

## **TUESDAY, JANUARY 24, 2017 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, Doug Schmitz and Gary Theisen. Others present: Brigid Murphy, Cliff Johnson, Kyle Klemek, Brigetta Klemek, Heidi Stalboerger, Brian Lintgen, Lindsey Sand, Chris Virta, Ray Schreiner, Tammy Paczkowski, Andrew Schlangen, Bruce Conrad, Fran Ramler, Shannon Miller, Jason Blum, Brady Goebel and Angie Mueller.

### **APPROVAL OF THE AGENDA**

MOTION WAS MADE BY THEISEN, SECONDED BY SCHMITZ, TO APPROVE THE AGENDA OF THE JANUARY 24, 2017 CITY COUNCIL MEETING. MOTION PASSED 4-0.

### **CONSENT AGENDA**

A. Minutes – January 10, 2017

MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO APPROVE THE MINUTES OF THE JANUARY 10, 2017 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 4-0.

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

MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO APPROVE FORM LG220 APPLICATION FOR EXEMPT PERMIT TO CONDUCT ONE-DAY GAMBLING FOR DUCKS UNLIMITED RICH-SPRING CHAPTER #119 FOR A RAFFLE TO BE HELD MARCH 15, 2017 AT THE GREAT BLUE HERON; FURTHERMORE TO WAIVE THE 30 DAY WAITING PERIOD FOR SAID PERMIT. MOTION PASSED 4-0.

### **INTERVIEW AND APPOINTMENT OF NEW CITY COUNCIL MEMBER**

The Council interviewed and scored the five applicants for the open City Council seat. The candidates were interviewed in the following order: Fran Ramler, Andrew Schlangen, Shannon Miller, Bruce Conrad and Brigetta Klemek. After tabulating the results it was announced that Shannon Miller had the highest score. Mayor Heinen then administered the Oath of Office to Shannon Miller.

### **AMEND RESOLUTION NO. 2017-02 ANNUAL APPOINTMENTS**

Murphy presented Resolution No. 2017-02 for the Council to consider the remaining appointments. Councilor Schmitz stated that he would like to switch from Planning Commission to Park Board. Councilor Miller agreed to serve as the liaison to the Planning Commission and Tri City Cable Commission.

MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO APPROVE RESOLUTION NO. 2017-02, A RESOLUTION REGARDING THE ANNUAL APPOINTMENTS AND MEETING DATES FOR 2017. MOTION PASSED 5-0.

### **RESOLUTION NO. 2017-04, A RESOLUTION APPROVING THE ISSUANCE AND SALE OF HEALTH CARE FACILITIES REVENUE REFUNDING BONDS, SERIES 2017 (ASSUMPTION HOME, INC.), AND AUTHORIZING THE EXECUTION OF DOCUMENTS – CHRIS VIRTA FROM FRYBERGER, BUCHANAN, SMITH AND FREDERICK, P.A.**

Murphy explained that the City acts as a conduit for the Health Care Bonds for the Assumption Home, Inc. who is refunding their bonds that were issued in 2008. The City's Bond Council, Fryberger, Buchanan, Smith and Frederick P.A. had prepared the documents that were presented to the Council. Lindsey Sand and Chris Virta were present to answer any questions.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE RESOLUTION NO. 2017-04, A RESOLUTION APPROVING THE ISSUANCE AND SALE OF HEALTH CARE FACILITIES REVENUE REFUNDING BONDS, SERIES 2017 (ASSUMPTION HOME, INC.), AND AUTHORIZING THE EXECUTION OF DOCUMENTS RELATING THERETO. MOTION PASSED 5-0.

### **RESOLUTION NO. 2017-05, A RESOLUTION CONSOLIDATING PART OF LOT 10, BLOCK 1, NORTH POINTE 4 WITH LOT 9, BLOCK 1 NORTH POINTE 4 AND PART OF LOT 10, BLOCK 1, NORTH POINTE 4 WITH LOT 11, BLOCK 1, NORTH POINTE 4**

Murphy explained that Ray Schreiner had submitted a request to consolidate three lots into two lots. He owns the three lots which were originally platted for patio homes, but he has interest from buyers who want to have a three car garage which the current lots cannot accommodate. Murphy explained that the Planning Commission held a public hearing for the vacation and was recommending approval of the consolidation.

MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO APPROVE RESOLUTION NO. 2017-05, A RESOLUTION CONSOLIDATING PART OF LOT 10, BLOCK 1 NORTH POINTE 4, WITH LOT 9, BLOCK 1,

NORTH POINE 4, AND PART OF LOT 10, BLOCK 1 NORTH POINTE 4, WITH LOT 11, BLOCK 1 NORTH POINTE 4. MOTION PASSED 5-0.

