

TUESDAY, NOVEMBER 15, 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, Ryan Streff, Bill Lemke, Paula Paulson, James Eiyk, Gary Theisen, James Svihel, Brigetta Klemek, Sue Kadlec, Dan Steil, Chad Middendorf, Scott Bender, Brent Neisinger, John Maile, Dolores Maile, Tom Sitarz, Kari Weller, John Neal, Sue Kadlec, Jason Blum, Jason Spoden and Angie Mueller.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE THE AGENDA OF THE NOVEMBER 15, 2016 CITY COUNCIL MEETING. MOTION PASSED 4-0.

CONSENT AGENDA

A. Minutes – October 25, 2016

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

B. Canvass Results of General Election

MOTION WAS MADE BY HEINEN, SECONDED BY DINGMANN, TO APPROVE THE RESULTS OF THE 2016 GENERAL ELECTION. MOTION PASSED 4-0.

DISCUSS CITY COUNCIL VACANCY

Murphy explained that no applications were received by the deadline and two were submitted after the deadline passed. She stated that the Council could make an appointment from the two applications received or could choose to wait and fill two vacancies in January. The Council agreed they would like to fill the vacancy now and went on to interview the two applicants, Gary Theisen and Brigetta Klemek. After conducting the interviews the scores were tabulated with Gary Theisen receiving the higher amount of points. As Theisen was no longer in the room the meeting progressed until he could be located to be sworn in.

2017 MAIN STREET RECONSTRUCTION PROJECT IMPROVEMENT HEARING

Mayor Ramler opened the public hearing at 6:58 p.m. City Engineer Brian Lintgen explained the reconstruction project would start at the intersection of Red River Avenue to approximately 1300 feet east along Main Street to the Sauk River Bridge, and on Second Avenue South from Main Street to First Street South. He explained the total project costs are estimated at \$2,146,559.09. Murphy explained when the costs would be assessed and payment options. The improvement hearing was then opened for public comment. The following audience members commented:

Jim Svihel, 113 Main Street – Svihel commented about his property and the water main being replaced somewhere about 2004. Lintgen explained that his sewer line would need replacement and that this property is unique in that the water line has never been used. He stated that the assessment is preliminary and that if the water line is not replaced then Svihel would not be receiving an assessment for it.

Lynn Schurman, 308 Main Street – Schurman stated her desire to keep the entrance to their building handicap accessible as it is now. Lintgen explained that they would try to reconstruct the entrances to be the same as what their current state is now. She also inquired about the possibility of the project being completed before Hometown Pride Days. Lintgen stated the Council will need to make a decision on requiring that deadline in the bidding process.

Chad Middendorf, 210 Main Street – Middendorf inquired about the large size of water line into his building, access to his building, the pipe between his property and Cold Spring Lanes, and about boulevard trees. Lintgen explained again that if there is currently a step to get into his building, then they would try to put a step back into the building. Lintgen stated that a large water line would not be put back in, and that each individual property would be looked at to determine where to place trees.

Bill Lemke, 217 Main Street – Lemke stated he was representing the Rocori Area Food Shelf, which is a non-profit organization and requested that the Council consider a reduction in the assessment amount for this property. The Council agreed they would consider a reduction.

Dan Steil asked some general questions about the project. Lintgen answered them by stating that property accesses will be put back if they exist now, such as at Grumpy's Bar and Weber's property, unless the property owner no longer wants an access. He stated that most trees will likely be located east of 2nd Avenue in the boulevard and that there will be very little overhead wires that will need to be changed. He added that if a property does have a sump pump they will still have a stormwater assessment.

Mayor Ramler called three times for additional audience comments and after hearing none he closed the public hearing at 7:42 p.m.

ORDER PLANS AND SPECIFICATIONS FOR MAIN STREET IMPROVEMENT PROJECT.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE RESOLUTION NO. 2016-48, A RESOLUTION ORDERING THE IMPROVEMENTS AND PREPARATIONS OF PLANS AND SPECIFICATIONS FOR THE "2016 MAIN STREET RECONSTRUCTION PROJECT". MOTION PASSED 4-0.

Mayor Ramler administered the Oath of Office to Gary Theisen.

BRIDGE PROPERTY LIFT STATION ISSUE

City Attorney Sue Kadlec explained that there is a private lift station attached to the City's sewer system. There is an agreement on the lift station where the property owners are responsible for the maintenance of the lift station. The owners of the lift station are requesting that the City take over the ownership of the lift station. Kadlec advised that there would be no advantage to the City to take ownership of the lift station. The property owners were present along with their attorney John Neal who explained their belief that the lift station is located in a City easement, not on private property and that the contract identifies the lift station as the improvement and that the City is the owner of the improvement. They also stated that the contract is ambiguous and that there are practicality issues with insuring the lift station and utility cost payments. Murphy stated that it would be helpful if two Council members would volunteer to work through some of these issues with City staff, the City Attorney and the property owners.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPOINT MAYOR RAMLER AND COUNCIL MEMBER KNAPP TO A WORK GROUP FOR FURTHER DISCUSSION ON THE BRIDGE PROPERTY LIFT STATION ISSUE. MOTION PASSED 5-0.

COLD SPRING BREWERY DISCUSSION REGARDING BUSINESS PARK PROPERTY

Murphy explained that the Brewery had sent a letter stating their interest in purchasing the remaining portion of Outlot A and B in the Cold Spring Business Park. She stated that Brewery officials had met with the EDA the previous night to discuss their intention and the EDA was recommending approval of the properties for \$1.00, along with giving them the Right of First Refusal on Lots 3-8 in Block 2. The EDA also recommended that the purchase be contingent upon the Brewery starting construction within twelve months. Scott Bender and Brent Neisinger from the Brewery explained that twelve months was a tight timeline for them and requested additional time be given. The Council indicated their support to allow the Brewery additional time and was satisfied with being shown plans for the construction in 2017.

MOTION WAS MADE BY DINGMANN, SECONDED BY THEISEN, TO APPROVE THE RECOMMENDATION OF THE EDA AND MOVE FORWARD WITH THE SALE OF PROPERTY AND GRANTING THE FIRST RIGHT OF REFUSAL TO PROPERTY IN THE COLD SPRING BUSINESS PARK TO COLD SPRING BREWING COMPANY. MOTION PASSED 5-0.

RESOLUTION NO. 2016-49 ACCEPTING DONATION FOR THE THOMAS "TOMMY" DECKER MEMORIAL GARDEN FROM KNIFE RIVER

Murphy stated that Knife River has donated \$2,000.00 for the memorial garden and that a resolution is required to approve the donation.

MOTION MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE RESOLUTION NO. 2016-49, A RESOLUTION ACCEPTING A DONATION FROM KNIFE RIVER OF \$2,000.00 FOR USE ON THE CONSTRUCTION OF THE THOMAS "TOMMY" DECKER MEMORIAL GARDEN. MOTION PASSED 5-0.

RESOLUTION NO. 2016-50 ACCEPTING DONATION FOR THE THOMAS "TOMMY" DECKER MEMORIAL GARDEN FROM STANTEC

Murphy stated that Stantec has donated \$250.00 towards the memorial garden.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE RESOLUTION NO. 2016-50, A RESOLUTION ACCEPTING A DONATION FROM STANTEC OF \$250.00 FOR USE ON THE CONSTRUCTION OF THE THOMAS "TOMMY" DECKER MEMORIAL GARDEN. MOTION PASSED 5-0.

RESOLUTION NO. 2016-51 ACCEPTING DONATION FOR THE THOMAS "TOMMY" DECKER MEMORIAL GARDEN FROM ARTISTIC STONE AND CONCRETE

Murphy stated that Artistic Stone and Concrete has donated granite pavers and a monument stone for the memorial garden.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE RESOLUTION NO. 2016-51, A RESOLUTION ACCEPTING A DONATION FROM ARTISTIC STONE AND CONCRETE OF GRANITE PAVERS AND A MONUMENT STONE. MOTION PASSED 5-0.

APPOINTMENT OF JASON BLUM ACTING POLICE CHIEF AND ADJUSTING PAY OF ACTING POLICE CHIEF PER UNION CONTRACT

Murphy stated that when approving the FMLA leave, the Council should have appointed Sergeant Blum as Acting Police Chief. She stated that since the leave as extended, Blum would be eligible for the adjusted pay for out of class job duties starting from October 31st.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPOINT JASON BLUM AS ACTING CHIEF OF POLICE AND TO APPROVE ADJUSTING OFFICER BLUM'S PAY, INCREASING HIS PAY BY \$4.22 PER HOUR EFFECTIVE OCTOBER 31, 2016 IN ACCORDANCE WITH CITY POLICY. MOTION PASSED 5-0.

STATUS OF K9 DOG ABBY

Murphy stated that it was planned for the police K9 Abby to retire in January of 2017. Since her handler is on leave, she is also effectively on leave and could be retired early. She stated that a ceremony would be planned at a later date to thank her for her service.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO RETIRE ABBY THE K9 NARCOTICS UNIT DOG EFFECTIVE NOVEMBER 15, 2016. MOTION PASSED 5-0.

PRESENTATION BY MOBILITE

Ryan Streff from Mobilite gave a brief presentation on Mobilite and their desire to build a structure in Cold Spring for data. He stated that they have already obtained access to the right of way from the Public Utilities Commission and are now wanting to work with the City's to install their equipment on streetlights. He stated that they specialize in creating small cells in areas that have a high demand for data connectivity. He stated they are potentially looking at the area near Assumption Nursing Home to create a small site. The Council stated they would not make a decision on the topic tonight as this was not originally on the agenda, but they would allow staff to further consider the request.

PUBLIC WORKS DIRECTOR REPORT

A. Lean-To Addition to the Cold Storage Building

Stueve stated that staff was proposing a Lean-To on the south side of the Cold Storage Building, under which trailers and plow equipment would be stored. He stated there was a miscommunication and the work for the project has already been completed.

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO APPROVE THE CONSTRUCTION OF AN ADDITION TO THE COLD STORAGE BUILDING FROM STREETS BUDGET LINE ITEM 6413. MOTION PASSED 5-0.

B. Memorial Garden Update

Stueve stated that work is progressing on the memorial garden with the retaining block and granite pavers being installed. A ceremony dedicating the garden will be planned for November 29, 2016 before the Council meeting.

C. Well/Water Land Purchase Update

Stueve stated that the surveyors have been doing some work on the property and that a closing before the end of December should be possible.

CITY ENGINEER REPORT

A. CSAH 2/Red River Avenue Update

Lintgen stated that a few items are still being wrapped up on the project including signs and that the fence and plantings will have to wait until spring to be completed.

B. SW Stormwater Infiltration Project

Lintgen stated that they are finishing up the last of the tree boxes and the project should be completed by the end of the week.

C. Main Street Update

Lintgen stated that there could potentially be some contaminated soils in the project area. He stated in an effort to stay ahead of the project, he would recommend having soil borings done now to determine the location and extent of contaminated soil. He stated that he had obtained two quotes for the soil borings, one was from Granite City Environmental for \$3,700 and the other was from Braun Intertech for \$6,466.

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO APPROVE THE QUOTE FOR SOIL BORINGS FOR THE MAIN STREET PROJECT FROM GRANITE CITY ENVIRONMENTAL AT A COST OF \$3,700.00. MOTION PASSED 5-0.

CHIEF OF POLICE REPORT

Acting Chief of Police Jason Blum presented the call reports for the months of August and September. He stated that a bullet and stab proof vest has been donated to the K9 Riley from Vested Interest in Canines and a local donor. He stated that once the vest arrives a formal presentation will be given to properly thank those involved. He also gave an update on canine sniffs, TZD activity and an upcoming training presentation for liquor license holders in Cold Spring and Richmond.

CITY ADMINISTRATOR REPORT

A. Update on Southwest Minnesota Housing Partnership Grant

Murphy reported that a grant was awarded for the Pine West and Spring Haven Apartments for their renovation project. She stated no additional units are being built in Cold Spring, they will just be doing renovations to the existing properties.

B. Water Tower Space Rental Agreement

Murphy explained that the Paulson's who are residents of Wakefield Township are having difficulty receiving WIFI and are requesting to install an antenna on the North Water Tower to provide a point to point signal for their residence. Murphy explained that at this time there are only agreements for water tower space with commercial business and none that are with individuals. Murphy stated that she could work with the City Attorney to develop an agreement on it if the Council was in favor. The Council indicated that Murphy could pursue working with the City Attorney to develop an agreement.

B. Funding Options for the Purchase of the Froehle Property

Murphy stated that the best funding option for the purchase of the property is through a private placement bond. She presented the rates and terms from Northland Securities, Granite Community Bank and the State Bank of Cold Spring. The Council inquired whether the local banks would be willing to split the bonds for a participation loan. Murphy stated that she could check with both of the banks. The Council indicated that if there was no agreement between the banks on the split that the bank with the lower costs should be used.

C. Granite Landing Apartment Discussion Regarding TIF Application

Murphy stated the developer is interested in TIF Financing since this property is located in a TIF Redevelopment District. She explained that a Development Agreement will need to be drafted and in the past a Council member has helped negotiate on the Development Agreement. Councilor Theisen stated that he would be willing to work with staff on the development agreement.

D. Attendance at the DEED Workshop of DEED Redevelopment Grants and Demolition Loan Program

Murphy stated that there is a DEED workshop in December related to their grant and loan programs and that staff is interested in attending. The Council was supportive of Murphy and Stueve attending the workshop.

E. Cold Spring Area Chamber of Commerce Holiday Party

Murphy stated that the Council is invited to the Chamber of Commerce Holiday Party on December 1, 2016 and that if anyone is interested in attending they should let her know.

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 \$193,634.10 AND SUPPLEMENTAL LIST TOTALING \$7,394.99 PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

ADJOURN

MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO ADJOURN AT 9:15 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 5-0.

Fran Ramler, Mayor

Brigid Murphy, City Administrator