

TUESDAY, DECEMBER 22, 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: Mayor Dave Heinen. Present by video: Council Members Jayme Knapp, Doug Schmitz and Gary Theisen. Absent: Shannon Miller. Others present: Brigid Murphy, Marlene Dingmann, Jim Eiyneck, Dennis Lacquay, Kris Dockendorf, Fran Ramler, Paul Braegelmann and Angie Mueller. Others present by video/phone: Cyril Erkens, Brian Lintgen, Jason Blum, Andy Juelich, Jim Schmitz, Jan Schmitz, Jon Stueve and Dan Weber.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY THEISEN, SECONDED BY SCHMITZ, TO APPROVE THE AGENDA OF THE DECEMBER 22, 2020 CITY COUNCIL MEETING AS PRESENTED. ROLL CALL VOTE, AYES – THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA

A. Minutes – December 8, 2020

B. Resolution No. 2020-73, a Resolution Accepting Donations

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

PRESENTATION OF 2020 UTILITY RATE STUDY

Finance Director Kris Dockendorf presented the utility rate study for 2020. She stated that no increases are planned for utility rates, except for the raw water rate which applies only to Cold Spring Brewing Company. MOTION WAS MADE BY THEISEN, SECONDED BY SCHMITZ, TO ENDORSE THE 2020 UTILITY RATE STUDY AS PRESENTED. ROLL CALL VOTE, AYES –THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

ORDINANCE NO. 382, ADJUSTING THE RAW WATER RATE

Murphy explained that five years ago the City agreed to provide raw water to Cold Spring Brewing Company from Well #5, and this is the final rate adjustment for the agreement. She stated the rate increase is to \$1.00 per thousand gallons of raw water.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE ORDINANCE NO. 382, AN ORDINANCE ADJUSTING THE RAW WATER RATE. ROLL CALL VOTE, AYES –THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

BUDGET AMENDMENTS

Dockendorf stated that this year there were more budget amendments needed than other years due partly to unexpected loss of revenue and additional expenditures from the CARES Act funds. She stated that the amendments are necessary to comply with auditing requirements. She stated that she estimates there will be a \$80,000-\$90,000 surplus in the General Fund for 2020.

MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO APPROVE THE AMENDMENTS TO THE REVENUE AND EXPENDITURE BUDGETS AS PRESENTED. ROLL CALL VOTE, AYES – THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

RESOLUTION NO. 2020-69, A RESOLUTION GRANTING A VARIANCE FOR WALL SIGNS

Andy Juelich, Operations Manager for Cold Spring Brewing Company explained the request for a variance to install unlit wall signage on the north, south and east sides of their new warehouse building. Murphy explained that the zoning ordinance allows for only a 100 square foot wall sign in the I-2 General Industrial District, although it does allow for a maximum sign area based on lineal right of way frontage with a maximum of one square foot per lineal foot of street frontage. Juelich explained the requested signs are 344 square feet for the sign facing the east and 311 square feet for each of the signs facing the north and south. MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO APPROVE RESOLUTION NO. 2020-69, A RESOLUTION GRANTING A VARIANCE FOR WALL SIGN INSTALLATION AT 1601 CO RD 2, COLD SPRING. ROLL CALL VOTE, AYES –THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

