

TUESDAY, MAY 24, 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. Absent: none. Others present: Brigid Murphy, Kris Dockendorf, Tim Kraemer, Reggie Fraley, Jon Douvier, Chad Kraemer, Marv Soldner, Jeff Kraemer, Dawn Pochardt, Nick Pochardt, Jeff Deiss, Kathy Ratka, Kevin Ratka, Doug Schmitz, Tim Paczkowski, Wayne Cymbaluk, Steve Rehmer, John Kremers, Linda Stewart, Mike Peterka, Leah Peterka, Jan Schaefer, Heidi Stalboerger, Brad Fischer, Dan Theis, Donna Theis, Chris Theis, Alex Svejksky, Bonnie Juergens, Alexandra Heinen, Don Walz, Bev Klein, Diann Belmont, Robert Belmont, JoAnn Schreiner, Ray Schreiner, Holly Booth, Darren Swanson, Barbara Maus, John Maus, Gary Terhaar, Mark Watson, Cindy Walberg, Eric Walberg, Russ Voight, Terry Mick, Chris Boucher, Tammy Paczkowski, Christine Brovold, Brian Brovold, Kelly Plekkenpol, Erin Tronbak, Ryan Tronbak, Chris Pendergast, Tom Janssen, Dan Steil, Gerry Nelson, Lela Culligan, James Culligan, Michael Gade, Bruce Price, Glen Richards, Tony Mitzel, Matthew VanLith, William Crippes, Michelle Orbeck, Darin Orbeck, Marty Bell, Eric Stalboerger, Ervin Walz, Janet Walz, Greg Henry, Jeff Waletzko, Sabreia Voigt, Sara Paulson, Victoria Braegelmann, Jessica Hess, Jen Illies, JD Larson, Sandy Hoffmann, Randy Hoffmann, Tyler Buermann, Josh Rodeberg, Charlie Odden, Rob Brink, Peter Hansen, Tom Kuechle, Andrea Kuechle, Tracy Lewellyn, Michelle Motter, Marvin Mueller, Connie Mueller, Ben Crippes, Christa Theisen, Amber Willert, Brent Gamradt, Blake Gamradt, Don Binsfeld, Colleen Binsfeld, Diane Eichers, Heather Reitmeier, Gene Reitmeier, Doug Pflipsen, Linda Pflipsen, Melissa Enher, Kara Linz, Paul Linz, Cheryl Schmidt, Teri Fischer, Marian Ackerson, Richard Weisman, Ann Weisman, Steve Prom, Amanda Schindele, Ann Harren, Amy Dingman, Rebecca Feldhege, Sara Whitcomb, Kelly Chartier, Amy Eiynek, Tyler Eiynek, Logan Feldhege, Joyce Meyer, William Crippes, Sara Utsch, Jane Trombley, Dave Trombley, Maria Rasmussen, Ralph Eichers, Jason Frank, Kara Frank, Richard Baaken, Ordelia Bakken, Linda Schmitz, Kurt Hemmesch, Duane Krueger and Angie Mueller.

OPEN PUBLIC FORUM

Kurt Hemmesch and Duane Krueger from the Cold Spring Area Baseball Association informed the Council about upcoming events including the Day at the Park on June 18 and the Amateur Baseball at Target Field on July 23, 2016.

Sunny Hesse presented a petition signed by 85% of North Pointe and Green Meadows residents stating their concerns about an apartment project in North Pointe development. She explained their concerns about the potential project as they were told that this area would always be R-1 single family residential.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO APPROVE THE AGENDA OF THE MAY 24, 2016 CITY COUNCIL MEETING. MOTION PASSED 5-0.

CONSENT AGENDA

A. Minutes – May 10, 2016

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE THE MINUTES OF THE MAY 10, 2016 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 5-0.

B. Appointment of Election Judges

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPOINT ELECTION JUDGES FOR THE AUGUST 9, 2016 PRIMARY ELECTION AND THE NOVEMBER 8, 2016 GENERAL ELECTION, NAMELY KRIS DOCKENDORF, LOIS LIESER, JOANN THELEN, CHERYL KUBIAK, MARY KIESS, ANITA NEU, JOHN MAUS, DON AUSTRENG, BRIGETTA KLEMEK AND SHARYN BABCOCK; FURTHERMORE, TO APPOINT KRIS DOCKENDORF, LOIS LIESER, AND DON AUSTRENG AS HEAD ELECTION JUDGES. MOTION PASSED 5-0.

C. Approve Resignation of Part-Time Police Officer

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO ACCEPT THE RESIGNATION OF PART-TIME POLICE OFFICER SHAWN THOMES AND THANK HIM FOR HIS YEARS OF SERVICE. MOTION PASSED 5-0.

D. Baseball Event & Temporary On-Sale Liquor License

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE AN OUTDOOR EVENT AT THE COLD SPRING BASEBALL PARK FOR A CONCERT ON SATURDAY, JUNE 18, 2016, FURTHERMORE,

TO APPROVE A TEMPORARY ON-SALE LIQUOR LICENSE FOR COLD SPRING AREA BASEBALL INC. FOR THE DAY AT THE PARK EVENT ON JUNE 18, 2016 AT THE COLD SPRING BASEBALL PARK. MOTION PASSED 5-0.

