



MINUTES

COHASSET CITY COUNCIL MEETING

305 NORTHWEST FIRST AVENUE

TUESDAY, DECEMBER 22, 2015

7:00 P.M. REGULAR CITY COUNCIL MEETING

7:00 p.m. City Council Meeting

1. **Call to Order** – Mayor Greg Hagy called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance

2. Roll Call

Present: Mayor Greg Hagy, Councilors Terry Bartz, Dennis Blankensop via Skype, Tim Carlson, and Jason Tabaka

Absent: None

Others: Max Peters, Finance Director; Bob Beaver, SEH Engineering, and Zoning Officer Greg Tuttle, City Attorney John Licke, and several residents.

3. **Resident Input:** None

4. Approve Agenda

Additions: None

Deletions: None

A motion was made by Tabaka/Bartz to approve the agenda as presented. Voting in favor: Hagy, Bartz, Blankensop, Carlson, Tabaka; Voting against: None; Absent: None. Motion carried.

7:05 Public Hearing #1 RE: Rezone – to act on a recommendation from the Cohasset Planning Commission, initiated by a request from the Itasca Economic Development Corporation (IEDC) to rezone from Cohasset Industrial Park/Rural Industrial (CIP/RI) to Heavy Industrial (HI) the properties legally described as follows:

- a. East ½ of the Southeast ¼ of the Northeast ¼ (PIN #05-024-1401) - CIP,
- b. East ½ of the Northeast ¼ of the Southeast ¼ (PIN #05-024-4101) - CIP,
- c. Part of the Southeast ¼ of the Southeast ¼ lying East of the County Road (PIN #05-024-4401) - CIP.
- d. South 300 feet of the West ½ of the Northeast ¼ of the Southeast ¼ lying East of the County Road 76 (PIN #05-024-4104) - RI

all in Section 24, Township 55 North, Range 26 West, City of Cohasset, Itasca County, Minnesota.

Zoning Officer Greg Tuttle summarized the 21 page informational packet and called for questions.

Tom Cobb, 34337 Dingmann Road, Cohasset, MN questioned the zoning history of the property. Tuttle explained that the City took over zoning responsibilities from Itasca County in 1992 and established our own zone district map. Cobb indicated the property was changed from Heavy Industrial to Rural Industrial at some point and questioned what the plan was for the property. Mark Zimmerman, IEDC, explained the property was purchased by IEDC in 2010 and IEDC subsequently sold approximately two thirds of the property to Longyear at the end of 2014. The IEDC has 60 acres remaining and is interested in putting in support businesses for Longyear - or other businesses.

Evelyn Dingmann, 24351 County Road 76, Cohasset, MN stated she is concerned with increased traffic on Co. Rd. 76. Zimmerman replied that most trucks will be coming in on County Road 63.

James Rostvold, 3230 County Road 76, Cohasset, MN stated he is concerned about property values.

Mayor Hagy opened the public portion of the meeting and requested anyone in favor of the rezone request to come forward. There was no response.

Mayor Hagy requested anyone opposed to the rezone request to come forward.

Dick White, 2733 County Road 76, Cohasset, MN questioned if rezoning the land would make money for the City and Hagy answered yes. White indicated he is concerned with the environment and would not like to see trees cut. Hagy thanked White for his comments.

Tom Cobb, 34377 Dingmann Road, Cohasset, MN stated he is opposed to the rezone for a variety of reasons and suggested shutting off the entrance to County Road 76.

Gary Wheelock, 24135 County Road 76, Cohasset, MN stated he is not speaking for or against the rezone but wanted to provide some comments. Wheelock is in agreement with keeping a buffer zone and is pro-business but has concerns with potential noise resulting from development.

Mark Zimmerman, IEDC, spoke in favor of the rezone and said that different zoning in the same industrial park makes it more difficult to sell.

Mayor Hagy closed the public portion of the hearing and asked for a motion on the rezone.

A motion was made by Carlson/Tabaka to act on a recommendation from the Cohasset Planning Commission to rezone all parcels from Cohasset Industrial Park/Rural Industrial (CIP/RI) to Heavy Industrial (HI).

Mayor Hagy called for discussion. Councilman Bartz stated the Planning Commission spent a lot of time on this issue and the rezone is to bring business into the area. Blankensop added that he agrees with Bartz and Council needs to trust the Planning Commission.

Carlson/Tabaka rescinded the original motion and amended it as follows: Motion by Carlson/Tabaka to act on a recommendation from the Cohasset Planning Commission to rezone all parcels from Cohasset Industrial Park/Rural Industrial (CIP/RI) to Heavy Industrial (HI) and to include the Planning Commission Findings of Fact to the motion.

The Findings of Fact below are excerpted from the November 4, 2015 Cohasset Planning Commission meeting.

