

TUESDAY, NOVEMBER 24, 2020 COLD SPRING CITY COUNCIL MEETING MINUTES

The meeting was called to order by Mayor Dave Heinen at 6:30 p.m. The following City Council members were found to be present in person: Shannon Miller. Present by video: Mayor Dave Heinen and Council Members Jayme Knapp and Gary Theisen. Absent: Doug Schmitz. Others present: Ethan Reinert, Kendra Reinert, Kevin Stueve, Mark Backes, Rich Schreiner, Kevin Ward, Lois Lieser and Angie Mueller. Others present by video/phone: Brigid Murphy, Sue Dege, Jon Stueve, Dan Weber, Jason Torborg, Curt Plzak, Ron Molitor, Nick Laundenbach, Brian Lintgen, Jason Blum, Aaron Barker and Tammy Paczkowski.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY MILLER, SECONDED BY THEISEN, TO APPROVE THE AGENDA OF THE NOVEMBER 24, 2020 CITY COUNCIL MEETING AS PRESENTED. ROLL CALL VOTE, AYES – MILLER, THEISEN, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA

A. Minutes – November 10, 2020

B. Resolution No. 2020-62, A Resolution Accepting Donations

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE THE CONSENT AGENDA. ROLL CALL VOTE, AYES – MILLER, THEISEN, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

ASSESSMENT HEARING COUNTY ROAD 158 IMPROVEMENT PROJECT

Mayor Heinen opened the assessment hearing at 6:33 p.m. City Engineer, Brian Lintgen, presented the specific project, cost and assessment information. City Administrator, Brigid Murphy, gave a general explanation of the assessment information. Next, the hearing was opened to public comment, the following individuals spoke:

1. Curt Plzak – 1021 1st Street South, Curt explained that he had submitted a letter requesting that his assessment amount be reconsidered. He explained that his lot is unusually large and that he was being assessed for the maximum footage of 150 feet when his property is actually 170 feet. He still felt that his assessment was too large of a percentage of his home value. No action was taken.
2. Kevin Stueve – 711 1st Street South, Kevin explained his disappointment with the quality of the work done by the contractors in restoring the boulevard. He stated that large rocks and chunks of cement were buried and then topsoil was put on top of it. He also explained that the grading of the slope in that area was poorly done. Lintgen explained that he could take a look at it and in the spring the boulevard turf could be re-seeded if necessary. Stueve also commented about his sand point well now being dry due to the deep level of dewatering that was done. Lintgen explained that dewatering had to be done to get the services in and that over time it should rebound.
3. Mark Backes – representing the A&D Backes, LLP on Parcel No. 48.29401.0246, Mark expressed his gratefulness for the project which extended services to their undeveloped parcel. He stated that they now have a cash purchase agreement for the property and requested that the assessment be allowed to be assumed by the new buyer at the current rate and term. Murphy explained that she could add language into the resolution adopting the assessments, that the assessment for this parcel would roll over to the new owner. She stated this would provide the closing company with proof of the arrangement. Backes understood that if the sale fails to go through, that the assessment would still be his responsibility to pay.
4. Ethan Reinert – 1023 1st Street South, Reinert asked about the survey stakes, Lintgen stated they would be installed in the spring, after any adjustments for seeding or grading are done. Reinert asked if any credits would be given if homeowners did their own seeding and Lintgen explained there would not be any given, that the amounts would only change a few dollars and could not be broken out item by item. Reinert also commented that prior to the project their sanitary service had work done on it and wondered if a discount would be given since less materials were needed for their line than other properties. Lintgen again explained that the assessment calculations for those items are complex and complicated and that no discount could be determined. Reinert also spoke about the poor initial grade and that the final grade was not much better, that he personally took the time to fix the grade on his property. He felt it was not right for him to have to pay for

work that wasn't correctly done and that he had to fix himself. Lintgen stated he would talk to the contractor about the poor grading which appeared to now only be brought to his attention. Reinert later asked what happens to the assessment if they sell their property before the assessment is paid off. Murphy explained that the remaining balance on the assessment would need to be paid at the time of sale.

