

## TUESDAY, OCTOBER 25, 2016 COLD SPRING CITY COUNCIL MINUTES

Mayor Fran Ramler called the meeting to order at 6:30 p.m. The following City Council members were found to be present: Mayor Fran Ramler, and Council Members Jan Dingmann and Jayme Knapp, and Dave Heinen. Others present: Brigid Murphy, Jon Stueve, Heidi Stalboerger, Brian Lintgen, Doug Schmitz, Luida Von Lietel Beniek, Alan Beniek, Kevin Mooney, Duane Willenbring, Pete Weber, Bill Foss, Sharon O'Geay, Luanne Westerberg, Dan Steil, Kyle Roach, Vicky Fall, Mike Fall, Chrissy Gaetke, Jim Kraemer, Tammy Paczkowski and Angie Mueller.

### **APPROVAL OF THE AGENDA**

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE THE AGENDA OF THE OCTOBER 25, 2016 CITY COUNCIL MEETING. MOTION PASSED 4-0.

### **CONSENT AGENDA**

A. Minutes – October 11, 2016

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO APPROVE THE MINUTES OF THE OCTOBER 25, 2016 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 4-0.

### **RESOLUTION NO. 2016-46 PRELIMINARY PLAT OF GRANITE LANDING 4<sup>TH</sup> ADDITION**

Murphy explained that the Planning Commission had reviewed and recommended approval of the preliminary plat for Granite Landing 4<sup>th</sup> Addition. She stated that the plat is for one parcel which is located north of Main Street and east of 2<sup>nd</sup> Avenue North.

MOTION WAS MADE BY HEINEN, SECONDED BY DINGMANN, TO APPROVE RESOLUTION NO. 2016-46, A RESOLUTION APPROVING THE PRELIMINARY PLAT OF GRANITE LANDING FOURTH ADDITION. MOTION PASSED 4-0.

### **RESOLUTION NO. 2016-47 FINAL PLAT OF GRANITE LANDING 4<sup>TH</sup> ADDITION**

MOTION WAS MADE BY HEINEN, SECONDED BY DINGMANN, TO APPROVE RESOLUTION NO. 2016-47, A RESOLUTION APPROVING THE FINAL PLAT OF GRANITE LANDING FOURTH ADDITION. MOTION PASSED 4-0.

### **ORDINANCE NO. 349 REZONING GRANITE LANDING 4<sup>TH</sup> ADDITION**

Murphy stated that the Planning Commission held a public hearing to rezone Block 1, Lot 1 of Granite Landing 4<sup>th</sup> Addition. She stated that the property is currently zoned a combination of RF-Riverfront and C-1 Downtown Commercial. She stated that Coldspring had requested that the property be rezoned to a R-3 High Density Residential District.

MOTION WAS MADE BY HEINEN, SECONDED BY DINGMANN, TO APPROVE ORDINANCE NO. 349, AN ORDINANCE AMENDING THE *CITY CODE OF COLD SPRING ZONING MAP* BY CHANGING THE ZONING OF LOT 1, BLOCK 1 OF GRANITE LANDING PLAT 4<sup>TH</sup> ADDITION, FROM A COMBINATION OF RF-RIVERFRONT COMMERCIAL AND C-1 DOWNTOWN COMMERCIAL TO A R-3 HIGH DENSITY RESIDENTIAL DISTRICT. MOTION PASSED 4-0.

### **ASSESSMENT HEARING CSAH 2 IMPROVEMENT PROJECT**

Mayor Ramler opened the public hearing at 6:36 p.m. City Engineer Brian Lintgen presented information on the project including costs and assessments. The total project costs came to \$3,196,684.69. Murphy provided more specific information on the assessments, which are for a term of 15 years at an interest rate of 3.75% and the various payment options.

Mayor Ramler then moved into the audience comments section of the hearing. On behalf of Lorraine Sager, her daughters spoke about their concerns about the assessments to the property located at 311 3<sup>rd</sup> Street North. The property is unique in that it is tucked behind the Kleve property at 302 Red River Avenue North and that the two properties currently share a water service line. They stated their opposition to the assessment for streetlights and sidewalk as their property does not have either on it. They also disputed the assessment for the street because their property does not have a street side. After some discussion the Council agreed to reduce the assessment for the street and concrete walk by half and that the City would absorb the other half of those two assessment items.

MOTION WAS MADE BY HEINEN, SECONDED BY DINGMANN, TO APPROVE REDUCING THE AMOUNT OF THE ASSESSMENT FOR PARCEL NO. 48.29753.000 BY HALF FOR THE STREET AND CONCRETE WALK PORTIONS OF THE ASSESSMENT AND THAT THE REMAINING HALF OF THE ASSESSMENTS FOR THE STREET AND CONCRETE WALK FOR THIS PARCEL BE ABSORBED BY THE CITY. MOTION PASSED 3-1. KNAPP OPPOSED.

Duane Willenbring and Kevin Mooney from the Rocori Trail Construction Board requested that the assessment for the trail property be removed from the assessment rolls since there is no benefit realized from the improvements to the trail or the

trail users. They stated that the board has no taxing authority and that all three cities contribute financially to the trail. They requested that on the concept of goodwill that the City not tax their neighbors. The Council agreed that the City would absorb the full cost of the assessment for the Rocori Trail Construction Board property in the amount of \$3,021.72 and that they would expect that the City of Rockville would take the same action if there are any future improvements that impact the trail within their city.

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO APPROVE THE CITY ABSORBING THE COST FOR THE ASSESSMENT FOR PARCEL NO. 48.30599.0010 OWNED BY THE ROCORI TRAIL CONSTRUCTION BOARD. MOTION PASSED 4-0.