1. Will the uses permitted by the proposed zone district change be appropriate for the surrounding area?

Brown answered yes at this time. Otto indicated that some buffer should be maintained between Heavy Industrial and Residential. Casper-agree; Chell-agree; Fulton-agree; Kirschbaum-agree; Otto-disagree.

2. Are the public utilities currently adequate (or planned) to service the types of uses allowed by the proposed zone district change?

Otto answered yes and noted that utilities are in place. All Commissioners agreed.

3. Is there a need to consider additional properties with the proposed zone district?

Chell answered no because there are other HI properties within the city. All Commissioners agreed.

4. What effect will the proposed zone district change have upon existing neighborhoods, commercial districts or industrial areas in the community?

Fulton indicated the rezone would make the area more compliant with other industrial sites adjacent to it. All Commissioners agreed.

5. Is the proposed zone district change consistent with the existing uses and zoning within the general area of the property in question?

Kirschbaum answered yes. Casper agreed and mentioned that other heavy industrial – or similar to it - is surrounding the area, so it is consistent. All Commissioners agreed.

6. Is the proposed zone district changes the minimum adjustment necessary to allow reasonable use of the property?

Brown answered yes and noted that this is the minimum adjustment necessary to get the best use of the land. All Commissioners agreed.

7. How does the proposed zone district change compliment the City's long range development goals?

Otto answered that the long range development goal is to expand the industrial base and it is also in compliance with City goals. All Commissioners agreed.

8. Are there any other relevant issues which should be considered pertaining to this proposed zone district change?

Fulton answered her only issue is to proceed carefully in regard to the abutment between heavy industrial and residential. All Commissioners agreed. Otto mentioned that the City had just had an issue with heavy industrial abutting residential on the west side of downtown.

Voting in favor: Hagy, Bartz, Blankensop, Carlson, Tabaka; Voting against: None; Absent: None. Motion carried.

Public Hearing #2 RE: Noise Ordinance – to act on a Planning Commission recommendation to amend Blight Ordinance #21 Prohibiting Public Nuisances and Blight section 2 (d) as follows:

Delete: *All loud and discordant noises or vibrations of any kind except for construction and other temporary and approved activities between the hours of 7:00 a.m. and 10:00 p.m.*

Replace with: *All noise in violation of Minnesota Rules Chapter 7030*

Zoning Officer Tuttle summarized the informational packet and stated aligning the ordinance with State standards will clarify the rules. Attorney Licke stated he believes this is a desirable move from a legal standpoint because the current standard is vague and difficult to enforce. Planning Commission Liaison Jason Tabaka added that the ordinance change is not due to any specific business but in order to clean up the language and make it simpler.

Mayor Hagy opened the public portion of the hearing and asked for anyone in favor of the amendment to Ordinance #21 to come forward. There was no response. Hagy then asked for anyone opposed to the amendment to come forward. There was no response. Hagy called for questions - there were none. Hagy closed the public portion of the meeting.

A motion was made by Bartz/Carlson to follow the Planning Commission recommendation to amend Blight Ordinance #21 Prohibiting Public Nuisances and Blight section 2 (d) as follows: Delete: All loud and discordant noises or vibrations of any kind except for construction and other temporary and approved activities between the hours of 7:00 a.m. and 10:00 p.m. And to replace

with: All noise in violation of Minnesota Rules Chapter 7030. Voting in favor: Hagy, Bartz, Blankensop, Carlson, Tabaka; Voting against: None; Absent: None. Motion carried.

Public Hearing #3 RE: Tax Abatement – to Approve Resolution 2015-26 Resolution Granting a Property Tax Abatement Relating to Property Located in the City of Cohasset Industrial Park and sold to Navasota Energy Generation Holding.

Attorney John Licke explained the legal statues relating to the abatement and the procedure for adopting Resolution No. 2015-26 granting a property tax abatement relating to property located in the City of Cohasset Industrial Park and sold to Navasota Energy Generation Holdings.

Mayor Hagy opened the public portion of the meeting and called for anyone in favor of the tax abatement to come forward. There was no response. Hagy called for anyone opposed to the tax abatement to come forward. There was no response. Hagy called for questions – there were none. Hagy closed the public portion of the meeting.

A motion was made by Carlson/Tabaka to approve the tax abatement. Voting in favor: Hagy, Bartz, Blankensop, Carlson, Tabaka; Voting against: None; Absent: None. Motion carried.

A motion was made by Bartz/Carlson to approve Resolution No. 2015-26 granting a property tax abatement relating to property located in the City of Cohasset Industrial Park and sold to Navasota Energy Generation Holdings. Voting in favor: Hagy, Bartz, Blankensop, Carlson, Tabaka; Voting against: None; Absent: None. Motion carried.