**RESOLUTION NO. 2017-06, A RESOLUTION VACATING THE UTILITY AND DRAINAGE EASEMENT FOR LOT 10, BLOCK 1, NORTH POINTE 4**

Murphy explained that there is a utility and drainage easement on the east and west sides of Lot 10, Block 1 of North Pointe 4. Since this lot is being consolidated with Lot 9 and Lot 11, the easements are requesting to be vacated. She stated that the Planning Commission also held a public hearing on the vacation and recommended approval of it. MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO APPROVE RESOLUTION NO. 2017-06, A RESOLUTION VACATING THE UTILITY AND DRAINAGE EASEMENT FOR LOT 10, BLOCK 1, NORTH POINTE 4. MOTION PASSED 5-0.

**REPEAL AND REPLACE ORDINANCE NO. 295, AN ORDINANCE REPEALING AND REPLACING SECTION 15 OF THE ZONING ORDINANCE PERTAINING TO SHORELAND**

Murphy explained that after looking through City records she found that in 2008, Section 15 of the Zoning Ordinance was amended and approved by the Planning Commission, and considered by the City Council but that it did not get final approval. She stated that after consulting with the City Attorney to make some minor amendments, the Ordinance presented is requested to be approved and will then be sent to the Department of Natural Resources for their approval. She added that the Planning Commission had held a public hearing on the Ordinance change and recommended approval. MOTION MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE REPEALING AND REPLACING ORDINANCE NO. 295, AN ORDINANCE REPEALING AND REPLACING SECTION 15 OF THE ZONING ORDINANCE PERTAINING TO SHORELAND. MOTION PASSED 5-0.

**RESOLUTION NO. 2017-07, A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF THE REPEAL AND RE-ENACTMENT OF ORDINANCE NO. 295 REGULATION OF SHORELAND DISTRICT**

Murphy explained that in this instance due to the length of the ordinance, a summary publication of the ordinance would be more practical than publishing the entire ordinance. MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO APPROVE RESOLUTION NO. 2017-07, A RESOLUTION AUTHORIZING A SUMMARY PUBLICATION OF THE REPEAL AND RE-ENACTMENT OF ORDINANCE NO. 295 REGULATION OF SHORELAND DISTRICT. MOTION PASSED 5-0.

**POLICE CHIEF HIRING PROCESS**

**A. Job Description**

Murphy explained that with the assistance of the City Attorney, the job posting, job description and application have been updated. She discussed several changes that were made to the experience requirements and training. MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO APPROVE THE REVISED JOB DESCRIPTION FOR THE CHIEF OF POLICE POSITION. MOTION PASSED 5-0.

**B. Job Application**

Murphy explained the modifications that were made to the job application form. Councilor Theisen inquired about the statement about providing proof of citizenship or immigration status before employment. He inquired whether that should be required earlier in the hiring process to be proactive rather than reactive. Murphy stated she could consult with the City Attorney to determine the sequence of when it should be provided. She recommended that the hiring committee representatives from the Council review such details in the application form and then get final approval from the City Attorney before the job opening is posted. MOTION WAS MADE BY THEISEN, SECONDED BY SCHMITZ, TO GIVE CONSENT TO THE HIRING COMMITTEE TO MODIFY THE JOB APPLICATION, FURTHERMORE THAT THE CITY ATTORNEY PROVIDE APPROVAL ON THE FINAL VERSION. MOTION PASSED 5-0.

**C. Hiring Committee**

Murphy stated that the hiring committee is proposed to be comprised of seven members, two Council representatives from Cold Spring, two representatives from the City of Richmond, the Rocori School District Superintendent, a Chief of Police from another city, and Murphy. Councilor Theisen and Councilor Knapp volunteered to serve on the hiring committee. MOTION WAS MADE BY SCHMITZ, SECONDED BY MILLER, TO APPOINT COUNCILOR THEISEN AND COUNCILOR KNAPP TO THE POLICE CHIEF HIRING COMMITTEE. MOTION PASSED 5-0.

**CITY ENGINEER REPORT****A. CSAH 2/Red River Ave Update**

Lintgen stated that the welcome signs on the granite columns will be installed soon. He stated that the fences are still being fabricated and will be installed this spring.

**B. SW Stormwater Infiltration Project Update**

Lintgen explained that restoration work will occur this spring.

