

WEDNESDAY, OCTOBER 23, 2024 COLD SPRING CITY COUNCIL MEETING MINUTES

The meeting was called to order by Mayor Dave Heinen at 5:00 p.m. The following City Council members were found to be present: Mayor Dave Heinen and Council Members Mike Fall, Ryan Hennen, Fran Ramler and Doug Schmitz. Others present: Kris Dockendorf, Jon Stueve, Sam Butler, Paul Steil, Kari Franklin, Jon Douvier, Renae Stunke, Betsy Holen and Joe Jelovnik.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY HENNEN, SECONDED BY SCHMITZ, TO APPROVE THE AGENDA OF THE OCTOBER 23, 2024 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 5-0.

CONSENT AGENDA

A. Minutes – September 25, 2024 and October 9, 2024 Regular Meetings

B. Schedule Public Hearing for Delinquent Utilities and Nuisance Abatements: November 13, 2024

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

FENCE HEIGHT VARIANCE

Renae Stunke, Chief Operating Officer from Catholic Charities presented the request for a variance from the height requirements in a front yard, at their property located at 101 10th Ave N. She explained their request to build a six foot high fence in their front yard abutting both the east and south property lines. The standard height requirement is four feet. She stated that their residents at this group home have behaviors that they feel would benefit from the taller fence height, including their tendency to leave the property, undress and make loud noises. She stated the extra height would benefit their residents and provide protection to the neighborhood. She stated they are willing to keep the fence thirteen feet from the corner to help provide better site lines for the intersection.

MOTION WAS MADE BY RAMLER, SECONDED BY FALL, TO APPROVE RESOLUTION NO. 2024-36, A RESOLUTION APPROVING A VARIANCE FROM FENCE HEIGHT REQUIREMENTS IN THE FRONT YARD, CONTINGENT ON THE APPLICANT KEEPING THE FENCE 13 FEET BACK FROM THE CORNER PIN ON BOTH THE EAST AND SOUTH SIDES OF THE PROPERTY. MOTION PASSED 5-0.

COLD SPRING FIRE DEPARTMENT RELIEF ASSOCIATION SVF PLAN

Jon Douvier reminded the Council that basically who's managing the money is changing and he added there is cost savings to department since the audit and management fees will be less.

MOTION WAS MADE BY FALL, SECONDED BY SCHMITZ, TO APPROVE RESOLUTION NO. 2024-37, A RESOLUTION OPTING TO JOIN THE STATEWIDE VOLUNTEER FIREFIGHTER PLAN. MOTION PASSED 5-0.

REVISED PRELIMINARY PLAT OF RIVER LINKS ADDITION

Paul Steil, developer of River Links was present to discuss the revised Preliminary Plat of River Links Addition. He stated that revised plat would re-arrange streets and parks in the plat. He went on to discuss the conservation easement and the city ordinance language in the shoreland section which establishes standards. Hennen stated that the Planning Commission was recommending not changing the conservation easement at this time to protect the City's interest, but would be open to a conversation about it in the future. After further discussion it was decided that the Planning Commission review the language about the conservation easement before approving the revised preliminary plat.

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO TABLE THE REVISED PRELIMINARY PLAT OF RIVER LINKS ADDITION, AND THE 2nd RESTATED RIVER LINKS PUD PLAN UNTIL THE LANGUAGE ON CONSERVATION EASEMENTS IS FINALIZED. MOTION PASSED 5-0.

PUBLIC WORKS DIRECTOR REPORT

A. Rehab Wells 5 and 6

Stueve stated he got two quotes for the rehab work on Wells 5 and 6. He stated that the goal of rehabbing the wells is to get all the wells as close to maximum capacity to see their volume total, which will help determine what is needed for another well in the future.

MOTION WAS MADE BY HENNEN, SECONDED BY SCHMITZ, TO APPROVE THE REHAB OF WELLS 5 AND 6 FROM THEIR WELL AT A COST OF \$52,485.00; TO BE PAID FROM WATER DEPARTMENT CAPITAL EXPENDITURES, LINE ITEM #6413. MOTION PASSED 5-0.

B. Relocation of Electrical Service Line for New Maintenance Building

Stueve explained that Xcel Energy has notified him that the electrical service for Public Works, cuts across the front corner of the new Maintenance shop and needs to be relocated. He stated that Xcel is about six weeks out for relocation services, and needs to have the check for payment before they will schedule the work.

MOTION WAS MADE BY SCHMITZ, SECONDED BY RAMLER, TO APPROVE XCEL ENERGY RELOCATING OF THE ELECTRICAL SERVICE LINE AT 301 2ND AVE NE FOR THE CONSTRUCTION OF A NEW MAINTENANCE BUILDING AT A COST OF \$7,221.64. MOTION PASSED 5-0.

C. Updates

Stueve stated that they ran into some granite while starting on the new Maintenance Shop. He stated that luckily, they are able to work around it and the compaction test for the foundation has passed.

