

TUESDAY, APRIL 12, 2016 COLD SPRING CITY COUNCIL MINUTES

Mayor Robert R. Thelen called the meeting to order at 6:30 p.m. The following City Council members were found to be present: Mayor Robert R. Thelen and Council Members Fran Ramler, Jan Dingmann, Dave Heinen and Jayme Knapp. Others present: Kris Dockendorf, Brian Lintgen, Ben Rogers, Brigid Murphy, Tammy Paczkowski, Jon Stueve, Chris Boucher, Heidi Stalboerger, Isaac Schweer, Dan Weber and Angie Mueller.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE THE AGENDA OF THE APRIL 12, 2016 CITY COUNCIL MEETING. MOTION PASSED 5-0.

CONSENT AGENDA

A. Minutes – March 22, 2016 & March 24, 2016

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO APPROVE THE MINUTES OF THE MARCH 22, 2016 CITY COUNCIL MEETING AND THE MARCH 24, 2016 SPECIAL CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 5-0.

B. Authorization for the Police Chief to Execute Agreement – Resolution No. 2016-25

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO APPROVE RESOLUTION 2016-25, A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO EXECUTE AGREEMENT FOR MINNESOTA COURT DATA SERVICES. MOTION PASSED 5-0.

C. Request to Approve Fire Department Captain

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO APPROVE APPOINTING ADAM LUBBERS TO THE POSITION OF CAPTAIN OF THE COLD SPRING FIRE & RESCUE DEPARTMENT. MOTION PASSED 5-0.

D. Approval of Annual Liquor Licenses

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO APPROVE THE 2016 **ON-SALE INTOXICATING** LIQUOR LICENSES FOR THE SIDE BAR, GREAT BLUE HERON, GRUMPY'S, WINNERS SPORTS BAR AND GRILL, AND RIVER OAKS; TO APPROVE THE 2016 **CLUB ON-SALE** LIQUOR LICENSE FOR THE AMERICAN LEGION; TO APPROVE THE 2016 **SUBSIDIARY OFF-SALE INTOXICATING** LIQUOR LICENSES FOR THE SIDE BAR, GREAT BLUE HERON, GRUMPY'S, AND WINNERS SPORTS BAR AND GRILL; TO APPROVE THE 2016 **FREE-STANDING OFF-SALE INTOXICATING** LIQUOR LICENSES FOR TEALS LIQUOR AND KIESS LIQUOR; TO APPROVE THE 2016 **MICROBREWERY OFF SALE** MALT LIQUOR LICENSE FOR COLD SPRING BREWING CO.; TO APPROVE THE 2016 **SUNDAY LIQUOR** LICENSES FOR THE SIDE BAR, GREAT BLUE HERON, GRUMPY'S, AMERICAN LEGION, WINNERS SPORTS BAR AND GRILL, AND RIVER OAKS; TO APPROVE THE 2016 **ON-SALE BREWER'S TAPROOM** LICENSE FOR COLD SPRING BREWING CO.; TO APPROVE THE 2016 **2:00 A.M. LICENSES** FOR THE SIDE BAR AND WINNERS SPORTS BAR AND GRILL; TO APPROVE THE 2016 **ON-SALE 3.2** LIQUOR LICENSES FOR COLD SPRING LANES AND COLD SPRING AMATEUR BASEBALL; TO APPROVE THE 2016 **OFF-SALE 3.2** LIQUOR LICENSE FOR SUPERAMERICA; TO APPROVE THE 2016 **WINE** LICENSE FOR COLD SPRING BOWLING LANES; AND TO APPROVE THE 2016 **BOTTLE CLUB** LIQUOR LICENSE FOR COLD SPRING LANES; FINALLY TO APPROVE THE 2016 **TOBACCO LICENSES** FOR GRUMPY'S, TEALS LIQUOR, KIESS BROS. INC, KIESS LIQUOR, INC., TEALS MARKET, SUPERAMERICA, HOLIDAY AND PRINCE TOBACCO #2. MOTION PASSED 5-0.

