

## **TUESDAY, JANUARY 24, 2023 COLD SPRING CITY COUNCIL MEETING 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 Mike Fall, Ryan Hennen, and Fran Ramler. Absent: Doug Schmitz. Others present: Kris Dockendorf, Jon Stueve, Jason Blum, Sam Butler, Brian Lintgen, Travis Thomsen, Darrell Hofer, Jaime Noyola, Adrian Noyola, Edward Hensel, Chad Reed, Megan Duffy, Duane Willenbring, Ed Hunstiger, Jeana Calfas, Scott Parks, Frances Parks, Jami Lahr, Tori Kieffer, Mike Gold, Judy Czech, Terry Czech, Corrine Decker, Karla Wittrock, Mark Wittrock, Matt Czech, Dan Soldner, Jessica Soldner, Dan Egerman, Sarah Stueve and Joe Jelovnick.

### **APPROVAL OF THE AGENDA**

MOTION WAS MADE BY FALL, SECONDED BY RAMLER, TO APPROVE THE AGENDA OF THE JANUARY 24, 2023 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 4-0.

### **CONSENT AGENDA**

A. Minutes – January 10, 2023

MOTION WAS MADE BY HENNEN, SECONDED BY RAMLER, TO APPROVE THE CONSENT AGENDA AS PRESENTED. MOTION PASSED 4-0.

### **2023 IMPROVEMENTS PROJECT HEARING**

Mayor Heinen opened the public hearing at 6:30 p.m. City Engineer Brian Lintgen presented the construction information including the project location, design considerations, estimated timeline, and project financing. He explained that the project area is made up of smaller sections of roadway and that some would receive reclamation only, and others would include street reconstruction, and additional ones would be a full reconstruction. He stated that the total project cost is \$3.8 million, with \$2,709,326 being paid by the City and \$1,097,918 being paid through assessments. City Administrator Kris Dockendorf presented and explained the assessment information. Mayor Heinen then took testimony from the audience and the following individuals spoke.

Greg Kiess, 201 Main St – Kiess inquired about having another utility service added to their property. Lintgen explained that was certainly possible and encouraged property owners to think of the future and if they know of potential changes they are foreseeing with their property, now would be the time to add those to the project.

Ed Hensel, 115 5<sup>th</sup> Ave N – Hensel stated that a lot of people use 2<sup>nd</sup> Street North, to the east of 5<sup>th</sup> Avenue North to access the school district property. He suggested that piece of roadway also be included in the project, and that although it is a dead end many people use it and it is in need of improvement.

Corrine Decker, 203 1<sup>st</sup> St N – Decker inquired which side of the 2<sup>nd</sup> Avenue would be receiving sidewalk near the crossing of the creek. Lintgen explained it was planned for the west side only at this time.

Travis Thomsen, 104 5<sup>th</sup> Ave N – Thomsen inquired about the width of the sidewalk and if there was a grass boulevard planned along 5<sup>th</sup> Avenue North. Lintgen explained that an eight-foot sidewalk is planned for both sides of 5<sup>th</sup> Avenue North with no grass boulevard. He also commented about the moveable pedestrian crosswalk sign on 5<sup>th</sup> Avenue North.

Dan Soldner, 214 Red River Ave N – Soldner asked various questions including when this project was initiated and about assessments. He expressed disappointment on not knowing about the project before purchasing the vacant lots downtown and asked for more communication about upcoming projects. He also commented about the services planned for those lots and incentives for attracting new and more business to downtown to revitalize it. He also stated he appreciates the large businesses that are in town.

Ed Hunstiger, 110 5<sup>th</sup> Ave N – Hunstiger commented about the number of semi trucks that use 5<sup>th</sup> Avenue North and his disappointment that they don't use Co Rd 2 instead which is designed for truck traffic.

Duane Willenbring, representing Rocori Trail Construction Board – Willenbring requested the piece of property owned by the Rocori Trail be exempt from the project assessment. He stated that the trail will be turned over to the State of Minnesota upon completion and that state land is exempt from being assessed.

Carla Wittrock, 20 2<sup>nd</sup> Ave N – Wittrock inquired about the assessment estimates and if there was a maximum limit that the costs needed to stay under in order to go ahead with the project. It was explained that the project would be out for bids in the Spring and if the bids were too high the Council could decide to forgo the project. Residents were advised they could inquire at any time about the bid results or watch for future meetings agendas for future information on the project status.

