

**MINUTES OF THE PROCEEDINGS
OF THE CITY COUNCIL OF THE CITY OF JORDAN
IN THE COUNTY OF SCOTT
APRIL 15, 2013**

CALL TO ORDER: The meeting was called to order at 6:30 p.m. Present: Mayor Mike Shaw, Joe Thill, Thom Boncher, Jeff Will, Tanya Velishek and Jeremy Goebel.
Absent: Terry Stier.

Also Present: Administrator Shukle, Police Chief Malz, Finance Director Nikunen, Engineers Loose and Waltman, Planning Consultant Foust, Planning Intern Bodeker, Administrative Assistant Dault, and Public Works Director Bendzick. Absent: Senior Planner Wendell.

HEARING FOR TAX ABATEMENT IN CONNECTION WITH GLOWING HEARTH & HOME: Martha Ingram, Kennedy & Graven bond counsel, stated that Glowing Hearth and Home is proposing to construct a warehouse & distribution project and requested \$50,000 in tax abatement, and \$25,000 for Jobs for Fees. They requested the abatement for 12 to 15 years.

Mayor Shaw opened the Tax Abatement Hearing at 6:30 p.m. in connection with Glowing Hearth & Home. There was no public comment. Mayor Shaw closed the public hearing at 6:35 p.m.

HEARING FOR THE MODIFICATION OF TIF PLAN FOR TIF DISTRICT NO. 1-11 (OAK TERRACE): The developer initially wanted to expand Oak Terrace by 16 units and now they are considering only 12 units. Motion Boncher second Velishek to continue the hearing for the modification of TIF Plan for TIF District No. 1-11 (Oak Terrace) for May 6th. Motion approved. Vote all ayes.

HEARING FOR DELINQUENT WATER AND SEWER UTILITY BILL ASSESSMENTS: Mayor Shaw opened the Assessment Hearing for delinquent water and sewer utility bill assessments at 6:40 p.m. Finance Director Nikunen distributed a revised list of delinquent customers.

Finance Director Nikunen suggested the Council reconsider dropping one of the assessment notices as it is not accomplishing what we had hoped it would. The number of delinquent customers has not decreased. Mayor Shaw opened the public hearing at 6:40 p.m. There was no public comment. Motion Velishek second Boncher to close the hearing at 6:40 p.m. Motion approved. Vote all ayes.

MINUTES OF PREVIOUS MEETING: Motion Velishek second Boncher to approve the April 1, 2013 regular session minutes as presented. Abstain Goebel. Motion approved.

SET AGENDA: Motion Velishek second Goebel to set the agenda as amended to include Item 6.0 (A) Proclamation – National Day of Prayer. Motion approved. Vote all ayes.

PUBLIC COMMENT: Mayor Shaw read aloud the Proclamation regarding National Day of Prayer. Motion Velishek second Thill to proclaim May 2, 2013 A Day of Prayer in the City of Jordan. Motion approved. Vote all ayes.

Richard Thom requested information regarding compensation packages for the City Administrator, City Planner, and Director of Finance.

Jim Pensyl of 756 O’Day Drive stated he had received a hearing notice about a zoning ordinance change and suggested that any future notifications be more specific stating what the purpose of the letter is about along with the scope and objectives. Staff will reevaluate their notices.

MARCH 2013 POLICE REPORT: Police Chief Malz stated crimes continue to decrease from the previous year and calls for service continue to increase. Traffic citations are down and reported accidents are up slightly.

MARCH 2013 FINANCE REPORT: Finance Director Nikunen presented the March 2013 Finance Report. There is 78.96% of the general fund budget remaining unspent as of the end of the month.

RESOLUTION 4-20-2013 ADOPTING ASSESSMENTS FOR DELINQUENT WATER AND SEWER UTILITY BILLS: Motion Velishek second Goebel to approve Resolution 4-20-2013 adopting assessments for delinquent water and sewer utility bills as presented. Motion approved. Vote all ayes.

SITE PLAN REVIEW – 830 CORPORATE DRIVE: Planning Consultant Joanne Foust commented on the site plan for a new industrial building located at 830 Corporate Drive. Tim Shimek of Shimkids, LLC is proposing to construct a 6,000 square foot building with a potential additional 6,000 square feet for a future expansion. The new facility will contain warehouse space along with a front office. The property is located on the northwest side of the Jordan city limits in the Timberline Business Park, Third Addition.

Motion Velishek second Thill to adopt Resolution 4-25-2013 conditionally approving the site plan for 830 Corporate Drive with the following conditions:

1. **Boulevard Sodding and Street Trees.** Boulevard sodding and street trees shall be provided, consistent with City requirements, which require trees to be planted in the boulevard or immediately adjacent thereto. Said trees shall be of a disease resistant species approved by the City and appropriate to the boulevard areas, shall measure at least two inches in diameter as measured one foot off the ground. Boulevard trees shall be planted along the right-of-way of Corporate Drive and boulevard sodding shall occur within 180 days after first occupancy of the building, prior to the release of the landscape escrow.

2. **Drainage Run-off.** Volume control for 0.5” of runoff from the new impervious areas should be accounted for through on-site practices such as infiltration. Plans shall be approved by the City Engineer. All stormwater leaving the site should be directed to the City’s storm sewer system or maintained within the drainage and utility easements.
3. **Permits.** An NPDES permit is required from the MPCA’s the project disturbance is greater than one acre.
4. **Pavement.** Bituminous pavement shall refer to MnDOT specifications section “2360” for both wearing and non-wearing courses.
5. **Concrete Apron.** The concrete apron off-street shall have a 15’ radius to prevent trucks, which are unable to make a 7.5’ radius turn, from driving over the curb and damaging turf.
6. **Curb and Gutter.** Curb and gutter is required for the parking lot.
7. **Lighting.** Any future outdoor lighting which is not globe lighting shall be directed perpendicular to the ground or directly on a building so that no direct rays are visible from off the property.
8. **Engineer Approval.** Detailed utility and infrastructure construction plans, grading plan and drainage plans shall be approved by the City Engineer.