PERSONNEL POLICY REVISION

Dockendorf explained that in the City's Personnel Policy there is a provision that requires all full-time employees to complete a pre-employment physical examination. She stated that the City Attorney had advised that it doesn't need to be required for the positions within the Administrative Department.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE CHANGES TO THE PERSONNEL POLICY BY AMENDING ARTICLE 5.4 IN REGARD TO PRE-EMPLOYMENT MEDICAL EXAMS. MOTION PASSED 5-0.

APPROVE HIRING OF CITY ADMINISTRATOR

Mayor Thelen explained the steps the committee took during the hiring process. He thanked those who served on the hiring committee and stated that they had selected Brigid Murphy for the position of City Administrator. MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO APPROVE THE CONTRACT FOR THE CITY ADMINISTRATOR AND TO APPROVE THE HIRING OF BRIGID MURPHY FOR THE POSITION OF CITY ADMINISTRATOR ACCORDING TO THE TERMS OF THE CONTRACT. MOTION PASSED 5-0.

WENNER DEVELOPMENT AGREEMENT & RESTRICTIVE COVENANTS

Dockendorf explained that staff has gone through all the items from the last several months of approvals for this development and has drafted a development agreement and restrictive covenant agreement to address these items including irrigation, maintenance of the stormsewer and roads. She stated that the developer has already signed the documents and that they will be recorded after they are approved by the City.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE THE DEVELOPMENT AGREEMENT AND RESTRICTIVE COVENANT AGREEMENT WITH THE WENNER COMPANY. MOTION PASSED 5-0.

PUBLIC WORKS DIRECTOR REPORT

A. Sand Pile Screening

Stueve explained that the sand from street sweeping can be reused if the hazardous waste is screened out of it. He stated that he obtained a quote from Kraemer Trucking and Excavating for this service.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE KRAEMER TRUCKING & EXCAVATING TO SCREEN STOCK PILED SAND TO REMOVE HAZARDOUS WASTE FOR A COST OF \$2,000; FURTHERMORE, TO BE PAID FROM LINE ITEM 11-50-51-6314. MOTION PASSED 5-0.

B. Purchase Tires

Stueve explained that this winter chains had to be put on the tires of the new plow truck so it could be driven. He requested the purchase of replacement tires for the new plow truck.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE THE PURCHASE OF FOUR NEW PLOW TRUCK TIRES FROM ROYAL TIRE AT A TOTAL COST OF \$1,725.20; FURTHERMORE, TO BE PAID FROM LINE ITEM 11-50-51-6313. MOTION PASSED 5-0.

C. Purchase Lawn Sprayer

Stueve explained the request to purchase a lawn sprayer for on the gator to be used to spray for weeds on city property. He stated that last spring alone the application cost from Total Lawn Care was \$4,177.22 to spray weeds.

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO APPROVE THE PURCHASE OF A LAWN SPRAYER FROM F/S MANUFACTURING FOR \$2,315; FURTHERMORE, TO PAY 80% FROM PARKS, 10% FROM WATER AND 10% FROM WASTEWATER. MOTION PASSED 5-0.

D. Purchase Lawn Aerator

Stueve explained the request to purchase a three point aerator from Schrodens Inc. at a cost of \$2,500.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE THE PURCHASE OF A THREE POINT LAWN AERATOR FROM SCHRODENS, INC. FOR \$2,500; FURTHERMORE, TO BE PAID FOR FROM LINE ITEM 11-65-66-6311. MOTION PASSED 5-0.

E. Ground Storage Retaining Wall

Stueve explained that the existing retaining wall at the ground storage tank is made of timber and is rotting and falling apart. He obtained a quote for the materials and equipment to build a new Versa-Lok concrete block

retaining wall system and stated that staff would provide the labor to construct the new wall.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE PURCHASING MATERIALS TO REBUILD THE EXISTING RETAINING WALL AT THE GROUND STORAGE SITE AT A COST OF \$2,595; FURTHERMORE, TO BE PAID FOR FROM LINE ITEM 13-70-71-6411. MOTION PASSED 5-0.