Terry Czech, 109 5<sup>th</sup> Ave N – Czech commented about the semi trucks that use 5<sup>th</sup> Avenue North and felt that Kraemer Trucking and Cold Spring Brewing Company should have a responsibility for improvement costs too.

Jaime Noyola, 22 3<sup>rd</sup> Ave S – Simon commented that a full street reconstruction project would be an obstacle to the sale of the property.

Mike Gold, representative of Cold Spring Brewing Company – Doll inquired whether there would be any accommodations made for their business to continue to move product. Lintgen explained that there will be disruptions, but they would work with the Brewery to make sure that they are still able to continue operations.

Frances Parks, 118 5<sup>th</sup> Ave N – Parks commented about being a corner lot and that both sides of their property would be on the project and be hard to access during construction.

Sara Stueve, 102 3<sup>rd</sup> Ave N – Stueve inquired whether the existing trees in the boulevard would be replaced. Lintgen explained that if they are removed during construction a replacement tree will be planted in it's place.

Megan Duffy, 116 3<sup>rd</sup> Ave N – Duffy inquired whether 2<sup>nd</sup> St N will be overhauled too, which Lintgen explained that yes it would be receiving pavement replacement due to another project, but that property owners wouldn't be receiving an assessment for the work on 2<sup>nd</sup> St N because that is a different project.

Mayor Heinen called three times for additional comments, after hearing none he closed the public hearing at 8:13 p.m. The Council expressed their appreciation for the audience's comments and opinions.

**MOTION WAS MADE BY FALL, SECONDED BY RAMLER, TO APPROVE RESOLUTION NO. 2023-02, A RESOLUTION ORDERING IMPROVEMENTS AND PREPARATIONS OF PLANS AND SPECIFICATIONS FOR THE 2023 IMPROVEMENTS PROJECT AND APPOINTING STANTEC AS THE ENGINEER ON SAID PROJECT. MOTION PASSED 4-0.**

**RESOLUTION NO. 2023-03 A RESOLUTION APPROVING A VARIANCE FOR DALE SPOHNHOLTZ FOR A DETACHED GARAGE**

Dockendorf explained that Dale Spohnholtz was not able to make it to the meeting as he was out of town, but that she could contact him by phone if the Council wished. The Council felt that was not necessary. It was explained that the variance is needed because the size of the detached garage exceeds the maximum allowed of 60% of the square footage of the dwelling. Spohnholtz has an oversized lot and there are other detached garages in the neighborhood with that size of garage.

**MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE RESOLUTION NO. 2023-03, A RESOLUTION APPROVING A VARIANCE TO ALLOW FOR CONSTRUCTION OF A DETACHED GARAGE THAT EXCEEDS THE MAXIMUM SIZE ALLOWED. MOTION PASSED 4-0.**

**RESOLUTION NO. 2023-04 A RESOLUTION APPROVING A VARIANCE FOR COLD SPRING BREWING COMPANY FOR PLACEMENT OF HOLDING TANKS WITHIN THE SETBACK**

Dockendorf explained that Cold Spring Brewing Company is requesting a variance to allow for the installation of two holding tanks within the 30 foot setback from the right of way. Mike Gold from Cold Spring Brewing Company explained that the tanks would be in the same proportion to existing tanks and would not infringe on the current existing setback of those tanks.

MOTION WAS MADE BY FALL, SECONDED BY HENNEN, TO APPROVE RESOLUTION NO. 2023-04, A RESOLUTION APPROVING A VARIANCE TO ALLOW FOR THE PLACEMENT OF TWO HOLDING TANKS WITHIN THE SETBACK OF 5<sup>TH</sup> AVENUE NORTH. MOTION PASSED 4-0.

**PUBLIC WORKS DIRECTOR REPORT**

**A. Request to Hire Part-Time Plow Drivers**

Stueve stated his recommendation to hire three additional plow drivers for the 2022-2023 season.

MOTON WAS MADE BY RAMLER, SECONDED BY HENNEN, TO APPROVE THE HIRING OF REGGIE FRALEY, CHARLES VOIGHT, AND BOB KYLLMER AS PLOW TRUCK DRIVERS FOR THE 2022-2023 WINTER AT THE PAY RATE OF GROUP 4, STEP 0 OF THE PAY SCALE. MOTION PASSED 4-0.

