

TUESDAY, MAY 12, 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, Council Members Fran Ramler, Jan Dingmann, Dave Heinen and Jayme Knapp. Others present: Kris Dockendorf, Brian Lintgen, Paul Hoeschen, Frank Rajkowski, Chris Boucher, Heidi Stalboerger, Christi Hoffman, Jim Losleben, Nancy Heinzen, Jeff Johnson, Jake Pidde, Susan Watts, Sylvia Raschke, Maureen Halverson, Dan Steil, Ryan Hennen, Tammy Paczkowski, Alex Svejkovsky, Molly Olivier, Max Backes, Aaron Backes, Sara Stueve, Heidi Stalboerger, Julia Konop, Brenda Timm, Rachel Thomas, Julie Henne, Brandi Canter, Dan Weber, Kristen Stadther, Jerry McCarter, Bob Sartoris, Dwight Putzke, Cliff Johnson and Angie Mueller.

OPEN PUBLIC FORUM

Bob Sartoris stated that he was in favor of relocating the library in the downtown area and urged the Council to approve the relocation so that the new library could be in use by Christmas.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY RAMLER, SECONDED BY HEINEN, TO APPROVE THE AGENDA OF THE MAY 12, 2015 CITY COUNCIL MEETING. MOTION PASSED 5-0.

CONSENT AGENDA

A. Minutes – April 28, 2015

MOTION WAS MADE BY KNAPP, SECONDED BY DINGMANN, TO APPROVE THE MINUTES OF THE APRIL 28, 2015 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 5-0.

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

MOTION WAS MADE BY KNAPP, SECONDED BY DINGMANN, TO APPROVE THE ANNUAL “LET THE SUN SHINE RUN” FOR SATURDAY, APRIL 23, 2016. MOTION PASSED 5-0.

LOCAL BOARD OF APPEAL AND EQUALIZATION HEARING

A. Mayor opens Board of Review

Mayor Thelen opened the Board of Review Hearing at 6:36 p.m.

B. County Assessor Review

Nancy Heinzen, Jeff Johnson and Jake Pidde from the Stearns County Assessor’s Office gave a brief presentation on the valuations in Cold Spring. Heinzen stated there would be an increase of 5% to valuations in the residential and agricultural properties.

C. Final Call for Testimony

Resident Ryan Hennen at 606 Emma Drive inquired about the valuation of his property as he felt that it was higher than other properties in his neighborhood that have similar lots and houses. Heinzen stated that the square footage is the largest factor in the valuation. The house is valued at \$223,700 and the lot is valued at \$40,000 for a total estimated valuation of \$263,700, which she stated was accurate for this parcel.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO NOT MODIFY THE ESTIMATED VALUATION OF THE PROPERTY AT 606 EMMA DRIVE, WHICH IS PARCEL NO. 48.29320.0502. MOTION PASSED 5-0.

Mayor Thelen then called three times for additional testimony from the audience.

D. Mayor Closes the Board of Review

After hearing no further testimony, Mayor Thelen closed the Board of Review at 7:10 p.m.

REQUEST FROM FRIENDS OF THE LIBRARY TO INVITE GRRL TO TOUR POSSIBLE LIBRARY SITE

Julia Konop, Brenda Timm, and Bob Sartoris, representatives of the Friends of the Library requested that the City Council officially invite Great River Regional Library (GRRL) to tour the former Granite Community Bank building on Main Street as a possible location for an expanded library. They explained that in order to move forward with a purchase of the building and property they would need to first get approval from the GRRL Board that this building would be a viable space for a library. Councilor Dingmann stated that since the current City Hall is still a potential

location for an expanded library, provided that the fire department moves out of the building, that GRRL should also be invited to tour the City Hall complex. Councilors Dingmann and Knapp were nominated to represent the Council and participate in the official tour with the GRRL staff.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO OFFICIALLY INVITE GREAT RIVER REGIONAL LIBRARY TO TOUR THE FORMER GRANITE COMMUNITY BANK BUILDING AND THE CITY HALL BUILDING AS POTENTIAL SITES FOR AN EXPANDED LIBRARY. MOTION PASSED 5-0.

