



Shakopee City Council Minutes

June 20, 2017

7:00 PM

City Hall 129 Holmes St.

Mayor Bill Mars presiding

1. Roll Call -At the June 20, 2017 Shakopee City Council meeting one member will be participating via interactive television. The regular meeting location; Council Chambers, 129 Homes St. S, Shakopee, MN, is the primary meeting location and will be open to the public as usual. The secondary meeting location; Council Member Matt Lehman's hotel room, Flamingo Inn, 2011 South Atlantic Avenue, Daytona Beach, FL 32118, is also open to the public. For further details about attending the June 20, 107 Shakopee City Council meeting from the secondary meeting location, contact City Hall at 952-233-9300.

Present: Mayor William Mars, Councilmember Mike Luce, Councilmember Matt Lehman, Councilmember Jay Whiting, Councilmember Kathi Mocol

Staff Present: Administrator Bill Reynolds, Assistant Administrator Nate Burkett, City Attorney Jim Thomson, Finance Director Darin Nelson, Assistant City Engineer Ryan Halverson, Planning and Development Director Michael Kerski, Senior Planner Mark Noble, Senior Planner Kyle Sobota, Park and Recreation Director Jamie Polley, City Clerk Lori Hensen

2. Pledge of Allegiance
3. Special Presentation
 - 3.A. MRPA Award of Excellence
4. Approval of Agenda

Councilmember Jay Whiting made a motion to approve the agenda as presented, seconded by Councilmember Kathi Mocol and the motion passed.

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5. *Consent Business - (All items listed in this section are anticipated to be routine. After a discussion by the Mayor there will be an opportunity for members of the Council to remove any items from the consent agenda for individual discussion. Those items removed will be considered following the Public hearing portion of the agenda. Items remaining on the Consent Agenda will not be discussed and will be approved in one motion.)

Councilmember Jay Whiting made a motion to approve consent agenda, seconded by Councilmember Kathi Mocol and the motion passed.

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A. Planning and Development

*5. A.1. *Vacation of Public Right-of-Way and Drainage & Utility Easements

Approve Resolution No. 7896, a resolution setting the public hearing date to consider the vacation of a public right-of-way (Shenandoah Drive) and public drainage & utility easements for property located north of Eagle Creek Blvd., East of Shenandoah Drive extended at Eastway Avenue, South of 4th Avenue East and West of Vierling Drive at 12th Avenue East. (Motion was carried under consent agenda.)

B. Public Works and Engineering

*5. B.1. *Parking Control Change on Garden Lane

Approve the parking control change on Garden Lane as outlined in the memo and the attached drawing. (Motion was carried under consent agenda.)

*5. B.2. *Extended Construction Hours

Approve a suspension of City Code Sec. 130.45, Noise Elimination and Noise Prevention, Subd. C, Hourly Restrictions on Certain Operations, 4, allowing D.R. Horton and their contractors to perform work from 7 a.m. to 8 p.m. on weekdays and 8 a.m. to 5 p.m. on Saturdays through the end of October or earlier if worked is completed and directing staff to publish notice of the suspension terms with conditions as recommended by staff. (Motion was carried under consent agenda.)

C. Parks and Recreation

*5. C.1. *Lease Agreement with Xcel Energy

Approve a lease agreement with Xcel Energy for use of 30 acres of land south of Quarry Lake Park for soft surface trails. (Motion was carried under consent agenda.)

D. General Administration

*5. D.1. *City Council Minutes

Approve the minutes from June 6, 2017. (Motion was carried under consent agenda.)

*5. D.2. *Reorganization of IT Division

Approve reclassification of one IT Assistant to the position of IT Specialist - Applications. (Motion was carried under consent agenda.)

*5. D.3. *Temporary Liquor License - Saint Joachim & Anne

Approve the temporary liquor license for Saint Joachim & Anne's annual Julifest event being held July 28 through July 30, 2017. (Motion was carried under consent agenda.)

*5. D.4. *Badger Hill request to allow alcohol to be consumed in Parking Lot

Approve the suspension of city code 114.11 Consumption and possession of alcoholic beverages on street, public property, private parking lots to which the public has access, and other private property, allowing Badger Hill Brewery to hold their 5th Beerthday Party Event held on June 24, 2017. (Motion was carried under consent agenda.)

*5. D.5. *Performance Measurement Program

Adopt Resolution No. 7906 Which Adopts the State of Minnesota Performance Measurement Program. (Motion was carried under consent agenda.)

