

## **TUESDAY, JANUARY 27, 2015 COLD SPRING CITY COUNCIL MINUTES**

Mayor Robert R. Thelen called the meeting to order at 6:30 p.m. The following members were found to be present: Mayor Robert R. Thelen and Council Members Fran Ramler, Jan Dingmann, and Dave Heinen. Others present: Jami Trenam, Sunny Hesse, Julia Konop, Molly Olivier, Susan Watts, Frank Rajkowski, Brian Lintgen, Paul Hoeschen, Lance Weber, Dan Steil, Doug Schmitz, JoAnn Thelen, Heidi Stalboerger, Aaron Backes, Max Backes, Jacki Hommerding, Brenda Timm, Chris Boucher, Jason Blum, Ann McGee, Brad Matuska and Angie Mueller.

### **APPROVAL OF THE AGENDA**

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE THE AGENDA OF THE JANUARY 27, 2015 CITY COUNCIL MEETING. MOTION PASSED 4-0.

### **OPEN PUBLIC FORUM**

Dan Steil commended the Cold Spring-Richmond Police Department for their immediate response to an emergency call and saving a small child in Wakefield Township. He stated that the Stearns County Sheriff's Department had requested assistance since they were not able to arrive in a timely manner. He stated that this shows the department is vitally important to Cold Spring, Richmond and the entire community.

### **CONSENT AGENDA**

A. Minutes – January 13, 2015

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO APPROVE THE MINUTES OF THE JANUARY 13, 2015 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 4-0.

B. Approve Resolution 2015-02

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO APPROVE RESOLUTION 2015-02, A RESOLUTION REGARDING ANNUAL APPOINTMENTS AS AMENDED. MOTION PASSED 4-0.

C. One-Day Gambling License, Stearns County Thunderin' Toms

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO APPROVE FORM LG220 APPLICATION FOR EXEMPT PERMIT TO CONDUCT ONE DAY GAMBLING FOR STEARNS COUNTY THUNDERIN' TOMS FOR A RAFFLE TO BE HELD MARCH 27, 2015 AT THE GREAT BLUE HERON; FURTHERMORE TO WAIVE THE 30 DAY WAITING PERIOD FOR SAID PERMIT. MOTION PASSED 4-0.

### **CONSIDER MEMBERSHIP TO GREATER ST. CLOUD DEVELOPMENT CORP. – DAN STEIL**

Dan Steil, President of the EDA explained the benefits of being a member of the Greater St. Cloud Development Corporation. Hoeschen stated that they have been very supportive in the City's quest to locate a new well, by coordinating meetings with legislators and the Department of Natural Resources. Steil stated that they can assist with retaining businesses and attracting new ones, and provide assistance with grants. Steil added that the EDA has received a \$5,000 grant from the Initiative Foundation which will be used to develop marketing materials to sell the land in the Cold Spring Business Park.

MOTION WAS MADE BY RAMLER, SECONDED BY HEINEN, TO APPROVE THE MEMBERSHIP TO GREATER ST. CLOUD DEVELOPMENT CORP. AT A COST OF \$3,000 TO BE PAID FROM LINE ITEM 12-30-29-6416. MOTION PASSED 4-0.

### **LIBRARY LOCATION DISCUSSION**

The Council resumed the discussion of considering the former First National Bank building on Main Street as a location for an expanded library. The Council discussed this option along with other possibilities of expanding the library space within the current City Hall building and the possibility of adding onto City Hall to provide additional space. The Council agreed that with the construction planned for 2016 on Red River Avenue a plan would need to be developed to move the Fire Department trucks at least temporarily if not permanently. The Council discussed their desire to explore forming a district with Wakefield Township to help pay for the costs of an expanded library and the use of local area sales tax funds since supporters of the library are not all tax payers in the City. The Council also discussed having the EDA provide a recommendation on whether the former First National Bank building is the better option. They also wanted to further explore space options at City Hall for the library.

MOTION WAS MADE BY HEINEN, SECONDED BY RAMLER, TO REFER THE CONSIDERATION OF THE FORMER FIRST NATIONAL BANK BUILDING FOR AN EXPANDED LIBRARY, TO THE EDA TO MAKE A RECOMMENDATION TO THE CITY COUNCIL. MOTION PASSED 4-0.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO DIRECT STAFF TO FURTHER RESEARCH TWO OPTIONS OF EXPANDING THE LIBRARY WITHIN THE CURRENT CITY HALL BUILDING, WITH THE CONSIDERATION THAT THE FIRE DEPARTMENT SPACE WOULD BE VACANT, AND THE SECOND OPTION BEING EXPANDING THE LIBRARY WITH A 50 FOOT ADDITION ONTO THE CURRENT CITY HALL BUILDING. MOTION PASSED 4-0.