**B. Other**

Stueve reported on the meeting will be held on January 23, with Wakefield Township representatives the road agreement and on 3<sup>rd</sup> Avenue Southeast. He stated they made no changes to the road agreement. He stated the came up with a collaboration for a plan to reclaim 3<sup>rd</sup> Ave SE from where the Hwy 23 right of way ends, through to Hummingbird Lane and to shift the intersection slightly to eliminate the blind spot and give a better line of sight in the intersection. He stated the stops would remain the same but that some tree grubbing would be done too.

**CITY ENGINEER REPORT**

**A. Water Treatment Plant**

Lintgen stated that start-up and commissioning tasks have started at the plant. He stated they are starting to run water through the treatment vessels this week and there is a two-week period to grow the bacteria in the vessels which are then used to treat the water.

**B. Industrial Wastewater Pretreatment**

Lintgen stated that work is occurring inside the building including plumbing and interior walls, and the floor should be poured in February.

**C. Municipal Wastewater Treatment Facility**

Lintgen stated they have been communicating with staff on the facility plan which is still scheduled to be submitted to the State in March.

**F. Lift Station #1 Rehabilitation**

Lintgen explained the need to repair and add the new lift station next to the existing one to double the capacity of this critical piece of infrastructure. He estimated the project cost at \$1.9 million. Dockendorf stated that the project costs will be drawn from the sewer fund balance which at \$3.5 million. Councilor Fall expressed interest in further discussion of the project when all of the Council is present and taking requests for proposals for it.

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO TABLE DISCUSSION ON MOVING FORWARD WITH THE LIFT STATION #1 REHABILITATION PROJECT UNTIL THE NEXT CITY COUNCIL MEETING. MOTION PASSED 3-1. HEINEN OPPOSED.

**CITY ADMINISTRATOR REPORT**

**A. Tom LeGassa Resignation**

Dockendorf explained that Tom LeGassa had submitted a letter of resignation and thanked him for his years of service.

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO ACCEPT THE RESIGNATION OF TOM LEGASSA FROM THE PLANNING COMMISSION AND THE PARK BOARD, EFFECTIVE JANUARY 11, 2023, AND TO THANK HIM FOR HIS YEARS OF SERVICE TO THE CITY OF COLD SPRING. MOTION PASSED 4-0.

**B. Planning Commission Vacancy**

Dockendorf explained the need to advertise for the opening on the Planning Commission. She stated that there were enough applicants for the Park Board, therefore the open seat left by LeGassa would be able to be filled, but the Planning Commission vacancy would need to be advertised.

MOTION WAS MADE BY FALL, SECONDED BY HENNEN, TO APPROVE ADVERTISING FOR THE OPEN SEAT ON THE PLANNING COMMISSION. MOTION PASSED 4-0.

**C. Discuss Proposed Sewer Rate Increase**

Dockendorf explained the scenarios for increasing the sewer rate as discussed at previous meetings. The Council was supportive of scenario #3 which consisted of a decrease of the base rate, to \$20 and an 8% increase to the usage rate, which would increase from \$7.00 to \$7.56.

MOTION WAS MADE BY FALL, SECONDED BY HENNEN, TO APPROVE SCENARIO #3 FOR THE SEWER RATE INCREASE. MOTION PASSED 4-0.

**D. Equity and Inclusion Resources**

Dockendorf presented the information she had received from the League of Minnesota Cities on equity and inclusion resources. She suggested having the Ad Hoc Committee review the information at their next meeting and have them provide input. The Council agreed that would be the next logical step.

**COMMISSION UPDATES**

**A. Planning Commission**

Hennen stated that they discussed the two variance requests that were presented at the current meeting.

**B. EDA and Park Board**

Councilor Ramler stated that the EDA did not meet this month. Dockendorf stated there was no meeting for the Park Board.

**C. Rocori Trail Construction Board**

Dockendorf stated that work has been wrapped up for the winter.

**LIST OF BILLS AND ADDITIONS**

MOTION WAS MADE BY RAMLER, SECONDED BY HENNEN, TO REVIEW AND ACCEPT PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$82,548.71 AND SUPPLEMENTAL LIST TOTALING \$60,603.12 AS PRESENTED BY CITY STAFF. MOTION PASSED 4-0.

**ADJOURN**

MOTION WAS MADE BY HENNEN, SECONDED BY RAMLER, TO ADJOURN AT 8:56 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 4-0.

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David Heinen, Mayor

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Kris Dockendorf, City Administrator