

TUESDAY, JANUARY 23, 2018 COLD SPRING CITY COUNCIL MINUTES

The meeting was called to order by Mayor Dave Heinen at 6:30 p.m. The following City Council members were found to be present: Mayor Dave Heinen, and Council Members Jayme Knapp, Shannon Miller, Doug Schmitz and Gary Theisen. Absent: None. Others present: Brigid Murphy, Brian Lintgen, Ray Schreiner, Brian Junkermeier, Mark Stalboerger, Heidi Stalboerger, Dan Kron, Jason Spoden, Jason Blum, Mitchell Mueller, Dave Ruegemer, Patrick Mesich and Angie Mueller.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY KNAPP, SECONDED BY MILLER, TO APPROVE THE AGENDA OF THE JANUARY 23, 2018 CITY COUNCIL MEETING. MOTION PASSED 5-0.

CONSENT AGENDA

A. Minutes – January 9, 2018

B. One Day Gambling License, Ducks Unlimited Rich-Spring Chapter #119

MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO APPROVE THE CONSENT AGENDA AS PRESENTED. MOTION PASSED 5-0.

CITY CONSENT OF SECURITY AGREEMENT BETWEEN MNX PROPERTIES AND CENTRAL MN CREDIT UNION

Murphy explained that Central MN Credit Union is providing financing for the MNX Properties apartment project in Granite Landing. She stated that City consent is needed for the Credit Union to take a security interest in the note as part of their financing scheme. She added that the City's bond counsel advised that this is standard and recommended that the City give consent.

MOTION WAS MADE BY MILLER, SECONDED BY KNAPP, TO APPROVE GRANTING CONSENT TO MNX PROPERTIES ENTERING INTO A SECURITY AGREEMENT FOR AN INTEREST IN THE DEVELOPMENT AGREEMENT AND TIF NOTE BETWEEN THE MNX PROPERTIES AND THE CITY OF COLD SPRING. MOTION PASSED 5-0.

RESOLUTION NO. 2018-03, A RESOLUTION APPROVING A LOT CONSOLIDATION REQUESTED BY LUMBER ONE OF COLD SPRING, INC.

Dave Ruegemer from Lumber One of Cold Spring, Inc. explained their request to consolidate two lots in the Maple Ridge development. He stated that a single lot is not large enough to accommodate the size of house being built and therefore they would like to consolidate two lots into one large lot.

MOTION WAS MADE BY THEISEN, SECONDED BY SCHMITZ, TO APPROVE RESOLUTION NO. 2018-03, A RESOLUTION APPROVING A REQUEST TO CONSOLIDATE LOT 3, BLOCK 7 AND LOT 4, BLOCK 7 MAPLE RIDGE PLAT. MOTION PASSED 5-0.

RESOLUTION NO. 2018-04, A RESOLUTION VACATING UTILITY AND DRAINAGE EASEMENTS ON LOT 3 AND LOT 4 BLOCK 7 MAPLE RIDGE PLAT

Mayor Heinen opened the public hearing at 6:36 p.m. Dave Ruegemer from Lumber One of Cold Spring, Inc. explained their request to vacate the five foot utility and drainage easements on the east side of Lot 3 and the west side of Lot 4, in Block 7 in the Maple Ridge Plat. He referred to the earlier discussion of the lot consolidation and the need to vacate the easements between the two lots in order to construct the house. He further explained that there currently are no utilities located within the easement. Mayor Heinen called three times for comments, after hearing none he closed the hearing at 6:37 p.m.

MOTION WAS MADE BY MILLER, SECONDED BY KNAPP, TO APPROVE RESOLUTION NO. 2018-04, A RESOLUTION VACATING UTILITY AND DRAINAGE EASEMENTS ON LOT 3 AND LOT 4, BLOCK 7 MAPLE RIDGE PLAT. MOTION PASSED 5-0.