APPOINTMENT TO THE ECONOMIC DEVELOPMENT AUTHORITY

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO APPROVE THE RECOMMENDATION OF THE EDA AND APPOINT GARY THEISEN TO THE EDA WITH A TERM EXPIRING DECEMBER 31, 2017. MOTION PASSED 5-0.

DISCUSS CITY ADMINISTRATOR LEAVE ISSUES

City Attorney Tom Jovanovich explained that on May 1st Hetland's FMLA leave expired. He explained that Hetland was unable to receive an authorization to return to work from a medical doctor. Jovanovich explained that Hetland had proposed a severance package for six months of pay including health benefits, whereby he would resign and then sign a full final release, relieving the City of all liability arising from the employment relationship. Jovanovich added that the City is not able to release him from any type of workers compensation claim. He explained that Hetland had applied for short-term disability through the City's short-term disability insurance provider, but has not yet received any benefit payments. Jovanovich stated that he did not recommend approval of Hetland's proposal, but instead recommended a settlement agreement giving Hetland two months of severance pay, which equals \$13,520, which is an amount that he would be entitled to under his contract if the City chose to terminate him. He also recommended that the City provide assistance in helping Hetland get his short-term disability pay, by working with the agent to put pressure on the insurance provider and provide documentation. Jovanovich stated that he had received a response from Hetland by email indicating that he would agree to the settlement agreement as Jovanovich proposed. The Council agreed that Hetland or his wife could make arrangements with the Police Department to retrieve his personal belongings from his office and that the City Attorney work with staff to start the process of COBRA for Hetland's health benefits.

MOTION WAS MADE BY RAMLER, SECONDED BY HEINEN, TO APPROVE THE CITY ATTORNEY TO PREPARE THE SETTLEMENT DOCUMENTS IN WHICH THE CITY WOULD PROVIDE TWO MONTHS OF SEVERANCE PAY IN EXCHANGE FOR HETLAND SIGNING THE RELEASE AGREEMENT WAIVING ALL CLAIMS AGAINST THE CITY WITH THE EXCEPTION OF A WORKERS COMPENSATION CLAIM. MOTION PASSED 5-0.

MOTION WAS MADE BY RAMLER, SECONDED BY KNAPP, TO AUTHORIZE THE CITY ATTORNEY TO PROVIDE ASSISTANCE FOR HETLAND TO OBTAIN SHORT-TERM DISABILITY PAYMENTS BY AUTHORIZING THE CITY ATTORNEY TO CONTACT THE INSURANCE AGENT AND REQUEST HETLAND TO SIGN AN AUTHORIZATION ALLOWING THE CITY ATTORNEY TO ASSIST HIM IN PROVIDING PAPERWORK AND THE ARGUMENT WITH THE UNDERSTANDING THAT THE CITY ATTORNEY WOULD NOT PROVIDE REPRESENTATION FOR HETLAND AND WOULD NOT BE ENGAGED IN ANY LAWSUIT. MOTION PASSED 5-0.

POTENTIAL CITY SOLAR PROJECT PRESENTATION

Jim Losleben from tenKsolar, Inc. gave a presentation to the Council on a potential solar project for the City. He described how a solar array project could help the City save energy costs at the Wastewater Treatment Plant. He stated that five or more customers would need to be identified to partner with and a developer would need to be identified to support the project.

PUBLIC WORKS REPORT

A. Accept Resignation of Jason Zimmerman

Hoeschen stated that although Zimmerman had worked mainly in the streets and parks departments, his job title was Buildings and Grounds Supervisor. He added that he plans on re-writing the job description for this position before advertising to hire.

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO ACCEPT THE RESIGNATION OF JASON ZIMMERMAN AND THANK HIM FOR HIS EIGHT YEARS OF SERVICE. MOTION PASSED 5-0.

B. Purchase of Utility Cart

Hoeschen reported that \$4,000 had been budgeted in 2015 for the purchase of this item.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE THE PURCHASE OF A USED UTILITY CART FROM GRESSER MOTOR & SPORT CENTER AT A PURCHASE PRICE OF \$3,320; FUTHERMORE, TO BE PAID OUT OF LINE ITEM 14-70-72-6413. MOTION PASSED 5-0.

C. Approve Hiring of Seasonal Part-time Parks Worker

Hoeschen stated that Jeff Illies is very familiar with the Baseball Park, which is where he will primarily be working.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE THE HIRNG OF JEFF ILLIES AS SEASONAL PART-TIME PARKS WORKER AT A RATE OF PAY OF \$11.00 PER HOUR. MOTION PASSED 5-0.