**C. Main Street Update and Request Approval Resolution No. 2017-08, Approving Plans and Specifications and Ordering Advertisement for Bids**

Lintgen presented the plans for the Main Street Project for 2017. He went through various aspects of the project and the construction plans. He explained that there will be less streetscaping than the Co Rd 2 project due to the space constrictions on this project. He added that the contractors main focus will be to get the first two blocks of the project completed by early July. He stated that an incentive/disincentive was not added to the contract as discussed earlier in the process due to the feedback received from contractors.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE RESOLUTION NO. 2017-08, A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR THE "MAIN STREET RECONSTRUCTION PROJECT". MOTION PASSED 5-0.

Lintgen inquired whether the Council would like to pursue the electric relocations with Xcel Energy for the Main Street project. He stated that the estimated cost would be \$20,000. The Council was in favor of providing a consistent look throughout the area and seizing the opportunity to get it cleaned up at this time.

MOTION WAS MADE BY SCHMITZ, SECONDED BY THEISEN, TO PURSUE THE ELECTRIC RELOCATIONS WITH XCEL ENERGY FOR THE MAIN STREET PROJECT. MOTION PASSED 5-0.

**POLICE DEPARTMENT REPORT****A. Request for Equipment Purchase for Squad Car Previously Approved**

Acting Chief Blum explained that the purchase of a new squad car was budgeted for 2017. He stated that the Council had approved moving ahead with ordering the squad car at the end of 2016 due to the extensive time it takes between ordering the vehicle and it being delivered. Acting Chief Blum explained that he would like to order the equipment for inside the squad car so that as soon as the squad gets delivered, staff can begin to install the equipment.

MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO APPROVE THE REQUEST TO PURCHASE EQUIPMENT FOR THE FORD INTERCEPTOR SQUAD CAR FOR A TOTAL PURCHASE AMOUNT OF \$3,564.26 FROM BUDGET LINE ITEM 6413 OF THE POLICE BUDGET. MOTION PASSED 5-0.

**CITY ADMINISTRATOR REPORT**

**A. Update on the Joint Powers Fire Department discussion with Wakefield, Luxemburg and Colledgeville Townships**  
Mayor Heinen explained that the townships would like to form a Joint Powers so that they have more control over the fire department budget and how the money is spent. He stated they have discussed various levels of Joint Powers Agreements versus a Mutual Aid Agreement with more detailed language. He stated that the group will meet again after the City Hall complex Space Study is presented on February 14<sup>th</sup>. He stated that the Fire Chief and Assistant Chief have participated in the discussions.

**B. Space Study Update**

Murphy explained that Murray Mack from HMA Architects has completed the Space Study for the City Hall Complex. Murphy stated that Mack is scheduled to present the study at the Council's meeting on February 14<sup>th</sup>. She added that the Planning Commission would like hear the presentation too and suggested that a joint meeting be held, to which the Council agreed.

**C. MCFOA Meeting Attendance Request**

Murphy stated that she would like to attend the Minnesota Clerks and Finance Officers Association conference in Welch, Minnesota and that she would leave for it after the Council meeting on March 14<sup>th</sup>. Councilor Schmitz suggested that the Council meeting on March 14<sup>th</sup> start at 6:00 p.m., so that Murphy would be able to begin her travel earlier, to which the Council agreed.

MOTION WAS MADE BY THEISEN, SECONDED BY SCHMITZ, TO APPROVE THE ATTENDANCE OF THE CITY ADMINISTRATOR AT THE MCFOA ANNUAL CONFERENCE FROM MARCH 14-17, 2017 FOR A TOTAL COST OF \$605.25 TO BE PAID OUT OF ADMINISTRATION BUDGET LINE 6114. MOTION PASSED 5-0.

**D. League of Minnesota Cities Safety and Loss Control Workshop**

Murphy stated that there is an upcoming workshop in St. Cloud that the department heads would like to attend. She stated that Jason Blum, Jon Stueve and herself would like to attend the workshop.

MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO APPROVE JASON BLUM, JON STUEVE AND BRIGID MURPHY TO ATTEND THE LEAGUE OF MINNESOTA CITIES SAFETY AND LOSS CONTROL WORKSHOP ON APRIL 18, 2017. MOTION PASSED 5-0.

**LIST OF BILLS AND ADDITIONS**

MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO REVIEW AND ACCEPT THE PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$139,218.77 AND SUPPLEMENTAL LIST TOTALING \$8,921.44 PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

**ADJOURN**

MOTION WAS MADE BY MILLER, SECONDED BY KNAPP, TO ADJOURN AT 8:40 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 5-0.

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Dave Heinen, Mayor

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Brigid Murphy, City Administrator