ORDINANCE NO. 362, AN ORDINANCE AMENDING SECTION 4, SUBDIVISION 8; SECTION 7, SUBDIVISION 5; AND SECTION 11, SUBDIVISION 4 OF THE ZONING ORDINANCE OF THE CITY OF COLD SPRING

Murphy explained that the Planning Commission had held a public hearing on the zoning amendments and recommended their approval. Murphy stated that Section 4, Subdivision 8, amendment will amend the Use Table to allow education/academic uses as a Special Use in the R-1, R-2 and R-3 Zoning Districts. She

explained that all of the Rocori School District buildings are in residential areas. The amendment to Section 7, Subdivision 5 will change the criteria for designation of a Campus, in the R-3 High Density Residential Zoning District. Murphy explained that Assumption Home had been granted the Campus designation but several of the criteria for the designation conflicted with other zoning requirements. The amendment removes and modifies the criteria to eliminate the conflict. Lastly, the amendment for Section 11, Subdivison 4, will correct a grammatical error where the word paved is listed twice.

MOTION WAS MADE BY SCHMITZ, SECONDED BY MILLER, TO APPROVE ORDINANCE NO. 362, AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING CODE OF THE CITY OF COLD SPRING. MOTION PASSED 5-0.

RESOLUTION NO. 2018-05, A RESOLUTION APPROVING OF THE FINAL PLAT OF NORTH POINTE 5 ADDITION

Ray Schreiner of Ray’s Construction of Cold Spring, Inc. and Brian Junkermeier were present to discuss the Final Plat of North Pointe 5. Dan Kron from O’Malley and Kron explained the platting process and offered to answer any questions related to the plat.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE RESOLUTION NO. 2018-15, A RESOLUTION APPROVING THE FINAL PLAT OF NORTH POINTE 5 ADDITION. MOTION PASSED 5-0.

DEVELOPMENT AGREEMENT WITH RAY’S CONSTRUCTION OF COLD SPRING, INC.

MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO APPROVE ENTERING INTO THE DEVELOPMENT AGREEMENT WITH RAY’S CONSTRUCTION OF COLD SPRING, INC. FOR DEVELOPMENT OF NORTH POINTE 5. MOTION PASSED 5-0.

POLICE DEPARTMENT REPORT

A. Request to Purchase Equipment for the New Police Squad Car for \$9,810.52

Chief Blum requested to purchase equipment for the new police squad car which will be used for the new K9 unit.

MOTION WAS MADE BY MILLER, SECONDED BY THEISEN, TO APPROVE THE PURCHASE OF EQUIPMENT FOR THE NEW SQUAD CAR AT A COST OF \$9,810.52 AND FURTHERMORE TO PAY \$7,248.27 FROM THE POLICE DEPARTMENT BUDGET LINE ITEM 6311 AND THE REMAINING \$2,562.25 FROM DONATIONS RAISED FOR THE CANINE PROGRAM. MOTION PASSED 5-0.

B. Request to Purchase Two CF54 Panasonic Toughbooks

Chief Blum requested to purchase two laptop computers to be used in the squad cars. He explained that the department has actually been short one laptop for several months due to one becoming inoperable.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE THE PURCHASE OF TWO CF54 PANASONIC TOUGHBOOKS AT TOTAL COST OF \$5,238.00 AND FURTHERMORE TO BE PAID OUT OF THE POLICE DEPARTMENT BUDGET LINE ITEM 6311. MOTION PASSED 5-0.

C. Purchase of Tasers

Chief Blum explained that six replacement tasers have been ordered which had been included in the budget for 2018.

CITY ENGINEER REPORT

A. Petro Fund Reimbursement Letter

Lintgen explained that the Petro Fund had denied reimbursement for piping on the Red River Avenue project. He explained that the cost to appeal their decision has not been specified. The Council wanted to make sure that the cost to appeal would not be more than the anticipated amount of reimbursement being disputed.

