floor space"

Has a similar request on the subject site or any part thereof been previously sought? No

If yes, when? _____

Access to property Exterior visit anytime, interior visit by appointment

Project description and background (attach additional sheet(s) if necessary) See attached

I agree that all fees incurred by the City resulting from the review of this request are my responsibility and I will pay them in a timely manner.

Signature of applicant(s) Matthew Kolander Date 1/8/2024

If Property Fee Owner is not the applicant, the Applicant must provide written authorization by Property Fee Owner in order to make application.

Signature of owner PAUL MODERN Date Jan 8, 2024

*****FOR CITY USE ONLY*****

Appl. Fee & Escrow \$ _____ Amount Paid \$ _____ Date _____ Ck # _____

Completed Application Received on _____ by _____

Current Zoning ____ Existing Land Use ____ Proposed Land Use ____ PID 40- _____

Legal Description _____

Property Description

PARCEL A:

Commencing at a point 100 feet West of the Southeast corner of Outlot No. 2, Village of Cologne according to the plat thereof on file and of record in the Office of the Register of Deeds of Carver County, Minnesota, on the South line thereof; thence running Westerly along the North line of U.S. Highway No. 212, a distance of 200 feet; thence running North 140 feet; thence running Easterly parallel to the North line of said highway, a distance of 200 feet to a point 100 feet West of the East line of said Outlot No. 2; thence South 140 feet to the place of beginning, situated in Outlot No. 2, Village of Cologne. According to Warranty Deed Doc. No. A268250 recorded April 28, 2000.

PARCEL B:

Commencing at the Southeast corner of Outlot 2; thence running West 100 feet; thence North 140 feet; thence East 100 feet; thence South 140 feet to Place of Beginning being in the Village of Cologne, according to the map or plat thereof on file and of record in the Office of the Register of Deeds, in and for the County of Carver, and State of Minnesota.
According to Warranty Deed dated July 19, 2023

Notes

- This Survey intends to show the boundaries of the above described property and the location of certain existing improvements thereon. It does not purport to show all improvements or encroachments. A Title Report was not furnished to the Surveyor in preparation of this survey. Additional encumbrances on the property may be disclosed by such a report.
- Distances shown on this survey are expressed in feet and hundredths of a foot.
- The basis of bearings for this survey is assumed. Measured bearings and distances are shown for the boundary. Where measured distances differ significantly from plat or record distances, the [record] dimension is also shown.
- The site conditions shown on this survey are representative of the existing conditions on the date of last fieldwork: August 15, 2023.
- Village of Benton City is now Village of Cologne per Chapter 8 of Minnesota Session Laws. For purposes of this survey, the underlying Blocks are still labeled as Village of Benton City as labeled on the plat, even though the deeds refer to the Village of Cologne.
- On the East side of Outlot 2, there is an overlap between the Outlot and the Right of Way for Paul Avenue. In researching the subject properties, the surveyor reviewed the Plat to the East across Paul Avenue, A. Mohrbacher's 2nd Addition to Cologne. The legal description for that plat calls to the East Line of Paul Street (now Avenue). It is the opinion of the surveyor that the platting surveyor for A Mohrbacher's 2nd Addition did not allow the 66 feet for the Right of Way of Paul Street. The Minnesota Department of Transportation recently completed a Right of Way map for Highway 264, Map Number 200-150. This map shows the Right of Way for Highway 264 being ~3 feet overlapped with the East portion of Outlot 2.
- The description in the final certificate for the (old) U.S. Highway 212 taking does not align with the existing road when calculated from the Point of Beginning. The surveyor computed the centerline alignment and fit it to local monumentation and the existing road in determining the intended location of the Right of Way easement beyond the original platted Right of Way. Additionally, the description of the underlying land for Parcel 378 calls for "2, Outlot 2 of Mohrbacher's Second Addition to the City of Cologne [sic]". The corresponding map from MnDOT shows Parcel 378 correctly as being a taking from Outlot 2 of the Plat of Benton City. The surveyor has assumed the Final Certificate contains a patent error, and was intended to include a description of Outlot 2 of the Benton City Plat.