6. RECOGNITION OF INVOLVED CITIZENS BY CITY COUNCIL - Provides an opportunity for the public to address the Council on items which are not on the agenda. Comments should not be more than five minutes in length. The Mayor may adjust that time limit based upon the number of persons seeking to comment. This comment period may not be used to make personal attacks, to air personality grievances, to make political endorsements or for political campaign purposes. Council Members will not enter into a dialogue with citizens, and questions from Council will be for clarification only. This period will not be used to problem solve issues or to react to the comments made, but rather for informational purposes only.

7. Business removed from consent will be discussed at this time

8. Public Hearings

8.A. Vacation of Public Drainage & Utility Easement - SPUC

Councilmember Jay Whiting made a motion to open the public hearing, seconded by Councilmember Kathi Mocol and the motion passed.

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Councilmember Mike Luce made a motion to close public hearing, seconded by Councilmember Jay Whiting and the motion passed.

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Councilmember Jay Whiting made a motion to adopt Resolution No. 7898, a Resolution approving a vacation of Public Drainage and Utility Easements at 2168-2188 Kelly Circle, seconded by Councilmember Mike Luce and the motion passed.

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8.B. (SPUC) Shakopee Avenue Electric Underground Project 2017-9

Councilmember Kathi Mocol made a motion to open the public hearing, seconded by Councilmember Mike Luce and the motion passed.

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Councilmember Jay Whiting made a motion to close the public hearing, seconded by Councilmember Mike Luce and the motion passed.

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Councilmember Jay Whiting made a motion to approve Resolution 7900, a resolution ordering an improvement and preparation of plans and specifications for the (SPUC) Shakopee Avenue Electric Underground, Project No. 2017-9, seconded by Councilmember Mike Luce and the motion passed.

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9. Recess for Economic Development Authority Meeting

10. Reconvene

11. General Business

A. Planning and Development

11. A.1. Vacation of Easement at 2400 Jennifer Lane

Councilmember Jay Whiting made a motion to adopt Resolution No. 7782, approving a vacation of a public drainage & utility easement adjacent to 2400 Jennifer Lane, seconded by Councilmember Kathi Mocol and the motion passed.

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11. A.2. Purchase Agreement with Booyaah Properties

Councilmember Jay Whiting made a motion to approve Resolution Number 7901 to acquire 339 1 Ave W 100. PID 270010810, seconded by Councilmember Kathi Mocol and the motion passed.

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Nays: Lehman

Abstain: Luce

11. A.3. Approval for Redevelopment of City Hall and First Avenue Properties

Councilmember Kathi Mocol made a motion to approve Resolution 7903 and enter

into an agreement with CPM or its affiliates to redevelop sites for housing (City Hall) and Hotel (First Ave), seconded by Councilmember Jay Whiting and the motion passed.

3 - 1

Nays: Lehman

Abstain: Luce

11. A.4. West Vierling Acres Apartments

Councilmember Jay Whiting made a motion to adopt Ordinance No. 965, which rezones the property from R-3 Multiple Family Residential to R-4, High Density Residential, seconded by Councilmember Kathi Mocol and the motion passed.

3 - 2

Nays: Lehman, Luce

Councilmember Jay Whiting made a motion to adopt Resolution No. 7905, which approves the Final Plat of West Vierling Acres Third Addition, a conditional use permit for an over-height structure, and a Planned Unit Development (PUD) Amendment to allow development of no more than a 133-unit apartment building, seconded by Councilmember Kathi Mocol and the motion passed.

3 - 2

Nays: Lehman, Luce

11. A.5. Purchase Agreement with Booyaah Properties II

Councilmember Kathi Mocol made a motion to approve Resolution Number 7902 to acquire to parcels, 321 1 Ave W, PID Numbers 270010820 and 270010830, seconded by Councilmember Jay Whiting and the motion passed.

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Nays: Lehman, Luce

11. A.6. Property Acquisition for Nonpayment of Taxes

Councilmember Jay Whiting made a motion to adopt Resolution 7904 to acquire the two parcels to protect the rail spurs for the industrial park, seconded by Councilmember Kathi Mocol and the motion passed.

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B. General Administration

11. B.1. Monthly Financial Review

11. B.2. Updated Liaisons List

Councilmember Jay Whiting made a motion to approve updated liaisons list as presented, seconded by Councilmember Kathi Mocol and the motion passed.

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11. B.3. Capital Bonding Request

Councilmember Kathi Mocol made a motion to adopt Resolution 7899, the City of Shakopee's application to the State of Minnesota's 2018 capital budget, seconded by Councilmember Jay Whiting and the motion passed.

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12. Reports

12.A.Liaison and Administration

12.B.City Bill List

13. Other Business

14. Adjournment to Wednesday July 5, 2017 at 7:00 p.m.

Councilmember Kathi Mocol made a motion to adjourn to July 5, 2017 at 7:00 p.m., seconded by Councilmember Matt Lehman and the motion passed.

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