

## **WEDNESDAY, DECEMBER 13, 2023 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, Fran Ramler, and Doug Schmitz. Absent: None. Others present: Kris Dockendorf, Laura Eysnogle, Jason Blum, Dan Weber, Gary Traut, Rylan Sabo, Brynn Sabo, Jon Stueve, Sam Butler, Kory Bellmont, Shannon Humbert, Tina Barak, and Joe Jelovnick.

### **APPROVAL OF THE AGENDA**

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE THE AGENDA OF THE DECEMBER 13, 2023 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 5-0.

### **CONSENT AGENDA**

- A. Minutes – September 6, 2023 Special Meeting and November 22, 2023 Regular Meeting
- B. Approval for Adaptive Day at the Sledding Hill on Saturday, February 3, 2024 and Sunday, February 25, 2024 and to allow use of approved motorized vehicles on these two days to provide transportation for adaptive sled users

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

### **TRUTH IN TAXATION MEETING FOR 2024 BUDGET AND LEVY**

Dockendorf explained that the budget had not been changed since the approval of the preliminary levy. She stated that staff did receive updated figures from the County and the levy rate went down from the original 9.51% increase but due to property values also increasing most property owners will still see approximately that amount of an increase.

MOTION WAS MADE BY HENNEN, SECONDED BY SCHMITZ, TO APPROVE RESOLUTION NO. 2023-37, A RESOLUTION ADOPTING THE FINAL 2024 COLLECTIBLE TAX LEVY, ALONG WITH THE FINAL GENERAL FUND, WATER, SEWER, EDA AND STORM WATER AND PRE-TREATMENT FACILITY BUDGETS FOR 2024. MOTION PASSED 5-0.

### **HEARING ON DELINQUENT ACCOUNTS**

Mayor Heinen opened the hearing at 6:05 p.m. He called three times for comments, after hearing and seeing none, the hearing was closed at 6:06 p.m. Councilor Schmitz inquired if there is a fee from Stearns County to add an assessment onto a property. Dockendorf explained that the City does have to pay a fee and the City Attorney advised that this fee could be passed along to the property owner being assessed but it would need to be on the fee schedule. She stated she would look at adding that fee to the 2025 fee schedule since it was too late to add it to the 2024 fee schedule due to the posting deadlines. She stated that payment for either of these delinquent accounts would be accepted until the end of the year.

MOTION WAS MADE BY SCHMITZ, SECONDED BY RAMLER, TO CERTIFY ASSESSMENTS FOR DELINQUENT UTILITY ACCOUNTS FOR THE FOLLOWING: PARCEL ID 48.29874.0000 IN THE AMOUNT OF \$465.92, AND PARCEL ID 48.29401.0238 IN THE AMOUNT OF \$1,131.40. MOTION PASSED 5-0.

### **PRESENTATION OF BUDGET FOR FIRE HALL CONSTRUCTION**

Laura Eysnogle from Wendel and Gary Traut from Donlar were present to discuss the budget for the Fire Hall construction project. Eysnogle gave a brief re-cap of previous stages and stated that they have reached the end of schematic design. She described the programming areas of the 16,500 square foot facility including the public zone, training, administration, personal decontamination, apparatus support and the five apparatus bays. Gary Traut explained the budget for the project totaling \$8,586,066. Eysnogle described the next steps for the project, which are additional tasks that are required for the USDA loan application process. They include additional environmental and historical studies of the property, which other entities have several months to review. She stated it can be time consuming and cumbersome as they have undergone these processes on other municipal building projects. She added that it is worthwhile due to the low interest rates and long loan periods offered by USDA loans. She added that the next stage for the project would be design development and then the project could be bid in the fall.

**ENVIRONMENTAL ASSESSMENT APPROVAL**

Laura Eysnogle from Wendel reiterated the environmental assessment process and stated that they would likely have it done by mid-February and that depending on what is found there could be a six-month waiting period to hear back from environmental agencies but that they could still proceed on the project during that time.

MOTION WAS MADE BY FALL, SECONDED BY RAMLER, TO APPROVE HIRING WENDEL COMPANIES TO PREPARE AN ENVIRONMENTAL ASSESSMENT FOR THE FIRE STATION PROPERTY AT A COST OF \$5,500, AS REQUIRED FOR THE APPLICATION OF A USDA LOAN. MOTION PASSED 5-0.

**RYLAN SABO FFA PRESENTATION ON LOOKOUT PARK PROJECT**

Rylan Sabo and Brynn Sabo presented information on the clean up project at Lookout Park. They explained that they were pleased with their progress this year and are looking forward to starting up again in the spring. They removed 15 loads of buckthorn and 600 pounds of garbage from the park with the help of 31 volunteers, totaling 515-man hours. Rylan Sabo stated there are grant funds for park hour signs, which he recommended would be sunrise to sunset, and requested that the gates be closed during the winter season, which will hopefully deter vandalism and after park hours use of the property. He also provided the City with a binder full of information about the park and the continued progress on it.

**JOINT RESOLUTION FOR ANNEXATION OF SPARTAN FIELDS PROPERTY**

Kory Bellmont and Shannon Humbert were present representing Spartan Fields. Dockendorf explained that Wakefield Township had approved the resolution and if approved tonight, it would then be sent to the State for approval.

MOTION WAS MADE BY HENNEN, SECONDED BY RAMLER, TO APPROVE THE JOINT RESOLUTION FOR DESIGNATION OF CERTAIN LAND AND THE IMMEDIATE ANNEXATION OF ENTIRE DESIGNATED AREA FOR SPARTAN FIELDS. MOTION PASSED 5-0.

**UPDATE ON AD-HOC COLD SPRING HISTORY EVENT**

Tina Barak provided an update on the recent Ad-Hoc Committee history event which was a presentation on Indigenous People of Our Area. She stated there were 25 attendees and thanked Kelly Springer for the rental of the facility and Michael Nistler for cooking the food. She stated that they learned that this was a transition area that the Dakota and Ojibwe fought over for many years. She stated they are taking suggestions for a future event and always welcome new members.

**ORDINANCE NO. 409: AN ORDINANCE CREATING A FEE FOR THE DISPOSAL OF CONTAMINATED WATER AND AMENDING THE FEE SCHEDULE**

Dockendorf explained that she had posted the proposed changes to the fee schedule including a new fee for the disposal of contaminated water. The Council discussed the proposed changes and debated whether use of equipment from Public Works should even be an option. They also discussed if the hourly fee also includes a staff member to operate it, and if so, the rates should be increased. Stueve stated there are possible situations that come up where the street sweeper and jetter are billed out for non-city uses and that could include emergency situations in the future for disasters. He stated that in those situations insurance companies generally will pay a fee if there is one established. After further discussion it was agreed by unanimous consent to bring the fee schedule back to the next meeting after it has been revised.

**RESOLUTION NO. 2023-34 DECERTIFICATION OF SUPERVALU TIF DISTRICT 5-2**

Dockendorf explained that this TIF District was created in 1998 and has now reached it's 25-year term.

MOTION WAS MADE BY RAMLER, SECONDED BY HENNEN, TO APPROVE RESOLUTION NO. 2023-34, DECERTIFICATION OF TAX INCREMENT FINANCING DISTRICT NUMBER 5-2 (SUPERVALU), EFFECTIVE DECEMBER 31, 2023, FOR TAXES PAYABLE IN 2024. MOTION PASSED 5-0.

**ACCEPT RESIGNATION OF FIREFIGHTER**

MOTION WAS MADE BY RAMLER, SECONDED BY SCHMITZ, TO ACCEPT THE RESIGNATION OF FIREFIGHTER MICHAEL LANG, EFFECTIVE DECEMBER 15, 2023 AND THANK HIM FOR HIS 20 YEARS OF SERVICE ON THE COLD SPRING FIRE AND RESCUE DEPARTMENT. MOTION PASSED 5-0.

**PUBLIC WORKS DIRECTOR REPORT**

**A. Approve Survey Work for 2024 Main Street Improvements**

Stueve stated the first step in the process for the improvements project is to have the elevations completed by a surveyor. He requested that this work be done now before there is snow.

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE HIRING O'MALLEY & KRON TO DO ELEVATIONS AND SURVEY WORK FOR THE 2024 MAIN STREET IMPROVEMENTS PROJECT. MOTION PASSED 5-0.

**B. Lights at Open Skating Rink**

Stueve stated that when weather conditions are favorable the rink will be flooded. He stated that five of the six lights at the skating rink were burnt out and cost \$200 each to replace the current style of lights. He stated there is \$6,000 available in the 2023 Parks budget and proposed switching those lights to LED bulbs.

MOTION WAS MADE BY RAMLER, SECONDED BY HENNEN, TO APPROVE THE INSTALLATION OF SIX LED LIGHT FIXTURES AND BULBS FOR THE OPEN SKATING RINK AT PIONEER PARK FROM FABER ELECTRIC AT A COST OF \$3,363.00; FURTHERMORE, TO BE PAID FOR OUT OF PARKS DEPARTMENT EQUIPMENT REPAIRS AND UPKEEP 11-65-66-6313. MOTION PASSED 5-0.

**CITY ENGINEER REPORT**

**A. Water Treatment Plant Change Order #7**

Butler described the eight items that were on Change Order #7 for the Water Treatment Plant.

MOTION WAS MADE BY RAMLER, SECONDED BY HENNEN, TO APPROVE CHANGE ORDER #7 FOR THE WATER TREATMENT PLANT FOR VALVING/WIRING REVISIONS, BACKWASH POND CLEANING, AND WELL #4 REHABILITATION. MOTION PASSED 5-0.

**B. Industrial Wastewater Pretreatment Change Order #2**

Butler stated that Cold Spring Brewing Company has been made aware of the change order and costs.

MOTION MADE BY HENNEN, SECONDED BY SCHMITZ, TO APPROVE CHANGE ORDER #2 FOR THE INDUSTRIAL WASTEWATER PRETREATMENT FACILITY FOR ELECTRICAL/CONTROL REVISIONS, FENCING, AND SOIL DISPOSAL. MOTION PASSED 5-0.

**C. Maintenance Building Engineering Proposal**

Butler presented the proposal from Stantec Architecture for architectural and engineering services for the Maintenance Building. Councilor Ramler stated he was against it for right now because there are too many other building projects going on right now and the City needs to catch up first before starting another one. Councilor Fall stated that on the Fire Hall project the architectural work is only 6% of the project, whereas this proposal would be 20% of the project cost. Councilor Schmitz inquired if the current Maintenance Building could be kept where it is and if the aeration basins could be planned for a different location. The Council agreed that they'd like to see a break down of the costs of the proposal and like to see it lower.

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE THE PROPOSAL FROM STANTEC ARCHITECTURE FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE COLD SPRING MAINTENANCE BUILDING AT A COST NOT TO EXCEED \$218,800, PLUS REIMBURSABLE EXPENSES. MOTION FAILED 0-5.

**D. Project Updates**

Butler gave a brief update on engineering related items. He explained that for the 2024 Main Street project

some of the work area is in MnDOT right of way and therefore discussions need to be had with them about the project. He stated that is why the survey work is being requested to be done now so that it can be used in those discussions which may be lengthy. Stueve stated that the State's right of way is wider than normal in that area, in addition there are groundwater issues they need to resolve before the City would accept Cityview Road from MnDOT. Stueve stated that there might be an opportunity for portions of this project to be paid by MnDOT.

#### E. Other

Butler stated that a pre-construction meeting is scheduled for January for the Lift Station #1 project.

### **POLICE DEPARTMENT REPORT**

#### A. Agreement with City of St. Cloud for Legal Prosecution Services

Chief Blum presented the Joint Powers Agreement which had been reviewed by the City Civil Attorney with one minor revision. He stated if approved tonight the St. Cloud City Council would consider its approval at their next meeting and if approved, then the transition will start for the beginning of contract on January 1. MOTION WAS MADE BY FALL, SECONDED BY SCHMITZ, TO APPROVE THE JOINT POWERS AGREEMENT FOR LEGAL PROSECUTION SERVICES WITH THE CITY OF ST. CLOUD, EFFECTIVE JANUARY 1, 2024; FURTHERMORE, TO AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO SIGN THE AGREEMENT ON BEHALF OF THE CITY OF COLD SPRING. MOTION PASSED 5-0.

### **CITY ADMINISTRATOR REPORT**

#### A. Earned Sick and Safe Time Policy

Dockendorf presented the policy for Earned Safe and Sick Time, which had been discussed during previous meetings.

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE THE EARNED SICK AND SAFE TIME POLICY, EFFECTIVE JANUARY 1, 2024. MOTION PASSED 5-0.

#### B. Jennifer Bluske Petition and Waiver Agreement

Dockendorf explained that a petition and waiver agreement was necessary to adopt the assessment for the project. She stated that the work has already been completed due to inclement weather approaching quickly. MOTION WAS MADE BY HENNEN, SECONDED BY SCHMITZ, TO APPROVE THE PETITION AND WAIVER AGREEMENT WITH JENNIFER BLUSKE FOR THE CONSTRUCTION OF STORM WATER IMPROVEMENTS ON HER PROPERTY, AND TO AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO SIGN THE AGREEMENT ON BEHALF OF THE CITY OF COLD SPRING. MOTION PASSED 5-0.

#### C. Resolution No. 2023-25 Adopting Jennifer Bluske Assessment

MOTION WAS MADE BY FALL, SECONDED BY HENNEN, TO APPROVE RESOLUTION NO. 2023-35, ADOPTING AN ASSESSMENT FOR THE JENNIFER BLUSKE STORM WATER PROJECT. MOTION PASSED 5-0.

#### D. Discuss Replacement of Czech Window and Doors

Dockendorf explained that a request was submitted by Czech to replace all of the remaining windows on her home and two doors. In 2021, all of her bedroom windows were replaced. Stueve stated that staff explained to Czech that a better solution would be to plant trees along the roadway to reduce the noise from County Road 2 and the Cold Spring Brewing Company Warehouse. Czech had told staff that she has no way to water trees. There is approximately \$20,000 remaining in the noise and light mitigation escrow fund. Councilor Ramler inquired whether a decibel reading had been measured and staff indicated no. MOTION WAS MADE BY FALL, SECONDED BY HENNEN, TO DENY THE REQUEST FROM CZECH FOR ADDITIONAL WINDOW AND DOOR REPLACEMENTS. ROLL CALL VOTE, AYES – HEINEN, HENNEN, FALL AND SCHMITZ, NAYES – RAMLER. MOTION PASSED 4-1.

**E. City Administrator COLA Increase**

MOTION WAS MADE BY RAMLER, SECONDED BY FALL, TO GRANT THE CITY ADMINISTRATOR A COST-OF-LIVING INCREASE OF 3% EFFECTIVE JANUARY 1, 2024, PURSUANT TO THE RECOMMENDATION MADE AT HER ONE-YEAR PERFORMANCE REVIEW. MOTION PASSED 5-0.

**F. Other**

Dockendorf informed the Council that the EDA had discussed and approved reducing the CEDA contract for 2024 to one day a week for a total of four times a month. She stated that since the Business Park is full and there haven't been any revolving loan applications, there was not a need to have five days a month as was done in 2023.

**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 \$1,215,286.95 AND SUPPLEMENTAL LIST TOTALING \$346,181.99 AS PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

At 8:13 p.m. the Council took a short break to re-situate for the workshop portion of the meeting.

**WORKSHOP SESSION TO DISCUSS COMPENSATION STUDY**

The City Council discussed doing a request for proposals for a compensation study for the employees. They reviewed the study done in 2022 by David Drown Associates, and what they would like to do different this time. Besides wage information, they stated that they want to see a comprehensive benefit comparison and inclusion of cities in our area that were left out of the last study, as well as cities with similar tax capacities. They would also like to see a breakout of the cost of each benefit, and a total cost for wages plus benefits. For the wage scale, the number of steps and how big they are needs to be looked at. The point values for each job should also be reevaluated. They directed the City Administrator to put together an RFP that includes all these items.

**ADJOURN**

MOTION WAS MADE BY FALL, SECONDED BY HENNEN TO ADJOURN AT 8:53 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 5-0.

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David Heinen, Mayor

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Kris Dockendorf, City Administrator