CITY ENGINEER REPORT

A. Independent Testing Technologies Materials Testing

Butler stated that materials testing is needed for the Backwash Tank project.

MOTION WAS MADE BY FALL, SECONDED BY HENNEN, TO APPROVE HIRING INDEPENDENT TESTING TECHNOLOGIES FOR MATERIALS TESTING FOR THE WATER TREATMENT PLANT BACKWASH TANK AT AN ESTIMATED COST OF \$5,930.00. MOTION PASSED 5-0.

B. Project Updates

Butler stated that O'Malley and Kron have staked out the Backwash Tank, and that Kraemer Trucking will start digging tomorrow. He stated that Lift Station #1 Rehab start up is planned for next week, and some of the concrete work will be finished up then also. He stated that paving is complete in River Links 5th and 6th Addition.

CLOSED SESSION

At 6:03 p.m. Mayor Heinen announced that they would move into a Closed Session pursuant to Minnesota State Statute Section 13D.05, subdivision 3(b) due to threatened litigation.

MOTION BY HENNEN, SECONDED BY FALL TO CLOSE THE MEETING AT 6:03 P.M. MOTION PASSED 5-0.

RE-OPEN MEETING

At 6:18 p.m. Mayor Heinen announced the meeting would be opened.

MOTION BY SCHMITZ, SECONDED BY FALL TO RE-OPEN THE MEETING AT 6:18 P.M. MOTION PASSED 5-0.

TOLLING AGREEMENT

MOTION BY SCHMITZ SECONDED BY FALL TO APPROVE THE TOLLING AGREEMENT BETWEEN THE CITY OF COLD SPRING AND CERTAIN PARTIES INVOLVED IN THE DESIGN AND CONSTRUCTION OF THE CITY’S INDUSTRIAL PRETREATMENT FACILITY PROJECT, AND AUTHORIZE AND DIRECT THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE THE SAME ON BEHALF OF THE CITY. MOTION PASSED 5-0.

CITY ADMINISTRATOR REPORT

A. CEDA Contract

Dockendorf explained that it had been discussed at the budget meeting to terminate the contract with CEDA and that the EDA had met October 14th and recommended to terminate the contract as of November 30th.

MOTION WAS MADE BY RAMLER, SECONDED BY HENNEN, TO TERMINATE THE CONTRACT FOR SERVICES WITH COMMUNITY AND ECONOMIC DEVELOPMENT ASSOCIATES (CEDA), EFFECTIVE NOVEMBER 30, 2024, PROVIDING THE REQUIRED 30-DAY WRITTEN NOTICE. MOTION PASSED 5-0.

B. Updates

Reminder that early voting starts Oct. 29, 2024 and is available every day up until the election, except on Sunday.

Construction of the new fire hall should start in about a week.

The City Council took a short recess.

COMMISSION UPDATES

A. Planning Commission

Council member Hennen reported that the Commission had talked about the Catholic Charities fence variance and the River Links preliminary plat and PUD plan.

B. EDA

Council member Ramler reported that EDA discussed the CEDA position and voted to terminate it, with the option to hire them back in the future if they are needed. Council Member Schmitz reported that the EDA did a business visit to Erika Hansen Photography.

C. Park Board

Mayor Heinen reported that the Park Board had not met.

D. Rocori Trail

Council member Schmitz reported that Rocori Trail Board had not met.

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 \$136,532.01 AND SUPPLEMENTAL LIST TOTALING \$75,501.54 AS PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

GENERAL QUESTIONS AND COMMENTS FROM CITY COUNCIL

Council member Hennen reiterated that the Council should continue to look for help for the City Administrator with zoning duties. Dockendorf stated she was starting to work with a Planner at Stantec on an hourly basis.

CLOSED SESSION

At 6:33 p.m. Mayor Heinen announced that they would move into a Closed Session for preliminary consideration of allegations against individual subject to City Council’s Authority under Minnesota State Statute Section 13D.05, subdivision 2(b).

MOTION BY RAMLER, SECONDED BY HENNEN TO CLOSE THE MEETING AT 6:33 P.M.
MOTION PASSED 5-0.

RE-OPEN MEETING

At 7:14 p.m. Mayor Heinen announced the meeting would be opened.

MOTION BY HENNEN, SECONDED BY RAMLER TO DIRECT THE CITY ATTORNEY TO E-MAIL COUNCIL MEMBER FALL A COPY OF THE CLAIM THE NEXT MORNING, AND TO HIRE A THIRD-PARTY INVESTIGATOR TO INVESTIGATE SAID CLAIM. MOTION PASSED 5-0.

ADJOURN

MOTION WAS MADE BY RAMLER, SECONDED BY HENNEN TO ADJOURN AT 7:15 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 5-0.

Dave Heinen, Mayor

Kris Dockendorf, City Administrator