

COON RAPIDS CITY COUNCIL MEETING MINUTES OF FEBRUARY 20, 2018

CALL TO ORDER

The second regular meeting of the Coon Rapids City Council for the month of February was called to order by Mayor Jerry Koch at 7:00 p.m. on Tuesday, February 20, 2018, in the Council Chambers.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Koch led the Council in the Pledge of Allegiance.

ROLL CALL

Members Present: Mayor Jerry Koch, Councilmembers Bill Kiecker, Wade Demmer, Jennifer Geisler, Brad Johnson and Steve Wells

Members Absent: Councilmember Brad Greskowiak

ADOPT AGENDA

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

PROCLAMATIONS/PRESENTATIONS

None.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

1. FEBRUARY 7, 2018, COUNCIL MEETING

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER DEMMER, FOR APPROVAL OF THE MINUTES OF THE FEBRUARY 7, 2018, COUNCIL MEETING. THE MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA/INFORMATIONAL BUSINESS

2. APPROVE NEW ANIMAL IMPOUND AGREEMENT AND FEES TO DOVER KENNEL ANIMAL AND IMPOUND SERVICES
3. ADOPT PROPERTY AND USE AGREEMENT WITH COON RAPIDS/ANDOVER

- AMERICAN LITTLE LEAGUE, INC.
4. APPROVE FINAL PAYMENT FOR PROJECT 16-3, STREET RECONSTRUCTION – MSA NORTH AREA – VENDOR ID 100986
 5. RECEIVE 2017 YEAR END GAMBLING EXPENDITURE REPORT
 6. RECEIVE LAWFUL GAMBLING REPORT AND AUTHORIZE PAYMENT TO COMMUNITY STRENGTH FOUNDATION
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MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER WELLS, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING

7. HOLD PUBLIC HEARING/ASSESSMENT HEARING, CONSIDER RESOLUTION 18-1(6A) ORDERING PROJECT AND 18-1(8) APPROVING PLANS AND SPECIFICATIONS
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The Staff report was shared with Council.

Mayor Koch opened the public hearing at 7:27 p.m.

William Bromley, 230 104th Avenue NW, stated when the County completed Foley Boulevard they used 104th Avenue. He explained a new fire hydrant was placed in his yard along with a new water main across his driveway. He reported 42 feet of his property was blacktopped and this was all removed by the County, along this is sprinkler system. He indicated the apron was replaced by the County but noted this has turned into a speed bump. He did not believe he should be responsible for paying an assessment of \$1,900 when the County had recently ripped up his property.

Councilmember Johnson commented that Mr. Bromley's property was very unique as the County and the City would be impacting his property. Assistant City Engineer Hanson stated he spoke with Mr. Bromley last fall and he understood the concerns. He reported the City has done projects in similar situations and assessments were still charged. He explained the only situations where assessments were not charged was when improvements by the County ran the entire width of a property.

City Attorney Brodie encouraged Mr. Bromley to submit to the City a written objection to his assessment before the close of the Public Hearing.

Rick Malikowski, 221 108th Avenue, stated he had sticker shock when reviewing his property taxes this year given that his home value had increased and the school district had passed a referendum. He reported he was retired as were many of his neighbors. He asked if he would receive a break on the proposed assessment if the bid came in lower than anticipated. Assistant City Engineer Hanson stated this would not be the case.

Mayor Koch requested further information on the senior deferment plan for assessments. Finance Director Legg explained senior citizens could defer their assessment until the property sells. She noted interest would continue to accrue on the assessment over time.

Art McIntire, 112th Lane, expressed concern with having access to his home during the street improvement project. He noted his wife would not be able to walk from 111th to his home if his street were closed for a period of time. Assistant City Engineer Hanson indicated he would work with Mr. McIntire on this issue in order to keep his driveway accessible or provide an alternative access point. He encouraged any residents facing similar concerns to contact him directly at City Hall, noting he would work with the contractor to address these issues.

Richard Gunderson, 207 104th Lane, questioned why residents were being assessed for these improvements when the City should have budgeted for this expense. Mayor Koch thanked Mr. Gunderson for his question and stated this was how communities have handled street improvement projects. City Manager Stemwedel discussed the various ways neighboring communities assessed for improvement projects. He explained that street improvement projects had a direct benefit to adjacent properties and for this reason a portion of the expense can be assessed. He noted some communities assessed 100% of the expense, while others assessed a lower amount, but had higher property taxes. He explained the City had approved its assessment policy in 1994 and has been following it since that time. Finance Director Legg commented the current assessment policy allows expenses to be spread over more properties due to the fact assessments could be charged to churches, schools and other non-profits, noting these properties do not typically pay property taxes.