F. Noise Barrier Fence Update

Stueve explained that there are grants available through MnDOT for a noise barrier fence. He proposed submitting an application for a noise barrier fence that would be 2,135 feet long starting from CSAH 49 to roughly Louise Street and would be located on the north side of Highway 23 between the highway and the Rocori Trail. He stated that the total project cost would be approximately \$800,000 and the City would be required to provide a 10% match. The Council briefly discussed the concept and stated their concerns on whether a noise fence would make an impact in that area considering the elevation of the houses being higher than the roadway itself. They also were concerned about contributing \$80,000 for the cost of a noise barrier fence. Ultimately, it was decided that the topic should be put on the next meeting agenda for further discussion.

CITY ENGINEER REPORT

A. CSAH 2/Red River Ave

Lintgen reported that the bids for the project are due April 14th and that they would be looking for the Council to accept them at the next Council meeting. He added that staff has been meeting with Xcel Energy to discuss the overhead power lines. He stated that staff has also been meeting with a local electrical contractor to discuss how to modify how the power comes into businesses, and City costs that will be required on individual buildings. He added that Dan Kron has started to work on the easements which will need to be obtained to do the electrical work in.

B. Main Street

Lintgen reported that they have started working on the Feasibility Report for this project. He stated that they have requested quotes for televising the sanitary sewer and for soil borings, which will aid in the design of the project.

C. Approve Televising Bids for Main Street Project

Lintgen reported that the low bid for televising the sanitary sewer was submitted by Empire Pipe Service in the amount of \$16,653.60.

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO APPROVE THE LOW BID FOR TELEVISING ALL SEWER PIPES ON THE MAIN STREET IMPROVEMENT PROJECT. MOTION PASSED 5-0.

D. Approve Soil Borings

Lintgen reported that the low bid for the soil boring and soils report was submitted by Independent Testing Technology in the amount of \$2,606.00.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE THE LOW BID FOR SOIL BORINGS AND REPORT ON THE MAIN STREET IMPROVEMENT PROJECT. MOTION PASSED 5-0.

E. Stormwater Grant

Lintgen explained that the Sauk River Watershed District has grant funds that will expire at the end of the year for a stormwater project. He stated that the required match from the City would be approximately \$2,500 to \$3,000, and the time the City has already spent exploring stormwater treatment options would apply to this amount. He stated they are proposing a stormwater treatment project consisting of tree boxes, which are new boulevard trees that would be planted with a depression around the tree to hold stormwater and a curb cut to allow the stormwater to enter the depression. He stated the tree box project would be in conjunction with the SW Stormwater Infiltration project in residential neighborhoods.

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO ACCEPT A GRANT FROM SAUK RIVER WATERSHED DISTRICT FOR THE TREE BOX STORMWATER INFILTRATION PROJECT. MOTION PASSED 5-0.

F. SW Infiltration Project

Lintgen presented and explained the plans for the SW Infiltration Project which was delayed from last year due to it being too late in the bid cycle. He stated that the project will be advertised to bid the week of April 18th with the bid deadline likely being in early May.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE RESOLUTION 2016-27, A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR THE "SW STORMWATER INFILTRATION PROJECT". MOTION PASSED 5-0.

G. Wells

Lintgen explained that staff met with Froehles on March 23rd to discuss the land purchase including irrigation and power. He stated that the wetland delineation on the west side of the property is underway.

CHIEF OF POLICE REPORT

A. Report on January, February and March 2016 Incidents

Chief Boucher updated the Council on the incidents that occurred in Cold Spring and Richmond in the first quarter of 2016.

B. Authorize Advertisement for Part-Time Police Officer

Chief Boucher explained that the only applicant for the open part-time position that was previously advertised was recently hired for a full-time position with another police department. He stated that he would like to advertise the opening again and place the ad on the POST Board website.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO AUTHORIZE THE ADVERTISEMENT FOR ONE PART-TIME POLICE OFFICER POSITION. MOTION PASSED 5-0.