**COUNCIL MEMBER OPEN SEAT**

Hetland presented the cost of holding a special election which is estimated to be \$2,500. The Council agreed that they would like to proceed with advertising, accepting applications and making an appointment to fill the vacant seat. They agreed to use the application form that has been used in the past. They agreed to begin advertising immediately, with a deadline of February 13, 2015 at 4:30 p.m. The Council would open the applications on February 24<sup>th</sup>, and turn the applications back to staff for vetting if necessary. They agreed they would conduct interviews, make an appointment, and swear in the new member on March 10<sup>th</sup>.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO FILL THE VACANT SEAT ON THE CITY COUNCIL BY ACCEPTING APPLICATIONS UNTIL END OF BUSINESS DAY FEBRUARY 13, OPEN THE APPLICATIONS AT THE FEBRUARY 24<sup>TH</sup> MEETING, CONDUCT INTERVIEWS, MAKE AN APPOINTMENT AND SWEAR-IN THE SELECTED CANDIDATE DURING THE MARCH 10, 2015 COUNCIL MEETING. MOTION PASSED 4-0.

**COUNCIL MEETING TIMES FOR 2015**

MOTION MADE BY RAMLER, SECONDED BY HEINEN, TO APPROVE THAT THE COLD SPRING CITY COUNCIL WILL MEET THE 2<sup>ND</sup> AND 4<sup>TH</sup> TUESDAYS IN EACH MONTH OF 2015. MOTION PASSED 3-1. DINGMANN OPPOSED.

**PUBLIC WORKS DIRECTOR REPORT, PAUL HOESCHEN****A. Field of Dreams Water & Sewer Service – Brad Matuska**

The Council was presented with the cost figures for the water connection fee, sewer connection fee, water meter, and usage fees based on an estimated amount of water that would be used at the field. The connection and meter fees totaled \$7,216.88 and the estimated monthly usage fees for a concession stand and bathroom would be \$401.45, while the sprinkling fees would start at \$30.50 per week and increase with the amount of water used. Mayor Thelen suggested waiving the WAC and SAC fees, the water meter fee, base fee, and lower tier usage fees for water but to charge for the water used beyond the lower level fee. Matuska stated that the agreement for the use of the fields between the Youth Sports Association and the Rocori School District is renewable for a ten or twenty year period. The Council agreed that the contribution would go to a good cause and that the water would need to be metered.

MOTION WAS MADE BY DINGMANN, SECONDED BY RAMLER, TO WAIVE THE WATER CONNECTION FEE, SEWER CONNECTION FEE, WATER METER FEE, AND ONGOING USAGE FEES FOR THE FIELD OF DREAMS PROJECT AS PRESENTED WITH THE STIPULATION THAT THE AGREEMENT TO WAIVE THESE FEES WILL END AT THE SAME TIME AS THE AGREEMENT BETWEEN COLD SPRING AREA YOUTH SPORTS ASSOCIATION AND ROCORI SCHOOL DISTRICT FOR USE OF THE FIELDS. MOTION PASSED 4-0.

**B. Land Purchase Agreement for Future City Wells**

Hoeschen reported that the license agreement for test wells and option agreement to purchase real estate is similar in concept and structure as the previous land agreements. The draft agreement was presented and Hoeschen explained that minor tweaks are still expected. He stated that he would like to get Council approval now to keep things moving and that the agreement would be pending the City Attorney's approval. He stated that the agreement will provide for a \$200 payment for the contract and the right to buy the land, a \$200 payment for each test well drilled and purchase price of \$110,000 for the land and easement rights if it is determined to be a suitable site for a well.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE THE LICENSE AGREEMENT FOR TEST WELLS AND OPTION AGREEMENT TO PURCHASE REAL ESTATE WITH JOSEPH H. FROEHLE REVOCABLE TRUST FOR FUTURE WELLS. MOTION PASSED 4-0.