Mayor Ramler called three times for additional comments, after hearing none the assessment hearing was closed at 7:52 p.m. MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO ADOPT RESOLUTION NO. 2016-43, A RESOLUTION ADOPTING THE ASSESSMENTS FOR THE "CSAH 2 RECONSTRUCTION PROJECT". MOTION PASSED 4-0.

### **ESTABLISHMENT OF MUNICIPAL POLICIES TO COMPLY WITH THE MINNESOTA DATA PRACTICE ACT (MINNESOTA STATUTE CHAPTER 13)**

Murphy stated that the City is required to have policies under the Data Practices Act including Data Subject Policy, Public Data Policy and Ensuring Security of Data Policy. She presented the policies that were drafted that are similar to other cities and based on the Minnesota Department of Administration's Information Policy Analysis Division (IPAD). She stated that a data inventory to classify the data the City has and how and who will be responsible for the data will still need to be completed.

MOTION MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE ENACTING POLICIES 3000 DATA SUBJECT POLICY; 3100 PUBLIC DATA POLICY AND 3200 ENSURING SECURITY OF DATA IN COMPLIANCE WITH MINNESOTA DATA PRACTICES ACT (MINNESOTA STATUTE CHAPTER 13). MOTION PASSED 4-0.

### **SOLAR GARDEN SUBSCRIPTION**

Murphy presented the contracts for the subscription to the solar garden with Sunshare. She stated that there will be a total of three contracts for the twelve City meters that will be participating in the program. She stated that each meter has two forms that will need to be completed for a total of 25 forms. The Council discussed that they should consider at a later date whether to designate the dollars saved by subscribing to the garden to a specific line item. The Council then directed Murphy to execute the contracts and additional documentation necessary to complete the subscriptions.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE ENTERING INTO A SUBSCRIBER AGREEMENT WITH SUNSHARE SOLAR GARDEN FOR SOLAR ENERGY BILL CREDIT. MOTION PASSED 4-0.

### **SCHEDULE DELINQUENT UTILITIES PUBLIC HEARING**

Murphy stated that notices will be sent to the property owners with delinquent utility balances and nuisance abatement fees. If an outstanding balance is paid before the agenda is compiled on November 25<sup>th</sup> then the property will not be discussed at the public hearing.

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO APPROVE SCHEDULING A PUBLIC HEARING FOR NOVEMBER 29, 2016 TO CERTIFY DELINQUENT UTILITIES TO PROPERTIES WITH OUTSTANDING UTILITY BALANCES OR NUISANCE ABATEMENTS. MOTION PASSED 4-0.

### **PUBLIC WORKS DIRECTOR REPORT**

#### **A. Purchase of 12 Foot Snow Pusher**

Stueve explained that the snow pusher would be used on Main Street and in the cul-de-sacs throughout the City. He stated it is used but in very good shape and is only two years old.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE THE PURCHASE OF A 12 FT SNOW PUSHER FROM MISSISSIPPI TOPSOILS FOR \$8,500.00 FROM BUDGET LINE ITEM 11-50-51-6611. MOTION PASSED 4-0.

#### **B. Competitive Water Grant From Minnesota Department of Health**

Stueve explained that in the last four years the City has applied for and received a grant from the Department of Health to provide funds for the water festival and the crop conversion project. He stated that it would be a 50% match for the next two years for a total grant amount of \$10,000.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE ALLOWING THE PUBLIC WORKS DEPARTMENT TO APPLY FOR A COMPETITIVE WATER GRANT FROM THE MINNESOTA DEPARTMENT OF HEALTH. MOTION PASSED 4-0.

**C. Department Activity**

**i. Hydrant Flushing**

Stueve stated that they will be flushing water hydrants on November 1<sup>st</sup> and 2<sup>nd</sup>.

**ii. Ground Storage Tank Maintenance**

Stueve stated that the tank is in good shape for being built in 1988 and that it has been resealed and received a new coat at the seams. He stated that it will be filled back up and once the bacteria test comes back the tank will be back in service.

**iii. Source Water Protection Grant Update**

Stueve stated that the City was approved for a Source Water Protection Grant for the Wellhead Protection Plan from the Minnesota Department of Health.

**CITY ENGINEER REPORT**

**A. CSAH 2/Red River Avenue Update**

Lintgen stated that Red River Avenue is open to traffic and that the granite around the trees is being completed. He stated that the granite benches will need to be cut down in height.

**B. Main Street Update**

Lintgen stated that the public hearing for the Main Street Reconstruction Project will occur on November 15, 2016.

**C. SW Stormwater Infiltration Project**

Lintgen stated there has been a delay in the contractors schedule and that the project will start on Thursday.

**CITY ADMINISTRATOR REPORT**

**A. Library Agreement Update**

Murphy stated that there were fifteen other cities that participated in the meeting with the GRRL Library Executive Director on October 20<sup>th</sup>. She stated that the other cities had similar concerns about the drafted agreement. She stated that a new version of the agreement will be drafted based on the cities concerns and will be presented to the GRRL Board at their meeting on November 15<sup>th</sup>.

**LIST OF BILLS AND ADDITIONS**

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO REVIEW AND ACCEPT THE PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$220,072.31 AND SUPPLEMENTAL LIST TOTALING \$700,234.31 PRESENTED BY CITY STAFF. MOTION PASSED 4-0.

**ADJOURN**

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO ADJOURN AT 8:23 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 4-0.

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Fran Ramler, Mayor

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Brigid Murphy, City Administrator