

TUESDAY, FEBRUARY 24, 2015 COLD SPRING CITY COUNCIL MINUTES

Mayor Robert R. Thelen called the meeting to order at 6:30 p.m. The following members were found to be present: Mayor Robert R. Thelen and Council Members Fran Ramler and Dave Heinen. Absent: Jan Dingmann. Others present: Chris Boucher, Craig Kritzeck, Frank Rajkowski, Lance Weber, JoAnn Thelen, Doug Schmitz, Jayme Knapp, Ann Harren, Bill Thelen, Heidi Stalboerger, Jeremy Mathiasen, Jeff Miller, Jodi Teich, Michelle Gaulak, Kevin Janssen, Paul Hoeschen, Chuck Krebsbach, Joe Furman, Tom Jovanovich and Angie Mueller.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY RAMLER, SECONDED BY HEINEN, TO APPROVE THE AGENDA OF THE FEBRUARY 24, 2015 CITY COUNCIL MEETING. MOTION PASSED 3-0.

CONSENT AGENDA

A. Minutes – February 10, 2015, September 5, 2014 & August 7, 2014

MOTION WAS MADE BY HEINEN, SECONDED BY RAMLER, TO APPROVE THE MINUTES OF THE FEBRUARY 10, 2015, SEPTEMBER 5, 2014 AND AUGUST 7, 2014 CITY COUNCIL MEETINGS AS PRESENTED. MOTION PASSED 3-0.

B. Ordinance No. 336

MOTION WAS MADE BY HEINEN, SECONDED BY RAMLER, TO APPROVE ORDINANCE NO. 336 AMENDING THE CITY CODE OF COLD SPRING BY CHANGING THE REGULAR SCHEDULED MEETING DATES OF THE CITY COUNCIL. MOTION PASSED 3-0.

C. Cold Spring Fire Department Relief Association Appointments

MOTION WAS MADE BY HEINEN, SECONDED BY RAMLER, TO APPROVE JON DOUVIER AS PRESIDENT, ADAM DULLINGER AS VICE PRESIDENT, MICHAEL LANG AS TREASURER AND ADAM LUBBERS AS TRUSTEE OF THE COLD SPRING FIRE DEPARTMENT RELIEF ASSOCIATION. MOTION PASSED 3-0.

CITY COUNCIL APPLICATIONS

There were four applications submitted for the open City Council position. The applications were opened and the applicants were as follows: Bill Thelen, Jayme A. Knapp, Andrea Robinson and Mickie Cheeley. The Council agreed that on March 10th the interviews would be conducted starting at 8:00 pm at 15 minute intervals, in alphabetical order. Staff was directed to distribute copies of the applications to the Council, to prepare interview questions and vet the applicants.

CSAH 2/RED RIVER AVENUE ROADWAY OPTIONS AND CR 2 & 50 INTERSECTION LAYOUT

The Council reviewed the roadway configurations and intersection layout of the Co Rd 2 and Co Rd 50 intersection. Planning Commission liaison Dave Heinen explained the Planning Commission and Downtown Development Committees recommendation to the Council of roundabout option #2 and lane configuration layouts presented at the last meeting, which were also supported by City and County staff.

MOTION WAS MADE BY HEINEN, SECONDED BY RAMLER, TO APPROVE RESOLUTION 2015-03, RECOMMENDING CSAH 2/RED RIVER AVENUE ROADWAY CONFIGURATIONS AND COUNTY ROADS 2 & 50 INTERSECTION LAYOUTS TO STEARNS COUNTY. MOTION PASSED 3-0.

REVISED AMORTIZATION SCHEDULES FOR 2005 INTER-FUND LOAN

MOTION WAS MADE BY RAMLER, SECONDED BY HEINEN, TO TABLE THE NEW AMORTIZATION SCHEDULES DATED DECEMBER 31, 2014, REFINANCING THE 2005 INTER-FUND LOAN, WHICH WAS USED TO FINANCE THE COLD SPRING BUSINESS PARK INFRASTRUCTURE AND BLUE HERON HEIGHTS 2 PROJECTS. MOTION PASSED 3-0.

APPROVE SWITCHING DENTAL PLAN

Kris Dockendorf explained that the City's insurance agent had found a better dental plan that provides more coverage for basic and major dental services. The increase for the new dental plan will cost \$168.00 a year which would cover all employees.