**CITY ENGINEER REPORT****A. 2<sup>nd</sup> Avenue Crossing**

Lintgen explained that the purchase agreement for the land for 2<sup>nd</sup> Avenue South is in the final steps and is on the way to Forth Worth, Texas.

**B. CSAH 2/Red River Avenue**

Lintgen reminded the Council of the meeting Stearns County will be hosting on February 4<sup>th</sup> at the DEF to discuss the improvements for the CSAH 2 project. He stated that the Downtown Development Committee is narrowing down their desires for streetscaping in the project, which they plan to provide as a recommendation to the Planning Commission and City Council.

**CHIEF OF POLICE REPORT****A. Request to Purchase a Radio for Inside a Squad Car**

Chief Boucher stated that a radio will be needed for inside the new squad car when it arrives in the next couple of months.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE THE PURCHASE OF A MOTOROLA APX6500 MOBILE RADIO FROM GRANITE ELECTRONICS, AT A COST OF \$3,379 PLUS SHIPPING WITH THE FUNDS TO BE DRAWN FROM LINE ITEM 11-40-41-6311. MOTION PASSED 4-0.

**B. Grant from the State of Minnesota**

Chief Boucher stated that he received a grant from the State for \$6,500 to pay for an additional in-squad laptop computer, five driver's license readers and five printers. He stated that he will be holding off on making the purchase as he has until September 30, 2016 to use the funds. He stated that there may be some cost savings by waiting until all other local law enforcement agencies are ready to make the purchase too.

**C. Canine Handler Update**

Chief Boucher explained that there were three officers who indicated an interest in being the canine handler for Riley. He stated that he took into consideration each officer's longevity and traffic stops involving narcotics in making the decision. He stated that Sergeant Jason Blum was selected as the new canine handler. He stated that Sergeant Blum and Riley will have a couple weeks of training together before they will need to be certified in March, after which they will be ready to work the road.

**D. Other**

Chief Boucher explained that the 2015 Chevrolet Impala squad car has arrived and is available for viewing outside. He stated it's the first black and white squad car in the fleet since 1961. He stated that Stearns County has approved the prescription medication drop box for in Cold Spring, although it was unknown if they already have the drop box or if they need to order it yet. He stated that he performed a canine demonstration for 80 third grade students in Eden Valley. He stated that the Buffalo Lake and Hector police departments are considering joining together and that he and Hetland will be attending their meeting on February 2<sup>nd</sup> to offer input on how such a contract has worked between Cold Spring and Richmond.

**LIST OF BILLS AND ADDITIONS**

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO APPROVE THE PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$97,448.58 AND SUPPLEMENTAL LIST TOTALING \$13,988.32 PRESENTED BY CITY STAFF. MOTION PASSED 4-0.

**GENERAL COMMENTS AND QUESTIONS**

Councilor Ramler stated that the fact finding investigation that he was assigned to last year was never closed, he inquired whether the Council would want to keep it open or close it. Mayor Thelen stated that he thought it was a one and done situation, and that it was not an ongoing matter. Councilor Dingmann stated that they did the initial fact finding but they are still getting commentary and feedback. Mayor Thelen stated that as the Chief Administrator, Hetland was in charge of restructuring who staff will go to when they have praise or complaints with staff. Council Ramler and Dingmann stated that they felt they needed Council approval to go on with or close the fact finding investigation. Mayor Thelen suggested that to give closure to the matter that the investigation be closed down and revisited it in six months, if needed. Councilor Ramler stated that there are still some things up in the air that he would like to get resolved yet, but if that the Council wants to shut it down then the Council needs to make that decision. Hetland stated that he has a right under Minnesota State Statutes to see the facts of the fact finding, including the individuals that made the complaints, what the complaints were about and when the complaints were made about him and his other staff. Hetland went on to state that Councilor Ramler was involved in a serial meeting, between the three Council members and that was a violation of the open meeting law. Mayor Thelen stated that they would let the City Attorney deal with that if needed. MOTION WAS MADE BY HEINEN, SECONDED BY THELEN, TO CLOSE THE FACT FINDING INVESTIGATION AND TO REVISIT IT IN SIX MONTHS. MOTION PASSED 3-0. RAMLER ABSTAINED DUE TO BEING ON BOTH COMMITTEES AND IS CONFLICTED.

**ADJOURN**

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO ADJOURN AT 8:42 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 4-0.

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Robert R. Thelen, Mayor

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Paul Hetland, City Administrator