

TUESDAY, DECEMBER 13, 2022 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: Mayor Dave Heinen and Council Members Mike Fall, Ryan Hennen and Doug Schmitz. Absent: Fran Ramler. Others present: Kris Dockendorf, Brian Lintgen, Jason Blum, Christi Hoffman, Lois Lieser, Robert Sabo, Andrea Robinson, Phillipe Robinson, Alice Schreifels, Cyril Erkens, John Willenbring, Tina Barak, Paul Waletzko, Stephanie Ferguson, Jim Kraemer, Jane Conrad, Bill Molitor, Aaron Volker, and Joe Jelovnik. Present by video: Jon Stueve, Laura Eysnogle, and Kelly Springer.

OPEN PUBLIC FORUM

Andrea Robinson stated that she could relate to the property damage incident that occurred at the Schreifels home. She stated that no stone should be left unturned and urged the use of external resources for investigation of this crime. She stated that the AdHoc Committee could be reconfigured to be just an Equity Committee that would have no power but make suggestions to the Council to leave a legacy on the future.

Jim Kraemer from the EDA inquired what the status is of the Public Safety Building project. Mayor Heinen explained that the Granite Landing site is currently undergoing a Phase I Environmental Study and that tonight they would be discussing undergoing a Phase II Study.

Alice Schreifels spoke about the December 8th meeting of the AdHoc committee which she stated was contentious and discussed that she was asked to leave and booed. She stated that she would like to unify the community and that free speech should not be stifled in Cold Spring. She urged for equity training and spoke about the property damage incident that occurred at her residence damaging her garage door and vehicle.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY SCHMITZ, SECONDED BY HENNEN, TO APPROVE THE AGENDA OF THE DECEMBER 13, 2022 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 4-0.

CONSENT AGENDA

- A. Minutes – November 22, 2022 Regular Meeting
- B. Resolution No. 2022-34 A Resolution Designating the City of Cold Spring Polling Place for 2023
- C. NWTF – Stearns County Thundering Toms – Application to Conduct Raffle, Form LG220 – March 20, 2023 at The Great Blue Heron

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE THE CONSENT AGENDA AS PRESENTED. MOTION PASSED 4-0.

TRUTH IN TAXATION MEETING FOR 2023 BUDGET AND LEVY

Dockendorf explained that the budget had not been changed since the approval of the preliminary levy. She stated that she did receive updated figures from the County and the levy rate actually went down and not up. Councilor Fall questioned the need to purchase a trailer in the Public Works budget. Other members of the Council were okay with the budgeted purchase and agreed the trailer was needed for safety.

MOTION WAS MADE BY FALL, SECONDED BY HENNEN, TO APPROVE RESOLUTION NO. 2022-35, A RESOLUTION ADOPTING THE FINAL 2023 COLLECTIBLE TAX LEVY, ALONG WITH THE FINAL GENERAL FUND, WATER, SEWER, EDA AND STORM WATER BUDGETS FOR 2023. MOTION PASSED 4-0.

PAUL WALETZKO – PURCHASE TOM DECKER MEMORIAL

Waletzko stated that additional donations had been received for the memorial and he proposed increasing the size of it to life size since there was enough money to cover the costs. He also requested approval to locate the memorial in front of the current City Hall by the flag pole because once it is installed it cannot be moved. The Council discussed that they would move forward with planning to install it at the suggested location for now, with the understanding that the statute wouldn't be installed until May of 2023. Waletzko also stated that he would like to create a mural on the wall of a downtown building which he hopes could be lighted.

MOTION WAS MADE BY SCHMITZ, SECONDED BY HENNEN, TO APPROVE THE INCREASED PRICE OF THE STATUE FOR THE TOM DECKER MEMORIAL FROM BRODIN STUDIOS FROM

\$35,000 TO \$46,000; FURTHERMORE, THAT THE COST OF THE STATUE WILL BE PAID FOR WITH DONATIONS FROM THE TOM DECKER MEMORIAL FOUNDATION. MOTION PASSED 4-0.

REVOLVING LOAN AGREEMENT WITH ROBERT & JULIE SABO

Dockendorf explained that the EDA was recommending approval of a loan to Robert and Julie Sabo in the amount of \$49,999 for a term of seven years with an interest rate of 5%. The funds would be to renovate the building at 113 Main Street. Robert Sabo stated they are also interested in either purchasing or a long term lease for a small strip of land to the east of their property for outdoor seating and green space.

MOTION WAS MADE BY FALL, SECONDED BY SCHMITZ, TO APPROVE THE REVOLVING LOAN AGREEMENT WITH RJS ENTERPRISES, LLC AND AUTHORIZE THE EDA PRESIDENT AND SECRETARY TO SIGN ALL APPROPRIATE DOCUMENTS AS NEEDED. MOTION PASSED 4-0.

REVOLVING LOAN AGREEMENT WITH THE SIDE BAR

Dockendorf explained that Nate Sauer, owner of the Side Bar was not able to make it to the meeting. She stated the EDA was recommending approval of a loan to the Side Bar and Grill in the amount of \$48,000 for a term of five years with an interest rate of 5%. The funds would be to used for interior and exterior renovations.

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE THE REVOLVING LOAN AGREEMENT WITH SIDE BAR & GRILL, INC. AND AUTHORIZE THE EDA PRESIDENT AND SECRETARY TO SIGN ALL APPROPRIATE DOCUMENTS AS NEEDED. MOTION PASSED 4-0.

GRANITE LANDING PHASE I ENVIRONMENTAL STUDY PRESENTATION

Laura Eysnogle from Wendel and Aaron Volker from Braun Intertec presented the Phase I Environmental Study. Volker spoke about the history of the property and the recognized environmental conditions on the property including soil vapor samples with volatile organic compounds and underground gasoline storage tanks. He stated they are recommending undergoing a Phase II Environmental Report which takes five to eight weeks and consists of drilling and analytical testing at a cost of \$15,075.

TINA BARAK – INCLUSION & EQUITY COMMITTEE DISCUSSION

Tina Barak stated that she had provided information to the Council about the AdHoc committee members with eight of them either being residents or working in Cold Spring. She stated that she had also provided responses to other questions the Council had about a GARE membership. She stated that she had invited Rockville and Richmond to the AdHoc committee meetings. Councilor Fall stated that he will follow-up with trying to engage the Rocori School District too. He also stated that the League of Minnesota Cities offers non-bias and equity training. Councilor Hennen stated that he had experience with GARE and that he found the training insightful. After some discussion the Council was in agreement that training will be beneficial and directed staff to get specific information from the League of MN Cities on the trainings they offer.

PUBLIC WORKS DIRECTOR REPORT

A. Discuss Wakefield Township Road Meeting

Stueve explained his plan for Kris Dockendorf, Pete Weber and himself to meet with representatives from the township to discuss the road maintenance agreement. John Willenbring and Cyril Erkens, Wakefield Township Board members were present and talked about road maintenance and wanting to provide input on improvements to 3rd Ave SE. After some discussion the Council agreed to appoint Councilor Schmitz to also serve as a Council representative at the proposed meeting since it was apparent that it was more than just road maintenance that would need to be discussed.

MOTION WAS MADE BY FALL, SECONDED BY HENNEN, TO APPOINT COUNCILOR SCHMITZ TO PARTICIPATE WITH KRIS DOCKENDORF, JON STUEVE AND PETE WEBER IN MEETINGS WITH WAKEFIELD TOWNSHIP REPRESENTATIVES ABOUT TOWNSHIP ROAD MAINTENANCE AND FUTURE IMPROVEMENTS. MOTION PASSED 4-0.

CITY ENGINEER REPORT**A. Project updates**

Lintgen stated that the 2022 Brewery Sanitary Improvements have been wrapped up until spring since the bridge piers have been installed. Lintgen stated that pre-cast walls and roof panels are up at the Industrial Wastewater Pretreatment Plant. Lintgen stated that they discussed Rockville's additional capacity needs for the Wastewater Treatment Facility and that they are planning tours to look at the facilities in Big Lake, Monticello and St. Cloud. Lintgen stated that they are beginning the startup process for the Water Treatment Plant.

B. Water Treatment Plant Change Order Request No. 5

Lintgen explained that the proposed Change Order extends the completion dates for the project to March 4, 2023 for substantial completion and to June 16, 2023 for final completion.

MOTION MADE BY SCHMITZ, SECONDED BY HENNEN, TO APPROVE CHANGE ORDER NUMBER FIVE FOR THE WATER TREATMENT PLANT. MOTION PASSED 4-0.

C. Presentation of Feasibility Report for the 2023 Improvements Project

Lintgen discussed the addition of the section of area on 2nd Street North from 5th Avenue North to Red River Avenue to the project. He stated that the assessments for the project had been updated and included in the Feasibility Report.

MOTION WAS MADE BY FALL, SECONDED BY SCHMITZ, TO ADOPT RESOLUTION NO. 2022-23, A RESOLUTION ACCEPTING THE FEASIBILITY REPORT AND CALLING FOR AN IMPROVEMENT HEARING FOR THE 2023 IMPROVEMENTS PROJECT. MOTION PASSED 4-0.

D. Discuss Lift Station #1 Rehab

Lintgen reported that Lift Station #1 is the main lift station in town handling the majority of the flow from the system. He stated that the station has reached the design on it and that improvements are needed. He stated that a new lift station could be built just to the south of the current one and suggested a timeline of planning and design in 2023, with construction completion in 2024. The Council discussed if there was money being budgeted for this improvement and Stueve stated that it has been talked about during budget discussions for two years.

POLICE DEPARTMENT REPORT**A. Updates**

Chief Blum gave an update on the monthly calls for October. He stated that the garage heater had quit working in the only heated storage space for the squad cars. He stated that the heater was not able to be repaired and would need replacement. He stated he had obtained one quote for replacement at a cost of \$2,873. He proposed getting another quote and then requested authorization to proceed with the lower quote since a frigid cold snap was expected soon.

MOTION WAS MADE BY SCHMITZ, SECONDED BY FALL, TO AUTHORIZE THE CHIEF OF POLICE TO OBTAIN ANOTHER QUOTE FOR THE GARAGE HEATER REPLACEMENT AND TO PROCEED WITH THE LOWEST QUOTE FOR THE WORK. MOTION PASSED 4-0.

CITY ADMINISTRATOR REPORT**A. Schedule Special Workshop Meeting**

Dockendorf proposed a special workshop meeting to discuss the employee contract renewals.

MOTION WAS MADE BY SCHMITZ, SECONDED BY FALL, TO HOLD A SPECIAL WORKSHOP MEETING ON DECEMBER 28, 2022 AT 4:30 P.M. MOTION PASSED 4-0.

B. CEDA Consultant

Dockendorf explained that the President of CEDA had attended the last EDA meeting to discuss their consultant services. They discussed the high turnover of consultant staff and CEDAs efforts to try to find staff that are more local that will hopefully stay longer. The contract being discussed would be for five days a

month at a cost of \$29,150 for a year. CEDA stated they would start looking for a consultant and would get back to the City when they had one.

C. Proposed Ordinance No. 403 Amending the Fee Schedule

Dockendorf explained several changes to the Fee Schedule for 2023 including electronic payments, park rentals and deposits, street sweeping, refuse licenses, event security and water turn on fee. Dockendorf explained that the water turn on fee increase from \$50.00 to \$100.00 is mainly when a utility customer requests to have their water shut off when going out of town for several months. She stated that staff only implements shutting off water for non-payment as a last resort, which only happens two to three times a year.

D. Brewery Agreement

Dockendorf presented a red-lined version of the amendment to the agreement with Cold Spring Brewing Company. The Council discussed several of the changes including language for rate adjustment increases and approvals for change orders. The Council directed Dockendorf to discuss the amendments with the City Attorney.

LIST OF BILLS AND ADDITIONS

MOTION WAS MADE BY FALL, SECONDED BY SCHMITZ, TO REVIEW AND ACCEPT PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$1,110,816.23 AND SUPPLEMENTAL LIST TOTALING \$10,258.15 AS PRESENTED BY CITY STAFF. MOTION PASSED 4-0.

GENERAL COMMENTS AND QUESTIONS

Councilor Fall stated that he proposed an amendment to the July 12, 2022 City Council meeting minutes. He stated that there was some information that was left out of the minutes, that the audio tape should be reviewed and the minutes amended.

CLOSED SESSION

At 8:41 p.m. Mayor Heinen announced that the meeting would be closed pursuant to Minnesota State Statute 13D.05 Subd. 3(c) 3 to consider an offer to purchase property in the City of Cold Spring specifically parcel PID 48.29401.0016.

OPEN SESSION

Mayor Heinen re-opened the meeting at 8:57 p.m.

MOTION WAS MADE BY FALL, SECONDED BY SCHMITZ TO PURCHASE PARCEL 48.29401.0016 FROM COLDSRING USA FOR THE ASKING PRICE OF \$250,000; IN ADDITION, TO ABATE THE OUTSTANDING ASSESSMENT BALANCE OF \$32,953.76, WITH THE UNDERSTANDING THAT COLDSRING WILL PAY FOR THE PHASE 2 ENVIRONMENTAL STUDY AND ANY NEEDED REMEDIATION FOR THE PROPERTY. MOTION PASSED 4-0.

ADJOURN

MOTION WAS MADE BY SCHMITZ, SECONDED BY HENNEN TO ADJOURN AT 8:58 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 4-0.

David Heinen, Mayor

Kris Dockendorf, City Administrator