

## **WEDNESDAY, OCTOBER 9, 2024 COLD SPRING CITY COUNCIL MEETING MINUTES**

The meeting was called to order by Mayor Dave Heinen at 4:00 p.m. at 109 Main Street. 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, Sam Butler, Lois Lieser, Dan Weber, Matt Hesse, Laura Eysnogle, Carol Weber, Keith Plekkenpol, Adam Dullinger, Kevin Heinen, Luke Shurrum, Gary Traut, Nate Bell, Dan Austreng, and Grant Dossetto. Arriving at City Hall the following were present: Jon Stueve, Jason Blum, Adam Ripple, Cliff Johnson, Ryan Holthaus, Luke Vossen, Patty Czech, Marlene Dingmann, Jon Duvier, Dan Weber, Vicki Jungles, Jan Decker, John Decker, Rory Rasmussen, Adam Lubbers, Jordan Riley and Joe Jelovnik

### **GROUND BREAKING OF NEW FIRE STATION**

Members of the Council and others gathered at 109 Main Street, the construction site for the new Cold Spring Fire Station for a groundbreaking ceremony. Gary Traut of Donlar Construction gave a brief summary of the history of the project and thanked the Council for allowing Donlar Construction to be a part of this project.

### **MOVE THE MEETING TO THE CITY COUNCIL CHAMBERS**

Mayor Heinen announced that the council meeting would be continued in the City Council chambers.

### **OPEN PUBLIC FORUM**

Cliff Johnson from the Cold Spring Area Historical Society stated that their annual meeting would be on October 22, 2024 at the St. Peter & Paul Church Social Hall. He stated they will be presenting awards for Historian of the Year to one individual and one group, and a trivia contest will follow.

### **APPROVAL OF THE AMENDED AGENDA**

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE THE AMENDED AGENDA OF THE OCTOBER 9, 2024 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 5-0.

### **CONSENT AGENDA**

A. Approval of Consumption and Display Permit for RJS Enterprises LLC (Red Truck Ice Cream)

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

### **FIRESIDE ROAD DISCUSSION**

Attorney Adam Ripple and Ryan Holthaus represented the Woodland Hills Homeowners Association and explained that the members of the association had approved moving forward with deeding the straight of way strip of Fireside Road to the City. The straight of way portion was described as from the Softball Park to approximately the area of 2<sup>nd</sup> Ave SE. Ripple explained that they are looking for the City to approve it provided that all the other parties that are collaborating on it move forward too. Ripple explained that the request also includes that the connections from Fireside Road be made to Meadow Lane and 2<sup>nd</sup> Avenue Southeast by 2026 at the latest. The Council discussed the benefit to owning that strip of roadway and making the connections as discussed for public safety and traffic flow. Dockendorf explained that the draft agreement presented by Ripple has been submitted to the City Attorney to review but she had not received his approval or comments on it yet.

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE THE DRAFT AGREEMENT FOR FIRESIDE ROAD UPON THE APPROVAL OF THE CITY ATTORNEY UPON THEIR REVIEW OF THE AGREEMENT. MOTION PASSED 5-0.

### **NOISE MITIGATION REQUEST**

Patty Czech along with Marlene Dingmann presented the additional quotes Czech had obtained for the window and trees installation on her property. Czech explained that the new quote from Thomsens is for twelve trees that are six feet in height. She also provided additional quotes for the window, both quotes included installation. Dockendorf explained that the two low bids would be for \$7,680 from Thomsens for the trees, and \$4,615 for the windows from Lutgens.

MOTION WAS MADE BY SCHMITZ, SECONDED BY HENNEN, TO APPROVE THE TWO LOW QUOTES FOR NOISE MITIGATION FOR PATTY CZECH FOR TREES AND A WINDOW AS

PRESENTED. MOTION PASSED 4-1. ROLL CALL VOTE, AYES – HEINEN, HENNEN, RAMLER AND SCHMITZ, NAYES – FALL.