Legend

●	Denotes Found 1/2" Iron Pipe capped and marked LS 15475, unless otherwise noted.	— OC —	Overhead Electric/Cable lines
○	Denotes Set ferrous monument marked MN LS 48176	— — —	Exterior Boundary line
—○—	Power/Cable Pole	— — —	Adjacent Boundary line
		— — —	Interior Boundary line
		— — —	Right of Way Boundary line
			Ex. Building line

LINDGREN
Land Surveying

PO Box 217
Chanhassen, MN 55317
(952) 223-0063

Certificate of Survey

Survey Prepared For: Paul Modeen

I hereby certify that this survey, map, or report 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.

Signed: PRELIMINARY

Eric B. Lindgren, Land Surveyor
Minnesota License Number 48176

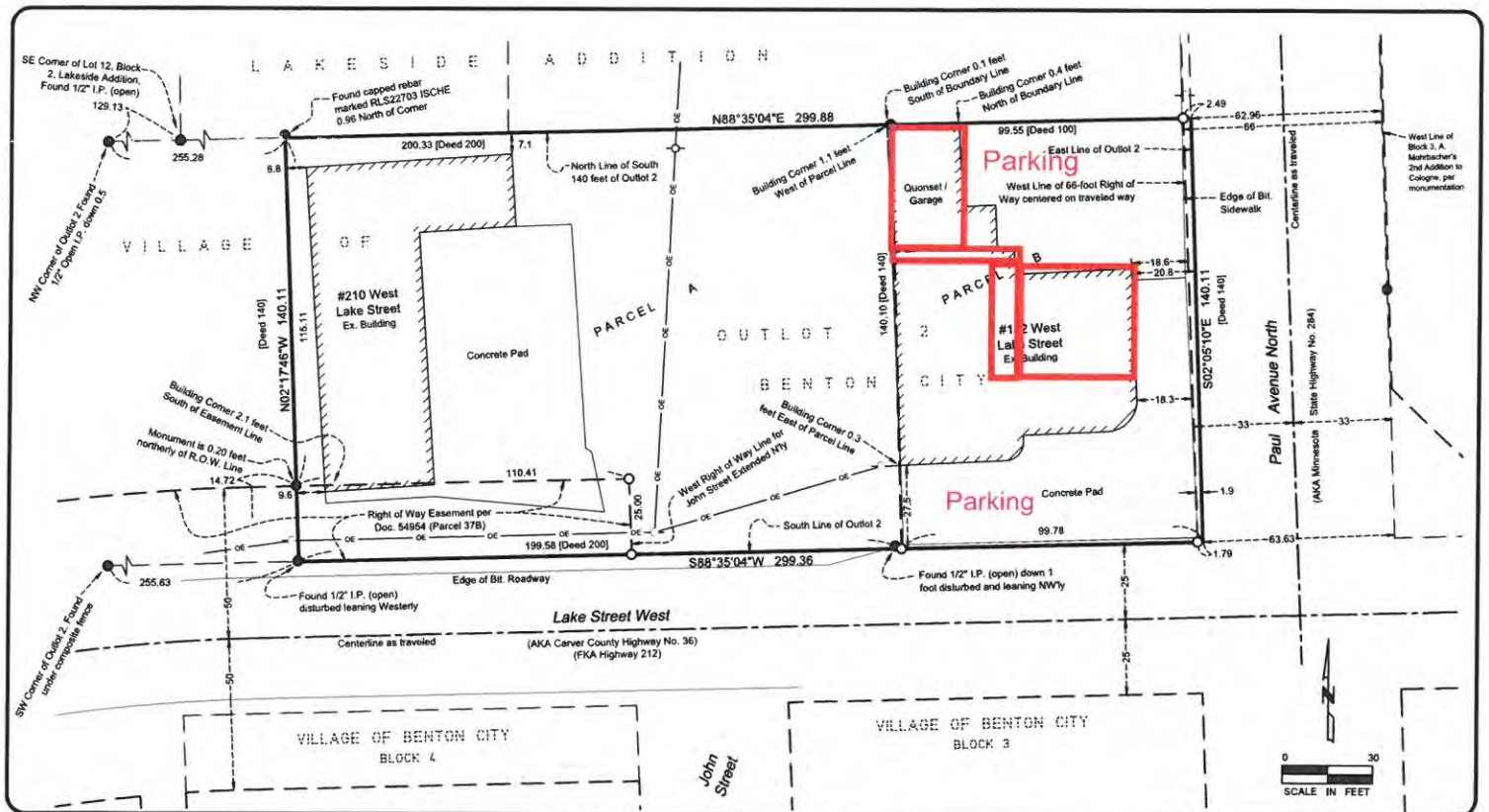
Date: August 17, 2023

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Surveying, PLLC. All rights reserved.