MOTION WAS MADE BY RAMLER, SECONDED BY HEINEN, TO APPROVE SWITCHING DENTAL INSURANCE FROM HUMANA DENTAL PREVENTIVE PLUS TO DELTA DENTAL PATHFINDER PLAN. MOTION PASSED 3-0.

PUBLIC WORKS DIRECTOR REPORT

A. Well Drilling Update

Hoeschen stated that they have done more drilling and it is looking more favorable, but it was too early to celebrate just yet.

CITY ENGINEER REPORT

A. 2nd Avenue Crossing

Mathiasen stated that Lingten is working on the final construction plans for the connections at both 2nd Avenue South and 14th Avenue South, which will be combined into one project.

B. CSAH 2/Red River Avenue

Mayor Thelen inquired about videos being produced periodically to update the public on the building of the road. Hoeschen stated that the drawings of the lane configurations along with the intersection layout options had been posted to the city webpage, along with a notice on channel 10, in the Cold Spring Record and on the marquee sign. They discussed having information on the function of roundabouts at the Chamber of Commerce Community Showcase, at City Hall and perhaps in the grocery store.

CITY ATTORNEY- ACCESS TO ADMINISTRATOR'S COMPUTER

Jovanovich explained that access was needed to the laptop computer in the City Administrator's office to conduct ongoing City business and comply with the due diligence requirements in responding to discovery requests in pending litigation. Jovanovich stated that the laptop computer is owned by the City and is used for official city business. He stated that he had requested the laptop id, password, and encryption key from Hetland but did not receive it, he then asked a second time for this information on February 17th. He explained that Hetland then replied that he would provide these items after the Council accepted his separation agreement. Jovanovich explained that the access to the computer and the separation agreement are two completely separate issues and that the separation agreement has nothing to do with the computer access codes. Jovanovich explained that he had prepared a resolution for the Council to adopt requesting that the computer access codes be provided by Hetland by Friday, February 27th, by 12:00 noon.

MOTION WAS MADE BY RAMLER, SECONDED BY HEINEN, TO APPROVE THE RESOLUTION ORDERING ACCESS TO THE COMPUTER IN THE CITY ADMINISTRATOR'S OFFICE. MOTION PASSED 3-0.

CITY ATTORNEY- PROPOSED ADMINISTRATOR SEPARATION AGREEMENT AND THREATENED LITIGATION

Jovanovich explained that he and the Mayor had received a proposed separation agreement from Paul Hetland, which he then distributed to the Council. He added that the email from Hetland containing the separation agreement also contained a threat of litigation. Jovanovich stated that the email and separation agreement contains personnel data which is classified as private confidential. He stated that the separation agreement could be discussed only in general terms, and only by the Council at this open meeting. He stated that if the Council wanted to discuss litigation strategy then it could close the meeting. Jovanovich stated that the separation agreement asked for severance which was well over what Hetland would be entitled to if he were terminated. The agreement also stated that if it was accepted, Hetland would then waive any claims against the City. Jovanovich stated that if Hetland were terminated according to his contract he could receive two months of salary as his severance pay. Mayor Thelen asked the Council if they were in favor of closing the meeting to discuss the specifics of the proposed separation agreement or if they even wanted to consider the proposed request. Jovanovich stated that in his opinion there was no factual support for a payment above the severance pay and that the Council could reject the agreement.

MOTION WAS MADE BY RAMLER, SECONDED BY HEINEN, TO NOT ACCEPT THE PROPOSED EMPLOYMENT SEPARATION AGREEMENT AND RELEASE. MOTION PASSED 3-0.

LIST OF BILLS AND ADDITIONS

MOTION WAS MADE BY HEINEN, SECONDED BY RAMLER, TO REVIEW AND ACCEPT THE PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$65,320.27 AND SUPPLEMENTAL LIST TOTALING \$29,187.35 PRESENTED BY CITY STAFF. MOTION PASSED 3-0.

ADJOURN

MOTION WAS MADE BY HEINEN, SECONDED BY RAMLER, TO ADJOURN AT 8:00 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 3-0.

Robert R. Thelen, Mayor

Kris Dockendorf, Finance Director