E. One Day Gambling License, Wobegon Partners

MOTION MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE FORM LG220 APPLICATION FOR EXEMPT PERMIT TO CONDUCT ONE DAY GAMBLING PERMIT FOR WOBEGON PARTNERS FOR A RAFFLE TO BE HELD AUGUST 6, 2016 AT RIVER OAKS GOLF COURSE; FURTHERMORE, TO WAIVE THE 30 DAY WAITING PERIOD FOR SAID PERMIT.

NORTH POINTE 23 HOUSING PRESENTATION FROM ALPHA DEVELOPMENT

Reggie Fraley from Alpha Development presented the Council with his concept plan for developing a vacant piece of property just to the east of North Pointe Plat 4. He stated the first phase would consist of 34 units of two and three bedroom market rate apartments and that 20% of the units would need to be at affordable rates. Additional phases would include a duplication of the apartments, if there is demand, single family lots and multiple upscale townhomes. He referenced a Housing Study that was completed for the City of Richmond which indicated there was a community need for market rate apartments. He stated that the overall project cost is estimated to be \$4.4 million, and that he will be seeking Tax Increment Financing for the project, as a pay-as-you-go method for a 19 year term. He requested that the Council allow him to move forward with his concept plan to hold a public hearing as the first step for TIF, in three weeks.

Numerous residents of North Pointe spoke at length in opposition to the concept plan. They stated their concerns about multifamily housing, including increased crime, decrease in property values, increased traffic, visual aesthetics, and preserving the character of the neighborhood.

After hearing the audience comments, Fraley stated that he may not have chosen the best location for this project. He stated that a need for this type of housing has been identified and asked the Council to further consider TIF for residential projects. Since there was no longer a specific plan to consider there was nothing for the Council to take action on.

PRESENTATION AND DISCUSSION REGARDING BLUE HERON HEIGHTS DEVELOPMENT

Mayor Thelen stated that Sand Companies has withdrawn their housing proposal at this time.

BLUE HERON HEIGHTS RESIDENTS: CHRISTA THEISEN; JON DOUVIER AND TIM KRAEMER; BLUE HERON HEIGHTS GROUP

Tim Kraemer and Jon Douvier, residents of Blue Heron Heights gave a presentation on the City selling one lot a year in Blue Heron Heights Addition and the long term financial impacts of such sales. Their suggestions included selling the lots at fair market price, waiving assessments on a lot if a house is built within a year, selling lots in bundles to builders and forming a subcommittee to further discuss ideas of how to sell the lots. The Council indicated that they would send the topic of the forfeited lots in Blue Heron Heights back to the Economic Development Authority (EDA) for them to further discuss and consider a marketing plan for the lots. Concerned residents were encouraged to contact the City Administrator if they are interested in serving on a subcommittee on marketing the lots in Blue Heron Heights.

Christa Theisen spoke about her concerns with the housing proposal from Sand Companies, and how information was communicated to residents about the housing proposal.

The Council agreed that overall they are willing to discount the lots in Blue Heron Heights in order to sell the lots and build houses on them.

LIABILITY INSURANCE COVERAGE WAIVER

Murphy explained that every year the City must indicate whether they will accept or waive the tort liability limits. If the liability limits are waived it increases the City's exposure on punitive damages for tort liability.

MOTION WAS MADE BY KNAPP, SECONDED BY DINGMANN, TO APPROVE MAINTAINING THE LIABILITY COVERAGE AT THE STATUTORY LIMIT. MOTION PASSED 5-0.

PUBLIC WORKS DIRECTOR REPORT**A. Tree of Hope**

Stueve stated that the city owned Tree of Hope located on the east side of the City Hall will likely sustain damage to its roots during the stormsewer and sidewalk construction on Co Rd 2. He added that the tree has outgrown its current area and that it would be best to take it down now instead of doing so after it dies. The Council requested that Stueve notify the organizations that have used the tree in the past for fundraising so that they are aware of the decision. MOTION WAS MADE BY RAMLER, SECONDED BY HEINEN, TO REMOVE THE TREE OF HOPE LOCATED AT CITY HALL. MOTION PASSED 5-0.

B. CSAH 2 General Night Work

Stueve stated that at the preconstruction meeting the contractor indicated that they would like to be able to begin working at 6 am, although City Code prohibits construction work before 7 am. An ordinance amendment was presented which would make construction noise on behalf of or by the City exempt from the restrictions. MOTION WAS MADE BY RAMLER, SECONDED BY KNAPP, TO ADOPT ORDINANCE NUMBER 346 AMENDING CITY CODE PERTAINING TO NOISES PROHIBITED IN THE CITY OF COLD SPRING. MOTION PASSED 5-0.