**COLD SPRING FIRE DEPARTMENT RELIEF ASSOCIATION SVF PLAN**

Jon Douvier, President of the Cold Spring Fire Relief Association explained their request to move their retirement accounts from being managed by USB to the Minnesota State Plan under PERA. He explained several benefits and cost savings by moving the PERA, including eliminating the requirement for a yearly audit and an incentive from the State along with a higher rate of return. He stated he would return to the next meeting for formal approval of the change and answered various questions from the Council.

**FIRE DEPARTMENT REPORT**

A. Accept Resignations of Firefighters

MOTION WAS MADE BY HENNEN, SECONDED BY RAMLER, TO ACCEPT THE RESIGNATION OF FIREFIGHTER DEREK STOMMES EFFECTIVE AUGUST 30, 2024 AND FIREFIGHTER NICK POCHARDT EFFECTIVE SEPTEMBER 30, 2024, AND TO THANK THEM BOTH FOR THEIR YEARS OF SERVICE ON THE COLD SPRING FIRE AND RESCUE DEPARTMENT. MOTION PASSED 5-0.

B. Firefighter Pay Increase

MOTION WAS MADE BY SCHMITZ, SECONDED BY RAMLER, TO APPROVE AN INCREASE IN PAY FOR THE FIREFIGHTERS FROM \$14.50 PER HOUR TO \$15.50 PER HOUR, EFFECTIVE DECEMBER 1, 2023; FURTHERMORE, TO ACKNOWLEDGE THAT THIS INCREASE IS IN ACCORDANCE WITH THE 2024 BUDGET. MOTION PASSED 5-0.

C. Increase Contribution to Fire Department Relief Association

MOTION WAS MADE BY RAMLER, SECONDED BY HENNEN, TO APPROVE THE REQUEST FROM THE COLD SPRING FIRE DEPARTMENT RELIEF ASSOCIATION TO INCREASE THE CITY’S 2024 CONTRIBUTION TO THE RELIEF ASSOCIATION FROM \$18,500 TO \$19,100, AN INCREASE OF \$600. MOTION PASSED 5-0.

D. Appoint Firefighter Hiring Committee

MOTION WAS MADE BY SCHMITZ, SECONDED BY RAMLER, TO APPROVE COUNCIL MEMBER FALL, THE FIRE CHIEF, ASSISTANT FIRE CHIEF, AND CITY ADMINISTRATOR TO THE HIRING COMMITTEE FOR THE OPEN FIREFIGHTER POSITIONS. MOTION PASSED 5-0.

E. Updates

Chief Weber updated the Council on their calls for service totaling 560 to date. He stated they will be hosting an Open House tonight for Fire Prevention Week. He also reminded the public to not impede on calls for service and to stay out of the area when emergencies are occurring.

**PUBLIC WORKS DIRECTOR REPORT**

A. Installation of Sprinkler System at Pre-Treatment Plant

Stueve explained that a sprinkler system is part of the budget for the Pre-Treatment Plant. He stated that there is \$40,000 remaining in the budget for this year and that there are no other expected expenses for this year. If the money is not used it will just sit in that line item. Councilor Fall and Ramler stated that they were not in favor of the sprinkling system since the public does not see the facility. Stueve explained that these budgeted funds cannot be spent elsewhere in the budget, it has to be used for the Pre-Treatment Plant, for which the costs are directly paid by Cold Spring Brewing Company. Dockendorf verified that they meet each year and determine rates based on these budget figures for the Brewery. Council Ramler stated that he was unaware of that requirement for it to be spent solely on the plant and would now be in favor of it. Councilor Fall stated he was still not in favor since there is a shortage of water, so much so that a new well needs to be drilled and water should instead be conserved, not used on sprinkling grass.

MOTION WAS MADE BY HENNEN, SECONDED BY SCHMITZ, TO APPROVE THE INSTALLATION OF A SPRINKLER SYSTEM AT THE PRE-TREATMENT PLANT FROM EASY GREEN INC. AT A

COST OF \$13,370.00; TO BE PAID FROM BUILDING AND GROUNDS MAINTENANCE LINE ITEM #6411. MOTION PASSED 4-1. ROLL CALL VOTE, AYES – HEINEN, HENNEN, SCHMITZ, RAMLER, NAYES – FALL.

B. Updates

Stueve stated that groundbreaking occurred last week on the Maintenance Shop.

**CITY ENGINEER REPORT**

A. Updates

Butler stated that the control panel for the Lift Station Rehab project has been installed and it will be run for a week before decommissioning the old equipment. He added that grading and concrete work will be done by mid-November. He stated that River Links 5<sup>th</sup> and 6<sup>th</sup> Addition is having curb and gutter installed and will hopefully have sidewalks and road paving complete in the coming weeks. He stated that work should begin in mid-October on the Backwash Tank project.

**POLICE DEPARTMENT REPORT**

A. Purchase of Panasonic Toughbook

Chief Blum stated that two laptop computers were budgeted to be purchased this year. He stated that this request is for the second laptop computer.

MOTION WAS MADE BY FALL, SECONDED BY SCHMITZ, TO APPROVE THE PURCHASE OF A PANASONIC TOUGHBOOK FZ-55 AT A COST OF \$2,717.00; TO BE PAID FROM EQUIPMENT LINE ITEM #6311. MOTION PASSED 5-0.

B. Updates

Chief Blum stated that officers are on duty 24/7 and urged everyone to call immediately when they have concerns or issues. He gave a reminder on the fraud talks and the importance of locking property and vehicles.

**CITY ADMINISTRATOR REPORT**

A. Schedule Workshop Meeting to Discuss Wage Study & Special Meeting for Annual Meeting with Township Officials

Through discussion the Council agreed by unanimous consent to hold the Wage Study workshop on October 30, 2024 from 5-7 p.m. They would then go into a Special Meeting for the Annual Meeting with township officials on that same date starting at 7 p.m.

B. Rogge Request for Reimbursement

Dockendorf explained that she received an official request from Rogge’s for reimbursement for their attorney and engineer fees. She stated she forwarded the email request to the City Attorney and he recommended denying approval. Councilor Fall disagreed and stated that he perceived the response to be that a lawsuit would be likely if it wasn’t approved. He stated he wanted to avoid a lawsuit which would be more costly. Councilor Hennen stated that he felt that a neighborly gesture had already been made by paying for the agreement for the parking lot. Councilor Hennen stated it was unfortunate the way things happened but didn’t think the City was obligated to pay Rogge’s engineering and attorney fees.

MOTION WAS MADE BY HENNEN, SECONDED BY SCHMITZ, TO DENY THE REQUEST FOR REIMBURSEMENT OF FEES FROM ROGGE FAMILY LIMITED PARTNERSHIP IN THE AMOUNT OF \$7,574.50. MOTION PASSED 3-2. ROLL CALL VOTE, AYES – HEINEN, HENNEN AND SCHMITZ, NAYES – RAMLER AND FALL.

C. O’Malley & Kron Construction Staking Proposal

Dockendorf explained that the following three items on the agenda were not part of the bidding process, but are included in the budget for the project.

MOTION WAS MADE BY RAMLER, SECONDED BY FALL, TO APPROVE HIRING O’MALLEY AND KRON FOR CONSTRUCTION STAKING FOR THE FIRE DEPARTMENT SITE AT 109 MAIN ST AT AN ESTIMATED COST OF \$6,000. MOTION PASSED 5-0.

**D. Braun Intertec Special Inspecting and Testing Proposal**

MOTION WAS MADE BY RAMLER, SECONDED BY HENNEN, TO APPROVE HIRING BRAUN INTERTEC FOR SPECIAL INSPECTION AND TESTING SERVICES FOR THE FIRE DEPARTMENT SITE AT 109 MAIN STREET AT A COST OF \$49,299. MOTION PASSED 5-0.

**E. Builders Risk Insurance for Fire Station**

MOTION WAS MADE BY RAMLER, SECONDED BY SCHMITZ, TO APPROVE PURCHASING A BUILDERS RISK INSURANCE POLICY FOR THE FIRE STATION CONSTRUCTION FROM THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST AT A COST OF \$5,534.00. MOTION PASSED 5-0.

**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 \$268,710.33 AND SUPPLEMENTAL LIST TOTALING \$18,953.57 AS PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

**ADJOURN**

MOTION WAS MADE BY HENNEN, SECONDED BY SCHMITZ, TO ADJOURN AT 6:15 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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Kris Dockendorf, City Administrator