D. Approve Hiring of Temporary Part-time Employee

Hoeschen stated that with the resignation of Jason Zimmerman, extra help will be needed in the various departments. He stated that Wayne DuHoux already works part-time for the City plowing snow and hauling biosolids. He added that DuHoux has a full-time job so he would only be able to work limited hours that would fluctuate weekly.

MOTION MADE BY HEINEN, SECONDED BY KNAPP, TO APPROVE HIRING WAYNE DUHOUX AS A TEMPORARY PART-TIME PARKS WORKER, NOT TO EXCEED 32 HOURS IN ANY WEEK, AT \$16.61 PER HOUR. MOTION PASSED 5-0.

E. Approve Hiring of Other Temporary Part-time Parks Workers

Hoeschen stated that he reviewed the applications from last year when the City hired a Part-time Temporary Public Works employee, but none of the applicants are available at this time for work and would like to advertise for the opening. The Council requested that this item be moved to the workshop session for discussion on May 21st.

F. Other

Hoeschen reported that the test pump has been drilled and that the DNR had approved the test well pumping plan. He stated that Traut Wells will provide assistance in test pumping. He added that they will be taking samples and watching the levels of other wells when doing the test pumping.

CITY ENGINEER REPORT

A. CSAH 50 Reconstruction

Lintgen reported that punch list items are being taken care of at this time.

B. 2015 Cold Spring Capital Improvements

Lintgen reported that the City Attorney is reviewing the contracts for the improvements.

C. CSAH 2/Red River Avenue

Lintgen reported that the Feasibility Report is still being worked on. He stated that City and County staff met with the small utility companies about the project.

D. Stormwater Grant

Lintgen reported that he will present the contract for the grant at the next meeting. He stated funding information would be shared from the City's portion of the project costs.

CHIEF OF POLICE REPORT

A. Accept Resignation of Craig Kritzeck

MOTION WAS MADE BY KNAPP, SECONDED BY DINGMANN, TO ACCEPT THE RESIGNATION OF CRAIG KRITZECK AND THANK HIM FOR HIS FIVE YEARS OF SERVICE. MOTION PASSED 5-0.

B. Discuss Filling Open Police Officer Position

Chief Boucher proposed that the open full-time position be opened to the current part-time officers on the department. He recommended that the part-time officers submit a letter of interest for this position and that a small group interview the interested candidates and provide a recommendation for hiring at the May 26th meeting. The Council inquired who

would serve on the interview committee and if Richmond would also be represented. It was suggested that members of the interview committee be determined at the next meeting.

C. Discuss Proposed Agreement to Continue in Role of Chief of Police

The Council was presented with a proposal from Chief Boucher to continue serving as the Chief of Police for an additional year. He proposed a 2.5% cost of living adjustment and a 3% step increase as this is comparable to the increases received by the union and non-union employees in January of 2015. The Council stated that they would revisit the agreement at their next meeting, as the current agreement will expire in the beginning of June.

D. Approve the Sale of Abandoned/Found Property

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE THE SALE OF THE ABANDONED/FOUND PROPERTY AND AWARD THE SALE TO THE HIGH BIDDER RODNEY JOHANNES FOR \$47.77. MOTION PASSED 5-0.

DISCUSS HAVING A LIAISON ATTEND WAKEFIELD TOWNSHIP BOARD MEETINGS

The Council discussed the benefit of having a member of the Council attend the Wakefield Township Board meetings to keep a strong and good relationship between the Council and the Township. Dave Heinen was nominated to serve as the liaison and attend the meetings which are on the first Thursday of each month.

MOTION WAS MADE BY RAMLER, SECONDED BY KNAPP, TO APPOINT DAVE HEINEN TO SERVE AS THE LIAISON TO ATTEND THE WAKEFIELD TOWNSHIP BOARD MEETINGS. MOTION PASSED 4-1. HEINEN OPPOSED.

LIST OF BILLS AND ADDITIONS

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO REVIEW AND ACCEPT THE PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$100,937.10 AND SUPPLEMENTAL LIST TOTALING \$40,064.34 PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

ADJOURN

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO ADJOURN AT 9:00 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