Councilmember Demmer discussed how it difficult to change the assessment policy now given the fact a large number of homeowners have paid assessments for their street improvement project over the years. He stated he was proud of the fact Coon Rapids paid much lower assessments than many communities in the metro area.

Councilmember Johnson explained he would be paying an assessment for this project. He indicated the Council was not immune to these things and noted Councilmember Geisler paid two assessments last year and the Mayor paid one as well.

Helen Jelenick, Quay Street, indicated she objected to her assessment. She stated according to Minnesota State Statute the assessment must be a special benefit from the improvement being constructed, the assessment must be uniform upon the same class of property, and the assessment may not exceed the special benefit. She went onto further define “special benefit” and questioned if the City’s assessment policy was in proper alignment with State Statute. She feared her property value would not increase by \$1,900 by the proposed improvements. If this were the case, she believed the project should be paid for by local taxes and not be assessed.

Finance Director Legg explained she worked for Coon Rapids in 1994 when the assessment policy was put in place. She reported an improvement project was supposed to improve your property by the assessment amount. She indicated an appeal process was in place to allow homeowners to appeal their assessments. She stated the City had conducted tests on property values before and after

street improvement projects were completed and noted values were clearly increased. She noted appraisers have come out in order to provide the City with a value to ensure assessment amounts were fair. She estimated the increase in property value to be close to \$5,000 once a street was improved.

Councilmember Johnson questioned what portion of State Statute Ms. Jelenick had read and requested a copy of this language. Ms. Jelenick stated she did not have a copy of the State Statute with her.

John Hall, of 106th, noted his apron was currently 20 feet and asked if this could be increased to 24 feet. Mayor Koch encouraged Mr. Hall to contact Assistant City Engineer Hanson regarding this issue.

Mayor Koch closed the public hearing at 7:54 p.m.

Councilmember Demmer clarified the Council would be ordering the improvements for Project 18-1 this evening but asked how the contested assessments would be handled by the City going forward. City Attorney Brodie explained the assessments were not being approved but objections were being taken. He advised the assessments will be approved on Tuesday, May 1st.

Councilmember Johnson reported Improvement Project 18-1 was in his ward and he believed all of the roads were in need of improvement.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 18-1(6A) ORDERING THE IMPROVEMENT. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KIECKER, TO ADOPT RESOLUTION NO. 18-1(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS. THE MOTION PASSED UNANIMOUSLY.

8. **HOLD PUBLIC HEARING/ASSESSMENT HEARING, CONSIDER RESOLUTION 18-2(6A) ORDERING PROJECT AND 18-2(8) APPROVING PLANS AND SPECIFICATIONS**
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The Staff report was shared with Council.

Councilmember Demmer requested further information on the City's assessment policy for multi-family properties. Assistant City Engineer Hanson described the City's multi-family assessment rate and noted this was a more equitable way to assess these properties.

Mayor Koch opened the public hearing at 8:05 p.m.

Stan Dotseth, 3038 121st Avenue NW, commented the first block of 121st Avenue off of Crooked Lake Boulevard was quite old and in need of improvement. However, he noted his portion of 121st Avenue was still in good shape. He questioned if work needed to be done on his portion of 121st Avenue. Assistant City Engineer Hanson commented all of the streets in the area were being completed and noted it would be difficult to come back in five or ten years to complete just one street without damaging the new roadways.

Helen Jelenick, Quay Street, explained she has received 25 signatures from the 32 residents that live in Shenandoah Park, Section 1. She reported this neighborhood had a through street that was a private road and was maintained and plowed by her association. She indicated this private street was slated for replacement in 2024 which would cost each homeowner \$4,700. She feared how the special assessment from the City would impact her neighbors. She stated she objected to the City's special assessment on the Shenandoah Park homeowners noting the assessment must be a special benefit from the improvement being constructed, the assessment must be uniform upon the same class of property, and the assessment may not exceed the special benefit. She reported local taxes are paid to the City and this should be used for streets and street maintenance. She believed the City was assessing far beyond the benefit that would be received by Shenandoah Park homeowners. She noted Quay Street was a through street open for public use that was maintained by the Shenandoah Park homeowners. She asked if the City would be getting back to her regarding her objection. City Attorney Brodie reported staff would be responding to the individual comments or concerns raised at the Public Hearing in the next meeting packet.

Linda Bucholz, 131st Lane, reported she lived in Shenandoah Villas I. She questioned why the assessment rate between Shenandoah Villa and Shenandoah Park differed. Assistant City Engineer Hanson explained that Shenandoah Villa abuts 131st Lane and Silverrod, whereas Shenandoah Park only abuts Silverrod. He indicated Shenandoah Villa has more City street front footage.

