

WEDNESDAY, APRIL 23, 2014 COLD SPRING CITY COUNCIL MINUTES

Mayor Doug Schmitz called the meeting to order at 6:30 p.m. The following City Council members were found to be present: Mayor Doug Schmitz and Council Members Fran Ramler, Jan Dingmann and Dave Stadther. Absent: Bob Thelen. Others present: Paul Hetland, Brian Lintgen, Paul Hoeschen, Matt Hesse, Rick Hansen, Adam Lubbers, Nancy Schulzetenberg, Betsy Lund, Frank Ross and Angie Mueller.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO APPROVE THE AGENDA OF THE APRIL 23, 2014 CITY COUNCIL MEETING. MOTION PASSED 4-0.

CONSENT AGENDA

A. Minutes – April 8, 2014

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO APPROVE THE MINUTES OF THE APRIL 8, 2014 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 4-0.

B. Request for Approval from Curt & Kathy Robbins for the “Let the Sunshine Run”

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO APPROVE THE ANNUAL “LET THE SUNSHINE RUN” FOR SATURDAY, APRIL 25, 2015. MOTION PASSED 4-0.

C. Approval of 2014 Liquor and Tobacco Licenses

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO APPROVE THE **2014 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 2014 **CLUB ON-SALE LIQUOR LICENSE** FOR THE AMERICAN LEGION; TO APPROVE THE 2014 **SUBSIDIARY OFF-SALE INTOXICATING LIQUOR LICENSES** FOR THE SIDE BAR, GREAT BLUE HERON, GRUMPY’S AND WINNERS SPORTS BAR AND GRILL; TO APPROVE THE 2014 **FREE-STANDING OFF-SALE INTOXICATING LIQUOR LICENSE** FOR TEALS LIQUOR AND KIESS LIQUOR; TO APPROVE THE 2014 **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 2014 **BREWER’S TAPROOM LICENSE** FOR COLD SPRING BREWING CO.; TO APPROVE THE 2014 **2:00 A.M. LICENSES** FOR THE SIDE BAR AND WINNERS SPORTS BAR AND GRILL; TO APPROVE THE 2014 **ON-SALE 3.2 LIQUOR LICENSES** FOR COLD SPRING LANES AND COLD SPRING AMATEUR BASEBALL; TO APPROVE THE 2014 **OFF-SALE 3.2 LIQUOR LICENSE** FOR SUPERAMERICA; TO APPROVE THE 2014 **WINE LICENSE** FOR COLD SPRING BOLWING LANES; AND TO APPROVE THE 2014 **BOTTLE CLUB LIQUOR LICENSE** FOR COLD SPRING BOWLING LANES; FINALLY TO APPROVE THE 2014 **TOBACCO LICENSES** FOR THE SIDE BAR, GRUMPY’S, TEALS LIQUOR, KIESS BROS. INC, KIESS LIQUOR, INC., TEALS MARKET, SUPERAMERICA, AND HOLIDAY. MOTION PASSED 4-0.

APPROVAL OF ALCOHOL LICENSE FOR FIREFEST

Firefest Committee members Matt Hesse and Adam Lubbers explained that in years past the music has ended at 12:00 midnight. They explained that this year they would like approval to extend that end time to 12:15 a.m. They stated with the planned start time of 5 p.m. they anticipate a certain amount of time for each band which would bring them to 12:15 a.m. end time.

MOTION WAS MADE BY DINGMANN, SECONDED BY STADTHER, TO APPROVE A TEMPORARY ON-SALE LIQUOR LICENSE FOR THE COLD SPRING FIRE AND RESCUE RELIEF FOR JULY 26, 2014 FOR THE “FIREFEST” EVENT TO BE HELD AT COLD SPRING BREWING COMPANY’S DISTRIBUTION CENTER. MOTION PASSED 4-0.

REVIEW OF THE 2013 AUDITED FINANCIAL STATEMENTS, NANCY SCHULZETENBERG, KDV AUDITOR

Nancy Schulzetenberg from Kern DeWenter Viere, the City’s auditing firm, presented the 2013 audited financial statements. She detailed the financial analysis of the revenues and expenditures through 2013 and offered their unmodified opinion which is the best opinion they can provide to the City. She stated that the City’s tax rate was at 38.02% which is less than the state average and that there was less than a one percent variance overall in expenditures.

MOTION WAS MADE BY RAMLER, SECONDED BY STADTHER, TO APPROVE THE 2013 AUDITED FINANCIAL STATEMENTS AS PRESENTED. MOTION PASSED 4-0.

AMENDING CABLE TV FRANCHISE – ORDINANCE NO. 330

Hetland stated that the changes proposed in the ordinance are changes required by federal regulations.

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO APPROVE ORDINANCE NO. 330 AMENDING THE CABLE COMMUNICATIONS FRANCHISE ORDINANCE. MOTION PASSED 4-0.

PUBLIC WORKS DIRECTOR REPORT**A. Equalization Tank Liner Project**

Hoeschen explained that the south tank has passed the water balance test but the north tank has not. He stated that in his experience he believes that there needs to be more material relaxed out of the trench surrounding the north tank. He stated that Simbek, one of the contractors for the project disagrees with him on this issue. He stated that a \$10,000 retainage has been held back from their final payment until the water balance tests pass. He stated he would suggest paying them \$5,000 if the water balance test passes in the north tank, but to retain the other \$5,000 since additional work will need to be completed by City staff to open the trench and relax material out of it. The Council was supportive of Hoeschen's plan.

B. Cold Spring Brewing Company Purchase of Wells 1& 2

Hoeschen stated that Cold Spring Brewing Company has expressed interest in purchasing the wells and property at Well 1 and 2, both of which are no longer used by the City due to high level of nitrates. Hoeschen stated that he had obtained quotes in the past to demo the larger well building at the site, which at that time was \$10,000. He stated that all the other buildings would also need to be removed and costs to potentially seal the wells would need to be obtained to help determine an asking price for the land. The Council directed Hetland to assist with getting an appraisal of the land and for Hoeschen to move forward with getting costs to clean the property up.

CITY ENGINEER REPORT**A. CSAH 50 Reconstruction Project**

Lintgen explained that the costs for the infiltration system component within the CSAH 50 reconstruction project also came in under budget. He stated that the infiltration items came to \$50,000 and the grant is for \$100,000. He stated that if the Council wanted to maximize the grant funds, for \$20-\$30,000 more, the capacity of the system could be doubled within the same foot print. He stated that a change order could be prepared to include the additional treatment materials. The Council was in favor of the proposed changes to maximize the grant funds available.

B. 2nd Avenue Feasibility Report

Lintgen explained that the Planning Commission had discussed improvements to 2nd Avenue and agreed to delay making any improvements north of 1st Street South at this time. They agreed that the key priority for now is to make the connection across the trail to the intersection of 1st Street South. The Feasibility Report will reflect only that section for improvements.

C. Cold Spring Business Park – Apartments and 11th Street NE Extension

Lintgen explained that a developer has presented a concept for an apartment building on the northerly lots between the Brewery distribution center and North Pointe and is trying to determine costs. Lintgen stated that there are water and sewer lines in place along the proposed 11th Street NE, but there are no roadway or stormsewer improvements. Lintgen stated that eventually this connection will need to be made and that this may spur other development in the Business Park.

MOTION WAS MADE BY DINGMANN, SECONDED BY STADTHER, TO AUTHORIZE STANTEC TO PREPARE A FEASIBILITY REPORT FOR ROAD AND STORM SEWER IMPROVEMENTS FOR 11TH STREET; FURTHERMORE TO AUTHORIZE DAN KRON TO COMPLETE A SURVEY OF THE PROPERTY. MOTION PASSED 4-0.

INTERIM POLICE CHIEF CHRIS BOUCHER

Interim Chief Chris Boucher explained that due to the death of part-time Police Officer Joe Schmitz, he would like to hire a part-time officer to fill the vacant spot. He went on to explain that part-time Police Officer Jason Spoden has been working full-time hours since Phil Jones retired. He requested that Officer Spoden be promoted to full-time status so that he can receive the benefits associated with working full-time. Next, he explained the challenges that are arising in scheduling and requested that the float position that was approved during the budgeting process be hired too. He proposed that the person hired now, to fill the float position, be temporary full-time with the plan that once the chief position is determined and the schedules would return to normal and that Officer Spoden then be assigned to the float position. The Council was reluctant to hire someone full-time knowing that they would be terminated after a few months. Councilor Stadther suggested that a part-time officer fill the float position for the time being, which the Council agreed was preferred.

MOTION WAS MADE BY RAMLER, SECONDED BY STADTHER, TO APPROVE PROMOTING OFFICER JASON SPODEN TO FULL-TIME POLICE OFFICER, AND TO AUTHORIZE THE ADVERTISEMENT FOR HIRING A PART-TIME POLICE OFFICER. MOTION PASSED 4-0.

WAKEFIELD TOWNSHIP CONTRACT SERVICES RESPONSE LETTER

Hetland distributed a letter which was later read aloud by Mayor Schmitz. The letter expressed that the City does not wish to see the law enforcement services contract end and requests that the precise issues with the contract be discussed. MOTION WAS MADE BY DINGMANN, SECONED BY STADTHER, TO APPROVE THE RESPONSE LETTER TO WAKEFIELD TOWNSHIP. MOTION PASSED 4-0.

AUTHORIZE ADVERTISEMENT FOR SALE OF 1997 CHEVROLET BLAZER

MOTION WAS MADE BY RAMLER, SECONED BY STADTHER, TO AUTHORIZE THE ADVERTISEMENT FOR THE SALE OF A FORFEITED 1997 CHEVROLET BLAZER BY SEALED BIDS. MOTION PASSED 4-0.

LIST OF BILLS AND ADDITIONS

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO APPROVE THE PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$97,290.45 AND SUPPLEMENTAL LIST TOTALING \$23,532.70 PRESENTED BY CITY STAFF. MOTION PASSED 4-0.

ADJOURN

MOTION WAS MADE BY RAMLER, SECONDED BY STADTHER, TO ADJOURN AT 7:57 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 4-0.

Doug Schmitz, Mayor

Paul Hetland, City Administrator