CITY ADMINISTRATOR REPORT

A. Approve Memorandum of Understanding with Stearns Electric

Dockendorf explained that the next step in applying for a \$1,000,000, zero percent interest loan through USDA Rural Economic Development is to approve a Memorandum of Understanding with Stearns Electric. She stated that the City would be required to pay for the preparation of the loan documents which is an estimated cost of less than \$2,000.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH STEARNS ELECTRIC ASSOCIATION DATED MARCH 10, 2016, IN REGARD TO A USDA RURAL ECONOMIC DEVELOPMENT LOAN, ADMINISTERED BY STEARNS ELECTRIC, FOR FUNDING THE CITY'S WELL AND WATER TREATMENT PROJECT. MOTION PASSED 5-0.

B. Approve Lease of Space on South Water Tower

Dockendorf explained that Council member Knapp and herself had met with representatives from Palmer Wireless to negotiate the lease agreement for space on the City's south water tower. She explained that they reached an agreement for a monthly lease payment of \$900 starting on May 1, 2016 with 3% annual increases.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE THE PROPOSED WATER TOWER LEASE AGREEMENT BY AND BETWEEN THE CITY OF COLD SPRING AND PALMER WIRELESS, LLC.; FURTHERMORE, TO DIRECT THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON THE CITY'S BEHALF. MOTION PASSED 5-0.

C. Discuss Sale of Lot in Business Park

Dockendorf explained that the EDA had met and is recommending the sale of Lot 4, Block 4, in the Cold Spring Business Park to True Balance Properties LLC, which provides mental health counseling services. She stated they are proposing a sale price of \$.75 per square foot, and explained the price reduction was due to a pipe

easement running through the lot. She also explained that the buyers had requested that the City install a streetlight at the north end of Krays Mill Road, which will cost between \$3,531 and \$4,590. She stated that the EDA was supportive of this request because it is very dark at the end of that street.

MOTION WAS MADE BY RAMLER, SECONDED BY KNAPP, TO ACCEPT THE RECOMMENDATION OF THE EDA FOR THE SALE OF LOT 4, BLOCK 4 IN THE COLD SPRING BUSINESS PARK TO TRUE BALANCE PROPERTIES LLC AT A PURCHASE PRICE OF \$.75 PER S.F., AND TO DIRECT THE CITY ATTORNEY TO PREPARE A PURCHASE AGREEMENT. MOTION PASSED 5-0.

D. Pay Equity Report

Dockendorf explained that the City had resubmitted the pay equity report as discussed and received notice of noncompliance as expected. She stated that the State had also brought to her attention that the point system the City is using is no longer compatible with the state job match. She explained that the City is automatically given three months to come into compliance and she would like to request an additional three months extension beyond that, to allow enough time to update all the job descriptions and now the point system too.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO REQUEST AN EXTENSION OF 90 DAYS, IN ADDITION TO THE 90 DAY GRACE PERIOD, FOR A TOTAL OF SIX MONTHS OF TIME TO COME INTO COMPLIANCE WITH THE PAY EQUITY REQUIREMENTS. IN ADDITION, TO COMMISSION MURPHY MANAGEMENT CONSULTANTS TO FINISH THE COMPENSATION UPDATE THAT WAS APPROVED IN 2013. MOTION PASSED 5-0.

E. Discuss Evaluation for Acting City Administrator

Dockendorf stated that department heads have been completing the performance evaluations of the employees and that she would be doing the evaluations on the department heads. She inquired how the Council would like to do her performance evaluation. The Council discussed waiting until the new City Administrator is working so that Brigid can participate in the process. The Council decided to do the evaluation at a closed meeting after Brigid Murphy begins employment with the City.

LIST OF BILLS AND ADDITIONS

MOTION WAS MADE BY RAMLER, SECONDED BY KNAPP, TO REVIEW AND ACCEPT THE PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$160,380.26 AND SUPPLEMENTAL LIST TOTALING \$13,096.87 PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

ADJOURN

MOTION WAS MADE BY RAMLER, SECONDED BY KNAPP, TO ADJOURN AT 8:18 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 5-0.

Robert R. Thelen, Mayor

Kris Dockendorf, Acting City Administrator