PROJ. NO.
17323C

SHEET
1 of 2

BOOK/PAGE
003/158



LINDGREN
Land Surveying

PO Box 217
Chanhassen, MN 55317
(952) 223-0063

Certificate of Survey

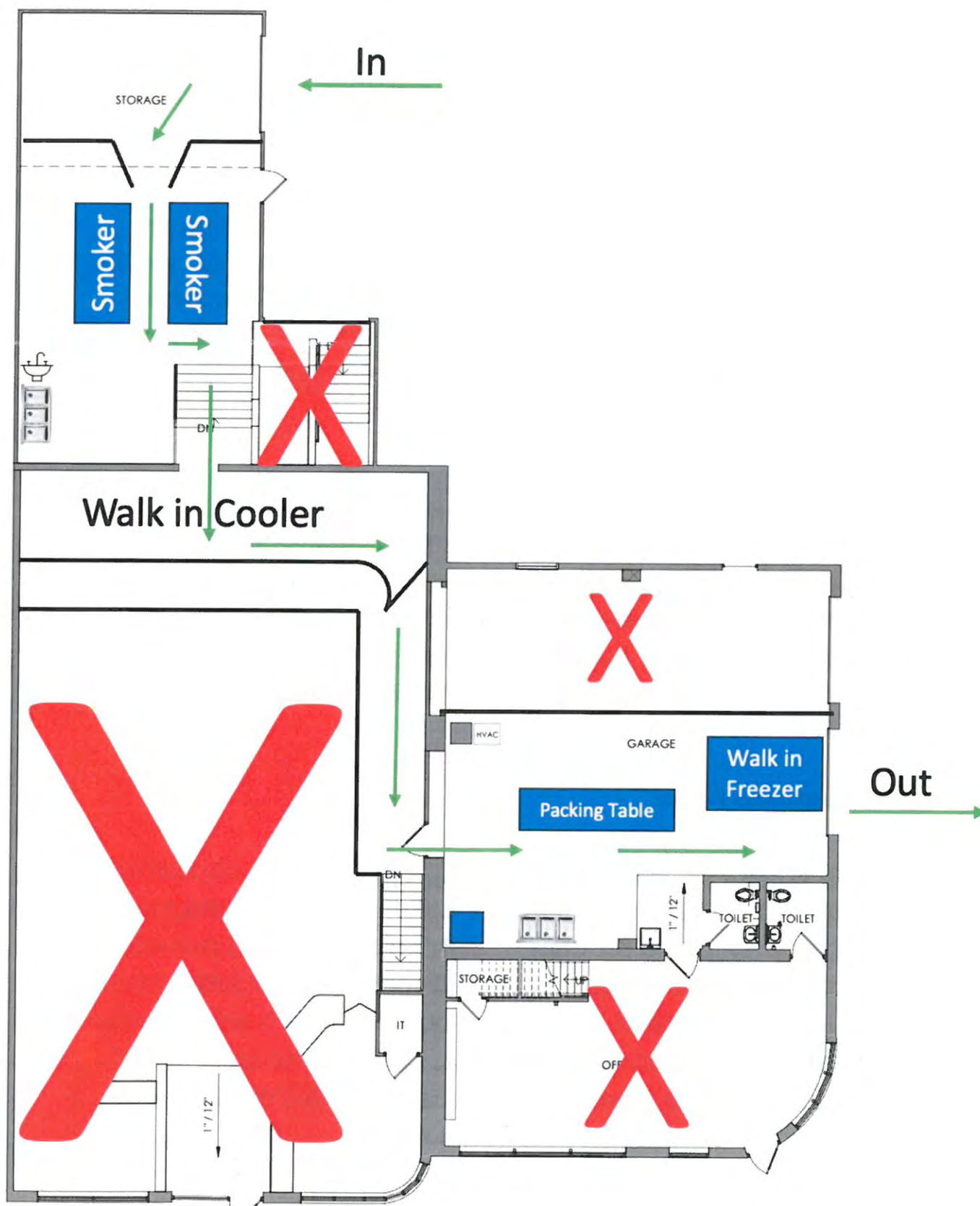
Survey Prepared For: Paul Modeen

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PROJ. NO.
17323C

SHEET
2 of 2

BOOK/PAGE
003/158



Business Name: Oak & Steel Smokehouse**Description:**

Oak and Steel Smokehouse is a niche-focused company dedicated to not only crafting smoked meats, but preserving tradition, and supporting our community. With a devotion to keeping the dollar within our beloved state of Minnesota, we've dedicated ourselves to creating hand-crafted, locally sourced smoked meats that go through a primitive cooking process over live oak fire using traditional offset smokers.

Initial Plans:

In our initial phase, we are focused on exclusively smoked pulled pork providing wholesale distribution to local grocers (Mackenthun's) and nearby restaurants. Each package of pork sold will include Cologne, MN on the label, in efforts to bring commerce to the city, connect local residents to high quality food, and continue our pursuit of celebrating locally sourced products.

Future Business Plans:

Looking ahead, we envision launching our direct-to-consumer channel, with retail available at 102 Lake Street W. (Cologne) as well as drop-shipping product straight to consumer's homes. Additional expansion would include diversifying our product line to include smoked beef brisket and burnt ends. To achieve this, we plan to hire additional employees, partner with local beef farms, and cultivate direct to consumer channels through local partnerships, our website, and social media.

Types of Operations:

Our day-to-day operations include cooking, cooling, packaging, cleaning/disinfection, and distribution by method of refrigerated pickup truck. Continuous inspection from the Minnesota Department of Agriculture is also included, where our cooking, cooling, packaging, and cleaning processes are inspected daily for compliance. We leverage local companies providing us with local oak, pork, marketing, banking, and finance.

Number of Employees:

At present, we will have 2 employees working on-site with 2 employees working remote/in the field. We anticipate expanding our team to 6-8 within the next 3 years to meet the demands of our expanding operations.

**CITY OF COLOGNE
CARVER COUNTY, MINNESOTA
RESOLUTION NO. 24-05**

**A RESOLUTION APPROVING AN INTERIM USE PERMIT FOR 102 LAKE
STREET WEST**

WHEREAS, the City of Cologne is a Minnesota Municipal Corporation, duly organized and authorized to conduct its affairs under the laws of the State of Minnesota; and

WHEREAS, Oak and Steel Smokehouse, LLC, a Minnesota limited liability company (the “Applicant”) is the proposed tenant of certain real property located in the City of Cologne, State of Minnesota, owned by Clifford Industries, LLC, a Minnesota limited liability company, and located at 102 Lake Street West and legally described as follows:

Commencing at the Southeast corner of Outlot 2; thence running West 100 feet; thence North 140 feet; thence East 100 feet; thence South 140 feet to Place of Beginning being in the Village of Cologne, according to the map or plat thereof on file and of record in the Office of the Register of Deeds, in and for the County of Carver, and State of Minnesota. According to Warranty Deed dated July 19, 2023

(the “Subject Property”); and

WHEREAS, Paul Modeen is the owner of the Subject Property; and

WHEREAS, the Planning Commission of the City did on February 7, 2024, conduct a public hearing in relation to the Applicant’s request for an interim use permit; and

WHEREAS, the Planning Commission of the City did on February 7, 2024 recommend approval of the interim use permit to the City Council; and

NOW, THEREFORE, BE IT RESOLVED the interim use permit is subject to the following conditions:

1. A commercial kitchen for food preparation with both wholesale distribution and retail sales is permitted only within the portions of the building identified in the application submitted by the applicant and on file at City Hall. Prior to expansion into other portions of the building, an amendment to this Interim Use Permit would be required.
2. No outside storage is permitted.