CITY ENGINEER REPORT**A. CSAH 2/Red River Avenue**

Lintgen explained that construction has started and noted that pavement has been removed and that the contractor is trying their best to accommodate the downtown businesses.

B. Night Time Water Main Replacement at Red River Avenue/Main Street Intersection

Lintgen explained that night time work is necessary to replace the watermain in the Main Street intersection. He stated that there may also be other times during the course of the construction project that night time work will be necessary especially when cutting the concrete for the roundabout.

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO APPROVE NIGHT TIME WORK AS NECESSARY TO COMPLETE THE CSAH 2 PROJECT. MOTION PASSED 5-0.

C. Electric Relocation Update

Lintgen stated by the next meeting he will have the costs for the downtown electric relocations from Xcel Energy. He stated that staff is working on obtaining easements from the landowners for the relocated power lines.

D. Streetscape Scope

Lintgen explained that for the streetscaping on the CSAH 2 Project, the Council could add more banding and add flagstone at the driveway aprons. He provided the costs for these additions which were estimated to be \$20,800 for 20 additional bands, and \$15,360 for the flagstone driveway aprons. He also stated that there is a possibility that the ornamental fence by the Holiday Store could be longer due to a possible location change in a driveway. The longer fence would be an additional charge of approximately \$10,000. The Council indicated that they would not do the additional banding and flagstones due to the costs, and instead focus on vertical elements. They indicated they would like to go ahead with the longer ornamental fence so that it matches the fence on the west side of CSAH 2.

E. SW Stormwater Infiltration Project

Lintgen explained that the contracts for the project have been sent to Kraemer Trucking and Excavating. He stated that the schedule should be defined later this summer and that they are still looking for more sites for the boulevard tree installation portion of the project.

CHIEF OF POLICE REPORT**A. Hiring of Two Part Time Positions**

Chief Boucher stated that due to the recent resignation of part-time Officer Thomes, he would like to hire an additional part-time officer to fill that position, in order to maintain four part-time police officers on the department. He stated that interviews will be held later in the week.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE HIRING TWO NEW PART-TIME POLICE OFFICERS DUE TO THE RECENT RESIGNATION OF A PART-TIME POLICE OFFICER; FURTHERMORE, THAT THIS IS ONE ADDITIONAL OFFICER TO WHICH WAS APPROVED APRIL 12, 2016. MOTION PASSED 5-0.

B. SRO Contract with School District

Chief Boucher explained that there was not a written contract between the City of Cold Spring and Rocori School District for the School Resource Officer position. He stated that a contract has been drafted and the Rocori School District will be voting on approving it at their next meeting.

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO APPROVE ENTERING INTO THE MEMORANDUM OF UNDERSTANDING FOR A SCHOOL RESOURCE OFFICER WITH INDEPENDENT SCHOOL DISTRICT 750 ("ROCORI"). MOTION PASSED 5-0.

C. Discuss Police Chief Contract

Murphy explained that the current contract with the Chief of Police will expire on June 6, 2016. Chief Boucher presented a proposed agreement to continue in the role of Chief of Police, which was similar to what was approved in the past. He requested be put back onto the wage schedule with the non-union employees and be granted the same cost of living adjustments as these employees.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO ACCEPT THE PROPOSAL SUBMITTED BY CHIEF BOUCHER FOR THE CHIEF OF POLICE POSITION. MOTION PASSED 5-0.

CITY ADMINISTRATOR REPORT**A. Interim Pay for Administration Staff**

Murphy stated she would meet with the Administrative staff to determine when to discontinue the interim pay for out of class job duties that are being performed. She stated she would make sure that staff is all on the same page for setting the pace for the transition and would report back at the next meeting as to the target date to discontinue interim pay.

B. Pay Equity Update

Murphy stated that all the job descriptions are completed for the positions with some edits needed to the administrative positions. She stated that she will be looking into the cost of a survey versus using the state job points.

C. Fuchs Property Update

Murphy stated that the Fuchs family had contacted the City and Rocori School District with an opportunity to purchase their land located west of CSAH 2 between the school district property and the Cold Spring Business Park. Councilor Ramler stated that he was not interested in the land, but other Council members saw some value in the property and were open to continuing discussing details of the property. Staff was given authorization to continue to pursue the Fuchs property and gather more information on it.

D. League of Minnesota Cities Annual Conference June 15-17

Murphy stated that the deadline to register for the conference is May 31st. Murphy stated that instead of attending this conference, she would like to attend a workshop for new clerks that will be held in August.

E. CSAH 2 Update

Murphy stated that she has been in contact with the bank that owns the strip of land in between the Subway/Post Office parking lot and the former First National Bank parking lot, to obtain a short term easement for the property to allow access to these businesses during the CSAH 2 project. The Council indicated their support of the concept and stated that Granite Community Bank should also be contacted to discuss using the former First National Bank parking lots.

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 \$134,714.74 AND SUPPLEMENTAL LIST TOTALING \$23,058.79 PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

ADJOURN

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO ADJOURN AT 9:45 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 5-0.