Mayor Koch closed the public hearing at 8:18 p.m.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT RESOLUTION NO. 18-2(6A) ORDERING THE IMPROVEMENT. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT RESOLUTION NO. 18-2(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS. THE MOTION PASSED UNANIMOUSLY.

9. VACATION OF PUBLIC ROADWAY EASEMENT (100TH AVENUE NW)

The Staff report was shared with Council.

Mayor Koch opened and closed the public hearing at 8:22 p.m. since no one appeared to address the

Council.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 18-36 VACATING A PUBLIC ROADWAY EASEMENT FOR PROPERTY LOCATED AT 100TH AVENUE NW. THE MOTION PASSED UNANIMOUSLY.

10. VACATION OF PUBLIC ROADWAY EASEMENT (UNNAMED STREET)

The Staff report was shared with Council.

Mayor Koch opened and closed the public hearing at 8:23 p.m. since no one appeared to address the Council.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER KIECKER, TO ADOPT RESOLUTION NO. 18-37 VACATING A PUBLIC ROADWAY EASEMENT DEDICATED IN THE PLAT OF COON CREEK PARK. THE MOTION PASSED UNANIMOUSLY.

BID OPENINGS AND CONTRACT AWARDS

None.

OLD BUSINESS

None.

NEW BUSINESS

11. CONSIDER ADOPTING RESOLUTION 18-5(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR ANNUAL STREET MAINTENANCE PROGRAM

The Staff report was shared with Council.

Mayor Koch understood the road leading into Bunker Hills would be chip sealed and the parking lot was being fog sealed. He asked why the entire area was not be fog sealed. Public Works Director Himmer stated all traffic would have to cease in and out of Bunker Hills for several days if a fog seal project were completed on the roadway.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER KIECKER, TO ADOPT RESOLUTION NO. 18-5(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR THE 2018 STREET MAINTENANCE PROGRAM. THE MOTION PASSED UNANIMOUSLY.

12. CONSIDER DESIGN SERVICES AGREEMENTS FOR LIONS COON CREEK PARK IMPROVEMENTS (PROJECT 18-10)

The Staff report was shared with Council.

Councilmember Kiecker asked if the residents surrounding the park would receive future notifications for this project. Public Works Director Himmer stated the City does not typically send out additional notifications for park improvement projects. He noted the public could stay informed on this topic by attending neighborhood meetings or by contact City staff.

Councilmember Demmer encouraged staff to move the parking lot further away from the residential houses. Public Works Director Himmer noted the parking lot has been moved 50 feet from the homes.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER KIECKER, TO AWARD A DESIGN SERVICE AGREEMENT TO WSB & ASSOCIATES, INC. IN THE AMOUNT OF \$110,458.00 FOR LIONS COON CREEK PARK SITE IMPROVEMENTS PROJECT (18-10). THE MOTION PASSED UNANIMOUSLY.

13. CONSIDER RESOLUTION 18-38 AUTHORIZING DRAKE MDG LIMITED PARTNERSHIP HOUSING REVENUE BONDS

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 18-38, WHICH AUTHORIZES THE ISSUANCE, SALE AND DELIVERY OF ITS MULTIFAMILY HOUSING REVENUE BONDS RELATING TO THE DRAKE APARTMENTS PROJECT. THE MOTION PASSED UNANIMOUSLY.

OPEN MIC/PUBLIC COMMENT

Mayor Koch reviewed the rules of order for the Open Mic/Public Comment portion of the meeting.

REPORTS ON PREVIOUS OPEN MIC

None.

OTHER BUSINESS

Councilmember Demmer requested staff think about a way to educate the public on upcoming assessments for planned Street Improvement Projects.

Councilmember Johnson stated going forward once a street is identified for improvement within the next three to five years, it may benefit those homeowners to be notified in advance in order to allow them to start saving.

Councilmember Geisler suggested the City's street reconstruction plan be discussed and posted during the Summer in the City meetings.

Mayor Koch noted there would be an Open House for the Hanson Grade Separation project on Thursday, February 22nd from 4:30 p.m. to 6:30 p.m. at the Coon Rapids Civic Center. He explained a presentation would be made at 5:15 p.m.

Mayor Koch commented School District No. 11 would be shifting their boundaries as they would be building two new elementary schools. He encouraged residents to visit the School Districts website to see if they would be impacted.

City Manager Stemwedel reported the NHL Alumni/Guns and Hoses Game would be held on Friday, February 23rd at 7:30 p.m. at the Coon Rapids Ice Center. He explained tickets could be purchased at the door.

City Manager Stemwedel explained the Minnesota Blue Ox would have their first playoff game at the Coon Rapids Ice Center on Saturday, February 24th at 7:30 p.m.

ADJOURN

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER DEMMER, TO ADJOURN THE MEETING AT 8:44 P.M. THE MOTION PASSED UNANIMOUSLY.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk