

## TUESDAY, APRIL 25, 2017 COLD SPRING CITY COUNCIL 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 Jayme Knapp, Shannon Miller, Doug Schmitz and Gary Theisen. Absent: None. Others present: Brigid Murphy, Brian Lintgen, Jon Stueve, Ray Schreiner, Tammy Omdal, Gary Stang, Heidi Stalboerger and Angie Mueller.

### APPROVAL OF THE AGENDA

MOTION WAS MADE BY KNAPP, SECONDED BY MILLER, TO APPROVE THE AGENDA OF THE APRIL 25, 2017 CITY COUNCIL MEETING. MOTION PASSED 5-0.

### CONSENT AGENDA

A. Minutes – April 11, 2017

MOTION WAS MADE BY THEISEN, SECONDED BY SCHMITZ, TO APPROVE THE MINUTES OF THE APRIL 11, 2017 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 5-0.

B. Approval of the Sale of the 2011 Impala Squad Car

MOTION WAS MADE BY THEISEN, SECONDED BY SCHMITZ, TO APPROVE THE SALE OF THE 2011 IMPALA, VIN NUMBER 2G1WD5EM9B1124520 TO JOE'S AUTO WRECKING FOR \$250.00. MOTION PASSED 5-0.

C. Approval of Annual Liquor Licenses

MOTION WAS MADE BY THEISEN, SECONDED BY SCHMITZ, TO APPROVE THE FOLLOWING 2017 LICENSES: **ON-SALE INTOXICATING LIQUOR LICENSES** FOR THE SIDE BAR, GREAT BLUE HERON, GRUMPY'S, WINNERS SPORTS BAR AND GRILL, AND RIVER OAKS; **CLUB ON-SALE LIQUOR LICENSE** FOR THE AMERICAN LEGION; **SUBSIDIARY OFF-SALE INTOXICATING LIQUOR LICENSES** FOR THE SIDE BAR, GREAT BLUE HERON, GRUMPY'S, AND WINNERS SPORTS BAR AND GRILL; **FREE-STANDING OFF-SALE INTOXICATING LIQUOR LICENSES** FOR TEALS LIQUOR AND KIESS LIQUOR; **SUNDAY LIQUOR LICENSES** FOR THE SIDE BAR, GREAT BLUE HERON, GRUMPY'S, WINNERS SPORTS BAR AND GRILL, AMERICAN LEGION, RIVER OAKS, COLD SPRING BREWING CO., COLD SPRING LANES, AND MARNANTELI'S; **ON-SALE BREWER'S TAPROOM LICENSE** FOR COLD SPRING BREWING CO.; **MICROBREWERY OFF-SALE MALT LIQUOR LICENSE** FOR COLD SPRING BREWING CO.; **2:00 A.M. LICENSES** FOR THE SIDE BAR AND WINNERS SPORTS BAR AND GRILL; **WINE LICENSES** FOR COLD SPRING BOWLING LANES AND MARNANTELI'S; **ON-SALE 3.2 LIQUOR LICENSES** FOR COLD SPRING LANES, MARNANTELI'S, AND COLD SPRING AMATEUR BASEBALL; **OFF-SALE 3.2 LIQUOR LICENSE** FOR SUPERAMERICA; AND **BOTTLE CLUB LIQUOR LICENSE** FOR COLD SPRING LANES; FINALLY TO APPROVE THE 2017 **TOBACCO LICENSES** FOR GRUMPY'S, TEALS LIQUOR, TEALS MARKET, KIESS BROS. INC, KIESS LIQUOR, INC., SUPERAMERICA, AND HOLIDAY. MOTION PASSED 5-0.

### APPROVE THE AMENDED LIFT STATION AGREEMENT WITH BRIDGE PROPERTIES

Murphy stated that an amended agreement had been drafted and signed by each of the bridge property owners. She stated that the City agrees to maintain and repair the lift station that services the bridge properties. She stated that the City will bill the bridge property owners for the maintenance and repairs along with the cost for electricity for the lift station. The property owners will be responsible to immediately notify City staff if and when there is a problem with the lift station.

MOTION WAS MADE BY KNAPP, SECONDED BY MILLER, TO APPROVE THE AMENDED AND RESTATED LIFT STATION OPERATION AND MAINTENANCE AGREEMENT ORIGINALLY ENTERED INTO WITH JOHN AND DOLORES MAILE, DANIEL SCEPANIAC, THOMAS AND JUDITH SITARZ, AND ROGER STORMS ORIGINALLY RECORDED MARCH 31, 2005. MOTION PASSED 5-0.

### IMPROVEMENT AGREEMENT WITH RAY'S CONSTRUCTION FOR CITY DESIGN OF NORTH POINTE PLAT 5 IMPROVEMENTS

Murphy explained that she had met with Ray Schreiner, the City Attorney and City Engineer to develop an agreement for the City to design the North Pointe Plat 5 Improvements. Lintgen explained that Stantec will essentially be providing a Feasibility Report for the Improvements. Schreiner added that once the design is finished he will have an idea of the cost to develop Plat 5 which consists of approximately 11 acres.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE THE IMPROVEMENT AGREEMENT WITH RAY'S CONSTRUCTION FOR DESIGN OF THE IMPROVEMENTS NECESSARY TO PLAT THE PROPERTY TO MEET CITY STANDARDS. MOTION PASSED 5-0.

**RESOLUTION NO. 2017-20 A RESOLUTION FOR MODIFICATION NO. 3 TO COLD SPRING TIF REDEVELOPMENT DISTRICT 5-5**

Tammy Omdal from Northland Securities explained that the proposed modification to the TIF plan is solely to move dollars within the line items already established in the district. This needs to be done in order for MNX Properties LLC to be able to access TIF Financing and for the City to provide the resources.

MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO ADOPT RESOLUTION NO. 2017-20, A RESOLUTION FOR MODIFICATION NUMBER 3 OF THE COLD SPRING TIF REDEVELOPMENT DISTRICT 5-5. MOTION PASSED 5-0.

**APPROVE RESOLUTION NO. 2017-21 A RESOLUTION APPROVING A CONTRACT FOR PRIVATE DEVELOPMENT WITH MNX PROPERTIES LLC**

Tammy Omdal explained that she had reviewed the request submitted by MNX Properties LLC for TIF Financing. She stated that a due diligence memo was prepared and the applicant had requested an amount of \$750,000 in a pay-as-you-go assistance. Gary Stang from MNX Properties LLC explained his approach and how he came to the amount of assistance being requested.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO ADOPT RESOLUTION NO. 2017-21, A RESOLUTION APPROVING A CONTRACT FOR PRIVATE DEVELOPMENT WITH MNX PROPERTIES LLC AND ALLOWING THE MAYOR AND CITY ADMINISTRATOR TO NEGOTIATE THE FINAL TERMS OF THE DEVELOPMENT AGREEMENT. MOTION PASSED 5-0.

**PUBLIC WORKS DIRECTOR REPORT**

**A. Request to Rehire Mason Ruegemer for Part-Time Summer Employment**

Stueve explained that Mason Ruegemer was interested in returning to the seasonal parks position for this summer. He stated that with Ruegemer returning, only two additional workers would need to be hired.

MOTION MADE BY MILLER, SECONDED BY SCHMITZ, TO APPROVE THE HIRING OF MASON RUEGEMER AS A PART-TIME EMPLOYEE IN THE PARKS DEPARTMENT AT \$9.50 PER HOUR. MOTION PASSED 5-0.

**B. Well/Water Update**

Stueve stated that the quarterly meeting with the MnDNR has been delayed until June due to conflicting schedules with the meeting attendees.

**C. Phase III Power by Kiess Property**

Stueve stated that the Phase III power in front of the Kiess property at 210 Main Street is no longer needed. He stated that he had received a quote from Faber Electric in the amount of \$900.00 to complete the service and meter box work.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO ACCEPT THE QUOTE FROM FABER ELECTRIC TO COMPLETE THE SERVICE AND METER BOX WORK IN FRONT OF THE KIESS PROPERTY, LOCATED AT 210 MAIN STREET FOR THE AMOUNT OF \$900. MOTION PASSED 5-0.

**D. Contaminated Soils on Main Street Project**

Stueve stated that contaminated soils had been found near the intersection of 2<sup>nd</sup> Avenue and Main Street. He stated that the contaminated water in that area is being piped to the Public Works property and being pumped into the treatment plant.

**E. Water Main Flushing**

Stueve stated that the Public Works Department will be flushing hydrants after June 1<sup>st</sup> once school is out of session.

**CITY ENGINEER REPORT**

**A. Main Street Project Update**

Lintgen explained the process the contractor will take with the contaminated soils. He stated that different pipe material and gaskets will need to be used on the portion of the project where the contaminated soils are located.

**CITY ADMINISTRATOR REPORT**

**A. City Administrator Performance Review Discussion**

Murphy stated that it has been almost a full year since she started her position and inquired if the Council would like to conduct her performance review at the next scheduled meeting. The Council agreed and Murphy stated that she would send out the evaluation forms by email in the following week.

**LIST OF BILLS AND ADDITIONS**

MOTION WAS MADE BY SCHMITZ, SECONDED BY MILLER, TO REVIEW AND ACCEPT THE PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$104,879.58 AND SUPPLEMENTAL LIST TOTALING \$4,978.20 PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

**BOARD AND COMMISSION UPDATES**

**A. Planning Commission**

Mayor Heinen stated that the Planning Commission had reviewed the resolution to create a Heritage Preservation Committee and that it will be brought before the Council for approval on May 9, 2017.

**B. Park Board**

Councilor Schmitz stated that the cracks at the Bike Park will be filled again soon. He stated that they will be applying for a grant from the Rocori Community Foundation to connect Frogtown Park to the Promenade. He stated that instead of meeting every three months, the group will instead meet every two months. He stated the Splash Pad committee is still discussing potential locations, meeting with the contractor who constructed the Waite Park Splash Pad and discussing recycled water vs. freshwater systems.

**C. EDA**

Councilor Theisen stated that the group reviewed and updated their one year and five year plans. They talked about the Revolving Loan Fund, the MNX Properties LLC Apartment Complex and TIF Financing, downtown parking study and blighted properties.

**D. Rocori Trail Construction Board**

Murphy stated that the tracks are being taken up on the Phase II section of the trail, which goes from Co Rd 139 in Rockville, 1.3 miles to the west towards Cold Spring and should be paved this summer. She stated that the board did receive Legacy Funding for \$750,000 towards Phase III of the trail which is estimated to cost \$2.1 million. She stated that Phase III will be the most challenging section of the trail, although it is already designed, it will need permits and approvals from the DNR and MPCA due to it running through a wetland area.

**ADJOURN**

MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO ADJOURN AT 7:13 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 5-0.

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Dave Heinen, Mayor

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Brigid Murphy, City Administrator