5. Kevin Ward – 418 Main Street, Ward explained that over the last few months a meeting never materialized with staff to discuss his questions about watermain sizes, sidewalk and drainage, assessments on a commercial property, a mail deposit box, a large rock, and gas main locations. Lintgen stated he could meet with him at his property to go over some of his questions about the rock, and the gas mains at the edge of his property. Lintgen explained that the water and sewer lines are both a six-inch service. He stated it was unfortunate that the sidewalk and drainage which had been done in recent years, needed to be completely replaced to match road grades, provide stormwater drainage and comply with the required pedestrian ramps. Ward also asked if there would be an additional setback required due to the relocation of the gas utility on the city property. Murphy explained that she would check into it and get back to him.

6. Jason Torborg – 1221 1st Street South, Torborg inquired whether partial payments could be made, later in the assessment term, after the 30-day period from the assessment hearing. Murphy stated she would check on the question and report back her findings to him and post it online.

Mayor Heinen called three times for further testimony, after hearing and seeing none he closed the assessment hearing at 7:31 p.m. Councilor Miller expressed her frustration with the comments of the poor quality of work on the boulevard grading. She asked that an agenda item be placed on March 23, 2021 meeting to follow up on, revisit and review the grading and boulevard issues with the homeowners.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO ADOPT RESOLUTION NO. 2020-63, A RESOLUTION ADOPTING THE ASSESSMENTS FOR THE COUNTY ROAD 158 RECONSTRUCTION PROJECT AND WITH THE ADDED LANGUAGE FOR THE BACKES PROPERTY ASSESSMENT. ROLL CALL VOTE, AYES – MILLER, THEISEN, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

VARIANCE REQUEST TO ALLOW A BUILDING TO ENCROACH 12 FEET IN THE RIGHT OF WAY SETBACK

Ron Molitor from Rice Companies presented the variance request for Gold'n Plump. Molitor explained that the additional size of the structure would house a stairwell, elevator and a mechanical room.

MOTION WAS MADE BY KNAPP, SECONDED BY MILLER, TO APPROVE RESOLUTION NO. 2020-64, A RESOLUTION TO APPROVE A VARIANCE TO ALLOW THE PLACEMENT OF A STRUCTURE 12 FEET WITHIN THE RIGHT OF WAY SETBACK AT 851 SAUK RIVER ROAD FOR RICE COMPANIES ON BEHALF OF GOLD'N PLUMP. ROLL CALL VOTE, AYES – MILLER, THEISEN, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

FIRE DEPARTMENT REPORT

A. Monthly Report of Calls

Chief Dan Weber stated that to date they have responded to 426 calls for service. He stated 41 of them have been in November and half of them are COVID-19 related.

PUBLIC WORKS DIRECTOR REPORT

Stueve reported briefly on the agreement being worked on with Cold Spring Brewing Company for the pre-treatment project.

CITY ENGINEER REPORT

A. Request to Approve a Change Order on Well 8 & 9 Overhead Power Project

Lintgen stated that there was a mistake on the design that Stantec completed and the well drop pipe needed to be placed deeper. He stated that Stantec will reimburse the City for the extra costs, but for the work to be covered under the project warranty it would need to be paid by the City.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE THE CHANGE ORDER FOR THE WELLS 8 & 9 OVERHEAD POWER PROJECT AS PRESENTED. ROLL CALL VOTE, AYES – MILLER, THEISEN, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

B. Request to Accept an Easement from the Froehle Family

Lintgen explained that the power poles needed to be moved so that Froehle’s irrigator, which is on the farm field next to the project, would not hit them. He stated that alignment would be adjusted, that there would be no charge for the easement and they would cut the required trees.

MOTION WAS MADE BY MILLER, SECONDED BY THEISEN, TO ACCEPT THE EASEMENT FROM RAY FROEHLE, JULIE FROEHLE AND EDDIE FROEHLE TO ALLOW THE PLACEMENT OF THE POWER POLES FOR THE WELL SITE ON THEIR PROPERTY. ROLL CALL VOTE, AYES – MILLER, THEISEN, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

C. Award Bid for Water Treatment Plant Project

Lintgen stated there were seven total bids and that the bidding market was good. He stated that material costs are up and the low bid of \$5,774,377.00 was over the engineers estimate for the project which was \$5,555,000. He stated he expected a \$100,000 break on tax reimbursements which will bring the base bid down.

MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO APPROVE RESOLUTION NO. 2020-65, A RESOLUTION ACCEPTING THE BIDS AND AWARDING THE WATER TREATMENT PLANT PROJECT TO EAGLE CONSTRUCTION COMPANY, INC., LITTLE FALLS, AS THE APPARENT LOW BIDDER. ROLL CALL VOTE, AYES – MILLER, THEISEN, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

D. Sanitary Lift Station/Water Main Project

Lintgen stated they are wrapping up the design.

CITY ADMINISTRATOR REPORT

A. Monthly Reports

Chief Blum provided a report on the monthly calls for service for October 2020.

B. Other

Chief Blum stated that the department assisted at the recent call at St. John’s University, which ended with the suspect surrendering and being arrested.

C. Memorial Service

Chief Blum stated there will be a wreath ceremony honoring Officer Tommy Decker on November 29th, which is the 8th Anniversary of his death.

CITY ADMINISTRATOR REPORT

A. City Hall New Generator Conversion

Murphy reported that the final step for the new natural gas generator is for the electrical panel to be installed. She stated that there will be a required electrical outage of up to eight hours to make the changes, which is scheduled for December 3rd. She stated that the City Hall building will be closed during that time.

B. Marquee Update

Murphy stated that the sign is now working after being repaired. She stated the repair was a different component than what was originally thought, but the cost was the same. She stated that the connection to the sign is now through WIFI instead of fiber optics.

C. Purchase of Konica Copier

Murphy requested the purchase of a new black and white copier along with a service contract for supplies. She stated that she will monitor the use of the supplies and terminate that part of the contract if necessary.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE THE PURCHASE OF A BLACK AND WHITE KONICA COPIER FROM MARCO FOR A TOTAL OF \$4,800.00, ALONG WITH ENTERING INTO A SERVICE CONTRACT OF \$35.00 PER MONTH, FURTHERMORE, TO BE PAID FROM THE CITY HALL BUILDING BUDGET LINE ITEM 6413, CAPITAL EXPENDITURES. ROLL CALL VOTE, AYES – MILLER, THEISEN, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

D. Closure of Building

Murphy stated she is recommending closure of the City Hall building until further notice since there is a high rate of COVID-19 infections in the community. She stated other area cities have already done the same and that it could be re-evaluated at the December 22nd meeting. She stated that staff would still be working and would assist customers in person as needed. She stated she would contact the branch librarian to inform him of the decision.

MOTION WAS MADE BY MILLER, SECONDED BY KNAPP, TO APPROVE THE CLOSURE OF THE CITY HALL BUILDING THROUGH DECEMBER 22, 2020. ROLL CALL VOTE, AYES – MILLER, THEISEN, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

E. Local Business Assistance

Murphy stated she is checking with Stearns County to see if there are any funds left to provide assistance to businesses that have been shut down by the Governors most recent order.

F. Political Campaign Signs

Murphy reminded residents that political campaign signs for candidates must be taken down ten days after election day.

LIST OF BILLS

MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO REVIEW AND ACCEPT PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$874,621.88 AND SUPPLEMENTAL LIST TOTALING \$6,183.17 PRESENTED BY CITY STAFF. ROLL CALL VOTE, AYES – MILLER, THEISEN, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

ADJOURN

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO ADJOURN AT 8:08 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. ROLL CALL VOTE, AYES – MILLER, THEISEN, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

Dave Heinen, Mayor

Brigid Murphy, City Administrator