3. No outside food preparation, including the use of smokers, is permitted.
4. The applicant shall consult with the Building Official to determine if improvements are required to be made for occupancy of the proposed use. If required, the applicant shall secure a building permit and complete code required items before occupancy of the building.
5. The use and Subject Property shall be in compliance with all requirements of the zoning ordinance, as amended from time to time.
6. The use and Subject Property shall maintain compliance with all noise and nuisance related ordinances of the City Code, as may be amended from time to time.
7. The use and Subject Property shall be in compliance with any Federal, State or County law or regulation that is applicable and any related permits shall be obtained and provided to the City.
8. Disposal and handling of all waste and hazardous materials shall be done in conformance with law.
9. A lapse of one year during which the premises are not used for the purposes provided for in this permit shall cause the permit to expire and be of no further consequence.
10. This permit is granted to Oak and Steel Smokehouse, LLC. This permit shall expire and be of no further consequence in the event that Oak and Steel Smokehouse, LLC shall either 1) cease to remain in good standing with the Office of the Minnesota Secretary of State or 2) is no longer the tenant of the portion of the Subject Property for which this permit is granted.
11. This Interim Use Permit shall terminate on February 20, 2029. If this type of use is still eligible to be permitted as an interim use under city ordinances near the time of expiration of this permit, the applicant may apply for a new interim use permit.

Adopted and approved by the City Council of the City of Cologne on a vote of ____ ayes and ____ nays effective on the 20th day of February, 2024.

Approved:

Matt Lein
Mayor

Attested:

Michelle Morrison
City Administrator/Clerk

M/_____ Lein_____ Szaroletta_____ Kells_____
S/_____ Bruss_____ Lenzen_____

ACCEPTANCE OF IUP #24-05

I acknowledge and agree to the terms of Interim Use Permit #24-05 and will operate the property in conformance with the terms of said Interim Use Permit.

OAK AND STEEL SMOKEHOUSE, LLC

CLIFFORD INDUSTRIES, LLC

BY: Matthew Kolander
ITS:_____

BY: Paul Modeen
ITS:_____

DRAFTED BY:

Collaborative Planning, LLC
PO Box 251
Medina, MN 55340
763-473-0569

CITY OF COLOGNE
RESOLUTION NO. 24-06
RESOLUTION TO TERMINATE ORDERLY ANNEXATION AGREEMENT AND PETITION THE CARVER COUNTY
BOARD OF COMMISSIONERS TO ESTABLISH MAINTENANCE RESPONSIBILITIES FOR 134th STREET

WHEREAS, the City of Cologne, Minnesota (the “City”) and Benton Township (the “Township”) are parties to a Joint Resolution for Orderly Annexation dated July 8, 2004 by the Township as its Resolution 2004-01 and July 6, 2004 by the City as its Resolution 04-05 (the “**Orderly Annexation Agreement**”) designating an area of the Township in need of orderly annexation for the purpose of bringing such area into the city limits and immediately annexing said areas.; and

WHEREAS, the Orderly Annexation Agreement contained provisions which anticipated development of the property which was annexed by the Orderly Annexation Agreement including provisions for the City to maintain portions of 134th Street for the purpose of alleviating maintenance burdens created by the development; and

WHEREAS, 134th street remains a Township road which at present almost exclusively provides access to property which is in the Township; and

WHEREAS, the anticipated development contemplated by the Orderly Annexation Agreement was not undertaken, is not presently underway, and is not likely to be undertaken soon; and

WHEREAS, the purpose of those provisions of the Orderly Annexation Agreement have been frustrated by the non-occurrence of the anticipated development; and

WHEREAS, preliminary discussions with the Township to amend the Agreement have not resulted in a fair agreement for the City; and

WHEREAS, it is deemed appropriate by the City that said Orderly Annexation Agreement be terminated;

WHEREAS, Minnesota law directs that the City may petition the County Board to determine the appropriate and equitable allocation of maintenance responsibilities for 134th Street.

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

1. The recitals above are hereby incorporated and adopted as findings of fact;
2. It is in the best interest of the City to terminate the Orderly Annexation Agreement.
3. That the Mayor and City Administrator are directed to execute and deliver to the Township a notice to terminate the Orderly Annexation Agreement substantially as set out in the attached Exhibit A;
4. That the Mayor and City Administrator are directed to execute and deliver to the Carver County Board of Commissioners a petition to establish the maintenance responsibilities of the City and the Township substantially as set out in the attached Exhibit B;

[Approval And Signature Page to Follow]

Adopted and approved by the City Council of the City of Cologne on a vote of ____ ayes and ____ nays effective on the 20th day of February, 2024.