5. Administration

A. TH 2 Street Lights – Pay Estimate No. 1 – Bob Beaver reported that as of December 11, 2015 the contractor has completed the underground activities for the TH 2 Street Lighting Project. These activities include concrete bases, conduit and wiring. Recommendation to the Council is for approval of pay estimate no. 1 to Lanyk Electric for \$36,386.43. The standard 5% retainer is being held on the project. *A motion was made by Bartz/Tabaka to approve pay estimate no. 1 to Lanyk Electric for \$36,386.43.*

B. Industrial Park Design Update (no attachment) – Beaver reported a 12 inch main will run through the park to accommodate the developers need for 1500 to 2000 gallons per minute; sewer will be 350-400 gallons per minute. These numbers would be specifically for Navasota and additional flow will be taken into consideration for future development, which may include updating to bigger pumps and an additional well. The streets are a ten ton design and are twelve feet wide. Beaver gave other specifics, called for questions and was thanked for the update.

C. Approve IT Contract with Andrew George – *A motion was made by Bartz/Carlson to approve the IT contract with Andrew George in the amount of \$5200 per year. Voting in favor: Hagy, Bartz, Blankensop, Carlson, Tabaka; Voting against: None; Absent: None. Motion carried.*

D. Approve DNR Maintenance Agreement – *A motion was made by Carlson/Tabaka to approve the maintenance contract between the City of Cohasset and the DNR for the maintenance for the landings at Tioga Beach, Tioga Pit and Little Bass Lake for the yearly amount of \$525. Voting in favor: Hagy, Bartz, Blankensop, Carlson, Tabaka; Voting against: None; Absent: None. Motion carried.*

E. Approve Ryan Still's Resignation from the Fire Department – Ryan was thanked for his service. *A motion was made by Carlson/Tabaka to approve Ryan Still's resignation from the Cohasset Fire Department. Voting in favor: Hagy, Bartz, Blankensop, Carlson, Tabaka; Voting against: None; Absent: None. Motion carried.*

F. Approve Fire Department Officers for 2016-2017 – *A motion was made by Bartz/Carlson to approve the following Fire Department Officers for 2016-2017: Chief Davin Tinquist; First Assistant: Kevin Tinquist; Second Assistant: Andy MacDonell; Captain: Sheldon Johnson; Captain: David Myers; Lieutenant: Joe Rabbers; Safety Officer: Kurt Werner; Treasurer: Duane Kilde. Voting in favor: Hagy, Bartz, Blankensop, Carlson, Tabaka; Voting against: None; Absent: None. Motion carried.*

G. Approve Mike Biscardi's Resignation from the PUC – *A motion was made by Carlson/Tabaka to approve Mike Biscardi's resignation from the Cohasset Public Utility Commission. Voting in favor: Hagy, Bartz, Blankensop, Carlson, Tabaka; Voting against: None; Absent: None. Motion carried.* Former PUC Liaison Terry Bartz commented that Biscardi did a good job and will be missed. Hagy thanked Mike for his service.

H. Approve Delinquent Utility Bills Sent to Taxes – *A motion was made by Carlson/Tabaka to approve the following outstanding utility bills sent to Itasca County for collection as a special assessment with the property taxes payable in 2016:*

<u>PIN</u>	<u>Account #</u>	<u>Amount</u>
05-530-0148	100.358.01	\$736.63
05-011-2304	100.416.02	\$667.64
05-445-0110	100.180.01	\$520.96
05-535-1010	100.418.01	\$734.92
05-530-0445	100.703.01	\$602.77

Voting in favor: Hagy, Bartz, Blankensop, Carlson, Tabaka; Voting against: None; Absent: None. Motion carried.

I. Approve Iron Range Rail Initiative – *A motion was made by Bartz/Carlson to support the Iron Range Regional Rail Initiative and to send a letter of support to IRRRB Commissioner Mark Phillips. Voting in favor: Hagy, Bartz, Blankensop, Carlson, Tabaka; Voting against: None; Absent: None. Motion carried.*

6. Miscellaneous Announcements, Reports & FYIs:

- The City of Cohasset Office and Shop will be closed December 24 & 25 for the Christmas Holiday
- Carlson reported that the skating rink is being flooded and it will be open soon for skating
- Security Officer Dean Scherf reported there have been complaints about erratic driving in the Portage Park parking lot and he will be monitoring this area and contacting the Sheriff's Department if necessary
- Scherf reported there were 81 calls to law enforcement from Cohasset from the end of November until present.

All matters listed under consent agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

7. Consent Agenda

A. Approve Claims in the Amount of \$145,369.55

B. Approve City Council Meeting Minutes of November 24, 2015

A motion was made by Tabaka/Carlson to approve the consent agenda and claims in the amount of \$145,369.55. Voting in favor: Hagy, Bartz, Blankensop, Carlson, Tabaka; Voting against: None; Absent: None. Motion carried.

Adjourn – Mayor Greg Hagy adjourned the meeting at 9:00 p.m.

Submitted by Deputy Clerk Karen Mester

Approved: 1/12/2016