MOTION WAS MADE BY MILLER, SECONDED BY SCHMITZ, TO APPROVE THE APPEALING PROCESS OF THE PETRO FUND REIMBURSEMENT DETERMINATION FROM THE DEPARTMENT OF COMMERCE, PENDING THE COST OF APPEAL. MOTION PASSED 5-0.

B. Kiess Property on Main Street

Lintgen explained the City has been contacted by the Kiesses and their environmental consultant about the soil contamination at the old Kiess car dealership located on Main Street near 2nd Avenue North. He stated that Kiesses are trying to figure out the location of the exact areas of soil contamination and will need to do some drilling within the right-of-way to determine the edges of contamination. Murphy stated that a survey will be needed of 2nd Street North, just north of Main Street as it appears that the sidewalk doesn't go all the way to the edge of the right-of-way. She stated that the survey would verify if there is room for Kiesses to drill between the sidewalk and their property line as a monitoring well may be needed there in the future depending on the location of the soil contamination. The Council was in favor of Murphy contacting O'Malley and Kron to have the survey completed.

CITY ADMINISTRATOR REPORT

A. Request to Change Address of the Cold Spring Brewing Company Buildings within the Business Park
Murphy stated that currently there are two addresses for the Cold Spring Brewing Company buildings in the Business Park, 115 11th Street NE and 107 11th Street NE. She stated that since the expansion project connecting the two buildings is completed, the Brewery has requested a change of address for their buildings to 107 11th Street NE, Suites A, B, and C. She stated Suite A is the Receiving Building, Suite B is the Production Building and Suite C is the Distribution Building.

MOTION WAS MADE BY THEISEN, SECONDED BY MILLER, TO APPROVE THE REQUEST TO CHANGE THE ADDRESS OF COLD SPRING BREWING COMPANY'S BUILDINGS IN THE BUSINESS PARK FROM INDIVIDUAL ADDRESSES TO 107 11TH STREET NE, SUITES A, B, AND C.

B. Audit Schedule

Murphy stated that the auditors will be conducting the annual audit in March and will present the audit findings at the May 8th meeting.

C. Showcase Booth Registration

Murphy stated that the City Council and EDA hosted the City booth last year and that she would like to include the Heritage Preservation Committee and Park Board at the City both. The Council agreed that they would be in favor of one booth for the City and the various commissions.

D. Training Opportunities

Murphy presented information on two training opportunities coming up for the City Council.

E. City EMS Generator

Murphy stated that the valve replacement in the generator was tested and it runs but it does not stay on. She stated that EMS Director Mike Dockendorf has received an estimate of \$1,000 to rebuild the engine on the generator. He also received an estimate of \$35,000 for a used generator to replace the current generator which is approximately 30 years old. She stated that he will continue to do more research on other replacement scenarios and price options.

COMMITTEE UPDATES

A. Planning Commission

Mayor Heinen stated that they discussed the zoning amendments and the Maple Ridge lot consolidation.

B. EDA

Councilor Knapp stated that Vicki Fall is the new representative on the commission. He added that they will be entering into a potential contract for EDA management starting in May.

C. Park Board

Councilor Schmitz stated that the Park Board will be meeting this coming Monday.

D. Heritage Preservation Committee

Murphy stated that they are putting together a booklet on the commercial properties within the City that includes pictures and historical data of each structure and property.

E. Rocori Trail Board

Councilor Theisen stated that Duane Willenbring was elected as the new chairperson for the Board. He stated they discussed the next phase of the trail and trail maintenance.

LIST OF BILLS AND ADDITIONS

MOTION WAS MADE BY SCHMITZ, SECONDED BY MILLER, TO REVIEW AND ACCEPT THE PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$105,988.46 AND SUPPLEMENTAL LIST TOTALING \$10,546.93 PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

ADJOURN

MOTION WAS MADE BY KNAPP, SECONDED BY MILLER, TO ADJOURN AT 7:07 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 5-0.

Dave Heinen, Mayor

Brigid Murphy, City Administrator