Approved:

Matt Lein
Mayor

Attested:

Michelle Morrison
City Clerk

M/_____

Lein_____

Szaroletta_____

Kells_____

S/_____

Bruss_____

Lenzen_____

Exhibit A

Notice of Termination

Benton Township Board of Supervisors
10325 150th Street
Cologne, MN 55322

To whom it may concern,

You are hereby notified that the City of Cologne (the “**City**”) is terminating the Orderly Annexation Agreement (the “**Agreement**”) between the City and Benton Township (the “**Township**”) which was created by joint resolution - the City’s resolution 04-05 and the Township’s resolution 2004-01.

The City has determined the Agreement is inequitable and no longer serves its interests or the interests of its residents. Specifically, it is the City’s position that the maintenance obligation allocation for 134th Street is so substantially unfair to the City that it is in the City’s best interest to terminate the Agreement. The street exists almost exclusively for the benefit of the Township’s residents, and the increased construction traffic on 134th Street contemplated by the Agreement has not occurred.

The City has the right to terminate the Agreement upon reasonable notice pursuant to Minnesota law, because the OAA is indefinite in duration without a termination provision, and because there have been material changes in circumstances which were conditions of the Agreement, namely that the annexation area was not developed. (See *Waterford Township v. City of Northfield*, 2019 WL 3774615). The termination will be effective 90 days from the date of this notice. The Township is further notified that the City shall petition the Carver County Board of Commissioners to determine the proper allocation of costs for the future maintenance of 134th Street pursuant to Minnesota Statutes Sections 414.038 and 164.14.

Signed,

The City of Cologne

By: _____

Matt Lien, its Mayor

By: _____

Michelle Morrison, its City Clerk/Administrator

EXHIBIT B

PETITION FOR RESOLUTION

Carver County Board of Commissioners
600 East Fourth Street
Chaska, MN 55318-2102

To whom it may concern,

This letter is a petition, pursuant to Minnesota Statutes Sections 414.038 and 164.14, that the County Board determine the proper and equitable division of maintenance responsibility for 134th Street, which lies along the municipal boundary of the City of Cologne (the “**City**”) and Benton Township (the “**Township**”).

The City annexed certain lands from Benton Township in 2004 pursuant to a joint resolution of the City and the Township, marked as the City’s resolution 04-05 and the Township’s resolution 2004-01 (the “**Orderly Annexation Agreement**” or “**OAA**”). The OAA provided for the maintenance of 134th street, which lay along the boundary of the newly annexed area and the Township. Minnesota Statutes Section 414.038 directs that 134th Street should be considered a line road subject to the application of Minnesota Statutes Section 164.14. Section 164.14 provides that the County Board, with the assistance of the County Engineer, shall determine the proper division of responsibility for the maintenance of line roads when an agreement between a city and a township proves inequitable.

The present arrangements for 134th Street have proven inequitable. 134th Street almost exclusively serves the Township and its residents. The OAA contemplated significant development in the annexed area which would cause increased traffic on 134th Street, including some construction traffic. The OAA therefore placed maintenance obligations on the City for 134th Street that were meant to account for wear and dust caused by increased traffic from the development. The development contemplated by the OAA did not occur, and the increased traffic has not materialized. Because of the absence of the development, the OAA improperly shifts the bulk of the financial burden to the City for maintaining 134th Street.

The City has faithfully paid the Township for what the Township represents are the costs allocated to the City under the OAA. However, under the current arrangement the Township does not afford the City any input as to the level of maintenance on 134th Street or the selection of contractors for that work. The OAA’s requirement that the City pay for dust coating treats that section of road differently than all of the Township’s other roads. Consequently, Township residents who live on 134th Street receive dust coating service at the City’s expense when other Township residents are required to pay for dust coating personally.

The City has notified the Township that the OAA will be terminated. The City therefore submits this petition to the County Board to determine the proper and equitable division of maintenance responsibilities for 134th Street. Please contact Michelle Morrison at 952-466-2064 with any questions. The City will provide additional information, testimony, or documentation the County Board may require to make its determination.

Signed,

The City of Cologne

By: _____

Matt Lien, its Mayor

By: _____

Michelle Morrison, its City Clerk/Administrator