Councilmember Thill asked Mr. Shimek if the financial assistance he received from the city was a deciding factor in building here in Jordan and he stated it was a large part of it. Motion approved. Vote all ayes.

RESOLUTION 4-23-2013 PRESENTATION OF FINAL PLANS AND SPECS FOR THE 2013 STREET IMPROVEMENTS PROJECT: Assistant City Engineer Waltman recapped the 2013 improvements and stated that the drainage conditions on Marlane Circle were reviewed. In order to alleviate these drainage problems, an extension of the storm sewer from Hillside Drive and installation of a new inlet in the cul-de-sac would be needed for a cost estimated at \$41,050. Councilmember Thill questioned if rain gardens would work in this situation. Engineer Waltman stated they would add an alternate to the bid documents about Marlane Circle. Construction would take place between June and September of 2013. Motion Thill second Goebel to adopt Resolution 4-23-2013 authorizing staff to collect bids for the 2013 street improvement project. Motion approved. Vote all ayes.

MARCH 2013 PUBLIC WORKS REPORT: Public Works Director Bendzick gave his March report.

APPROVE RESOLUTION 4-21-2013 APPROVING TAX ABATEMENT IN CONNECTION WITH GLOWING HEARTH & HOME –WAREHOUSE & DISTRIBUTION PROJECT – TIMBERLINE INDUSTRIAL PARK: Administrator Shukle stated that Glowing Hearth and Home is applying for Tax Abatement and the Jobs for Fees program to proceed with the expansion of his business. The tax abatement amount is

\$49,215 or 12 years whichever comes first, and the jobs for fees is in the amount of \$25,000. Motion Velishek second Thill to adopt Resolution 4-21-2013 approving Tax Abatement and Contract for Private Development for Certain Property in the City of Jordan as it relates to Glowing Hearth and Home. Motion approved. Vote all ayes.

APPROVE RESOLUTION 4-24-2013 MODIFICATION OF THE TAX INCREMENT FINANCING PLAN FOR TAX INCREMENT FINANCING DISTRICT NO. 1-11 OAK TERRACE: Motion Velishek second Goebel to table Resolution 4-24-2013 regarding modification of the tax increment financing plan for tax increment financing district No. 1-11 Oak Terrace until the May 6th agenda. Motion approved. Vote all ayes.

CONSIDER PROPOSAL FROM CGI COMMUNICATIONS: Administrator Shukle stated CGI Communications contacted him to determine if the City would be interested in a 60 second video highlighting the city of Jordan. There would be no cost for this video. Motion Goebel second Velishek to approve the proposal from CGI Communications to produce a 60 second video of Jordan at no cost and to authorize execution of the agreement. Motion approved. Vote all ayes. Councilmember Boncher suggested that the City not try to over direct the production.

RESOLUTION 4-22-2013 APPROVING A FORGIVABLE JOBS FOR FEES LOAN TO GLOWING HEARTH & HOME, INC. AND PROVIDING THE FORM, TERMS, COVENANTS AND DIRECTIONS FOR SUCH LOAN: Administrator Shukle stated the Jobs for Fees loan to Glowing Hearth and Home will pay \$25,000 towards the building permit of this project and will create eight new jobs. The resolution was prepared by Kennedy and Graven, the city's bond counsel. Motion Velishek second Boncher to adopt Resolution 4-22-2013 approving a Forgivable Jobs for Fees Loan to Glowing Hearth & Home, Inc. and providing the Form, Terms, Covenants and Directions for Such Loan. Motion approved. Vote all ayes.

INFORMATION REQUESTED BY RICHARD THOM: Councilmember Velishek asked how much time this request will take and questioned why Mr. Thom wanted it. Councilmember Boncher stated this is public information and should be available because of the Freedom of Information Act. Councilmember Thill requested that staff double check the Statute that Mr. Thom referenced in his letter.

CONSENT AGENDA: Motion Velishek second Will to approve Consent Agenda Items A-B:

- A. Bills
- B. Non-Intoxicating Liquor License for Jordan Brewer's Baseball, Senior Men's Baseball contingent on receipt of insurance and fee.

Motion approved. Vote all ayes.

COMMITTEE REPORTS: The March 12, 2013 Planning Commission minutes were included in the Council packet.

MAYOR COMMENTS: Mayor Shaw commented on the ribbon cutting ceremony at the clinic, Mayor's meeting he attended with other Mayors from surrounding cities, and the Fire Relief meeting.

COUNCIL COMMENTS: Councilmember Boncher commented on Celebrate Jordan and stated that approximately 20 people stopped at his booth. Councilmember Thill listed the meetings he attended, asked about the Army Corps flood control study, and suggested possibly considering a rain garden on Marlane Circle.

Councilmember Velishek listed the meetings she attended and reminded Council that this is community month and lots of activities are planned. Councilmember Will also commented on the ribbon cutting ceremony.

ADJOURNMENT: Motion Velishek second Boncher to adjourn the meeting. The meeting adjourned at 7:50 p.m. Motion approved. Vote all ayes.

Mike Shaw, Mayor

ATTEST:

Edward J. Shukle, Jr.
City Administrator