ESCROW ACCOUNT DISCUSSION FOR MITIGATION FROM WAREHOUSE

Murphy reported that \$40,000 had been deposited with the City for the purpose of mitigating issues with the Brewery's new warehouse. Murphy stated that at the Planning Commission hearing for the sign variance neighbors had brought up issues with the warehouse which the Commission felt would be better addressed by the Council. Several of the neighbors were now present at the meeting to discuss their concerns. First to speak was Cyril Erkens, he stated that he was grateful for the efforts already taken since the last meeting, to dim the lights on the warehouse building which shine towards his home. He stated that semi truck headlights continue to be an issue shining to the north, parallel to the warehouse and into the homes on 241st street. Next, Marlene Dingmann spoke about her concerns including traffic, noise and lighting. She requested funds to install noise blocking windows in their bedrooms and fencing. She stated she was also representing Patty Czech who was requesting a row of pine trees to be planted on her property and construction of a four season porch. Paul Braegelmann stated his concerns about the semi truck lights shining into his house and suggested a six-foot berm to block the headlights. Murphy reported that she did share the neighbors concerns from the Planning Commission meeting with Cold Spring Brewing Company. She stated they have already installed dimmers on the exterior lights on the warehouse building to reduce the directional shine of the lights. She stated that discussions are in progress with Stearns County to increase road signage to prohibit engine brake noises from semi trucks. Councilor Knapp suggested appointing two members of the Council to serve on a committee with City staff to meet with the neighbors to develop a plan and gather suggestions on how to best spend the mitigation funds, which could then be recommended to the full Council for approval. Mayor Heinen stated he would be interested in being on that committee and the Council agreed to discuss it at their next meeting.

ORDINANCE NO. 381 A ZONING TEXT AMENDMENT – GRANITE COMMUNITY BANK

Jim Eiyneck from Granite Community Bank explained their request for a zoning text amendment to allow for daycare centers serving 14 or more persons, to be a Special Use in the C-1 Downtown District. He stated that the bank owns the parcels at 301 Main Street, 19 3rd Avenue North and 21 3rd Avenue North which are in the C-1 zoning district.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVE ORDINANCE NO. 381, AN ORDINANCE AMENDING SECTION 4, SUBDIVISION 8, THE USE TABLE OF THE ZONING ORDINANCE OF COLD SPRING. ROLL CALL VOTE, AYES –THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

RESOLUTION NO. 2020-68, A RESOLUTION APPROVING OF A SPECIAL USE PERMIT

Dennis Lacquay from DKL and Associates LLC explained their request for a Special Use Permit to allow a mixed-use building with a commercial daycare and residential apartments at a property in the C-1 Downtown Commercial Zoning District.

MOTION WAS MADE BY SCHMITZ, SECONDED BY THEISEN, TO APPROVE RESOLUTION NO. 2020-68, A RESOLUTION APPROVING OF A SPECIAL USE PERMIT TO OPERATE A LICENSED DAYCARE FACILITY SERVING MORE THAN 14 PEOPLE IN THE C-1 DOWNTOWN COMMERCIAL DISTRICT. ROLL CALL VOTE, AYES –THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

FIRE DEPARTMENT REPORT

Chief Weber explained that the department's fiscal year ended on November 30th and they ended that year with 438 calls for service. He stated that there were 51 calls in November alone. He stated that December is quite busy also with 34 calls to date. He stated that five members of the department are going through EMT training through the St. Cloud Technical College and that two members are taking the Firefighter I and Firefighter II training classes.

PUBLIC WORKS DIRECTOR REPORT

Stueve explained the plan for opening the skating rink this year. He stated with the newest COVID-19 restrictions staff had recommended not hiring skating rink attendants and instead putting the rink lights on a

timer so that they automatically shut off when the rink is closed. He stated that benches will be moved outdoors, under the overhang on the north side of the shelter, for skaters to put on and remove their skates. He stated this hands off approach will make things more efficient and keep everyone safe at the same time. He stated the rink will be flooded by or just after Christmas depending on weather conditions.

CITY ENGINEER REPORT

A. Request to Approve a Change Order 1 for the Wells 8 & 9 Overhead Power Project

Lintgen explained the change order to reinforce the foundation for Pole No. 16, which was set in a vertical culvert and backfilled with rock. He added that the location was moved closer to the drainage ditch in order to avoid the irrigator. He added that the overhead power is all wired up and that next week pressure tests will be done. After that, the main will be flushed and hooked up to Cold Spring Brewing Company in January.

MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO APPROVE CHANGE ORDER 1 FOR THE WELLS 8 & 9 OVERHEAD POWER PROJECT. ROLL CALL VOTE, AYES –THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

B. Project Updates

Lintgen explained that the contracts for the Water Treatment Plan have been signed and the project will be ready for the spring. He stated that design work is wrapping up for the Sanitary Sewer and Water System Improvements and for the Industrial Wastewater Pretreatment Project. Both will be submitted to staff for review and comments.

POLICE DEPARTMENT REPORT

A. Request to Purchase Aladtec Scheduling Software

Chief Blum explained the requested scheduling software purchase is included in the 2021 budget.

MOTION WAS MADE BY THEISEN, SECONDED BY SCHMITZ, TO APPROVE THE PURCHASE OF ALADTEC SCHEDULING SOFTWARE FOR \$2,995.00, AND FURTHERMORE, TO BE PAID OUT OF THE 2021 BUDGET LINE ITEM SUPPORT SERVICES #6123. ROLL CALL VOTE, AYES –THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

B. Donations

Chief Blum thanked Cheryl Kubiak and Mary Terhaar for their donations to the police department.

C. Monthly Reports

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

C. Watchguard Squad Video Camera Software

Chief Blum stated that the Watchguard company had recently been bought out by Motorola and sent a notice that the departments current software, which is six years old, will no longer be supported or serviced after the end of this year. He stated that he has just received estimates on moving forward with an upgrade to the system which details two main options, one is cloud based and the other is on-site server based. He stated that this upgrade was not budgeted for in 2021 and he is still getting the finer details on each option along with exact cost figures. Councilor Schmitz inquired if the latest allocation of funds from the governor could be spent for this purchase, to which Murphy stated she was unsure but would look into the matter for the next meeting with the Chief for a plan on how to fund the purchase since it is a critical piece of equipment.

CITY ADMINISTRATOR REPORT

A. Resolution No. 2020-70, a Resolution Certifying Completion of Granite Ledge Plat 3

Murphy explained that there are two outlots that were owned by A&D Backes, one in Maple Ridge and one in Granite Ledge Plat 3. She stated the outlots, which are buildable lots, are in the process of being sold and the title company is requesting a certificate of compliance for both plats stating that they have met the duties and responsibilities of the respective subdivision agreements.

MOTION WAS MADE BY SCHMITZ, SECONDED BY THEISEN, TO APPROVE RESOLUTION NO. 2020-70, A RESOLUTION CERTIFYING COMPLETION OF GRANITE LEDGE PLAT 3. ROLL CALL

VOTE, AYES –THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

B. Resolution No. 2020-71, a Resolution Certifying Completion of Maple Ridge
MOTION WAS MADE BY THEISEN, SECONDED BY SCHMITZ, TO APPROVE RESOLUTION NO. 2020-71, A RESOLUTION CERTIFYING COMPLETION OF MAPLE RIDGE. ROLL CALL VOTE, AYES –THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

C. Resolution No. 2020-72, a Resolution Authorizing Sale of Real Property
Murphy stated that Cold Spring Brewing Company has accepted the City’s sale price of \$8,000 for the well house site to the east of their downtown facility, south of their employee parking lot.
MOTION WAS MADE BY KNAPP, SECONDED BY SCHMITZ, TO APPROVE RESOLUTION NO. 2020-72, A RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY. ROLL CALL VOTE, AYES –THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

D. Closure of Building
Murphy explained that the governor has extended the current restrictions until January 18th, although the school district is planning on resuming in person classes on January 11th. She suggested either keeping the city hall building closed until January 4th or January 11th.
MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE THE CLOSURE OF THE CITY HALL BUILDING AND RE-OPENING ON JANUARY 11, 2021. ROLL CALL VOTE, AYES – THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

E. RFP for Construction Manager
Murphy stated that the requests for proposals for a construction manager are due on December 29, 2020. She suggested having a Council workshop on January 6th at 5 p.m. to go over the proposals and determine which firms will be interviewed at the January 12th meeting. She stated that the City Attorney will be available for the workshop to help go through the proposals since there will be construction managers at risk and construction managers as agents.

LIST OF BILLS

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO REVIEW AND ACCEPT PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$594,796.86 AND SUPPLEMENTAL LIST TOTALING \$28,814.09 PRESENTED BY CITY STAFF. ROLL CALL VOTE, AYES –THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

ADJOURN

MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO ADJOURN AT 7:42 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. ROLL CALL VOTE, AYES – THEISEN, SCHMITZ, KNAPP AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

Dave Heinen, Mayor

Brigid Murphy, City Administrator