

WEDNESDAY, JUNE 26, 2024 COLD SPRING CITY COUNCIL MEETING MINUTES

The meeting was called to order by Mayor Dave Heinen at 5:00 p.m. The following City Council members were found to be present: Mayor Dave Heinen and Council Members Mike Fall, Ryan Hennen, Fran Ramler and Doug Schmitz. Absent: None. Others present: Kris Dockendorf, Jason Spoden, Jon Stueve, Sam Butler, Tyler Buermann, Casey Buermann, Travis Thomsen and Joe Jelovnick.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE THE AGENDA OF THE JUNE 26, 2024 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 5-0.

CONSENT AGENDA

A. Minutes – June 12, 2024 Regular Meeting

B. Appoint Dennielle Hofmann and David Engstrom as election judges for the August 13, 2024 Primary Election and the November 5, 2024 General Election

MOTION WAS MADE BY SCHMITZ, SECONDED BY HENNEN, TO APPROVE THE CONSENT AGENDA AS PRESENTED. MOTION PASSED 5-0.

TYLER BUERMANN VARIANCE FOR A STRUCTURE IN THE SIDE YARD

Tyler and Casey Buermann stated they currently have no garage and there is a large hill behind their house making it nearly impossible to build a detached garage in their rear yard. A variance is needed to build the detached garage in their side yard. Councilor Hennen stated that the Planning Commission had reviewed the request and recommended approval of it due to the uniqueness of the large slope in the rear yard.

MOTION WAS MADE BY HENNEN, SECONDED BY SCHMITZ, TO APPROVE RESOLUTION NO. 2024-13, A RESOLUTION APPROVING A VARIANCE FOR TYLER BUERMANN, TO ALLOW FOR CONSTRUCTION OF A DETACHED ACCESSORY STRUCTURE IN THE SIDE YARD. MOTION PASSED 5-0.

GREG THEIS VARIANCE FROM LOT SIZE REQUIREMENTS

Councilor Hennen explained that the applicant, who was not present, had requested several variances for a water and ice station business he was proposing near the Holiday Gas Station Strip Mall. Councilor Hennen stated that the Planning Commission had recommended denying the variances due to traffic and parking concerns at the site. He added that they like the idea for the business but that it didn't make sense on that site. Dockendorf stated that the reasons for denial were explained to Greg Theis and he understood the Planning Commission's position.

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE RESOLUTION NO. 2024-14, A RESOLUTION DENYING A VARIANCE FOR GREG THEIS TO ALLOW FOR A LOT SIZE THAT IS SMALLER THAN REQUIRED. MOTION PASSED 5-0.

GREG THEIS VARIANCE FROM LOT WIDTH REQUIREMENTS

MOTION WAS MADE BY HENNEN, SECONDED BY SCHMITZ, TO APPROVE RESOLUTION NO. 2024-15, A RESOLUTION DENYING A VARIANCE FOR GREG THEIS TO ALLOW FOR A LOT WIDTH THAT IS LESS THAN REQUIRED. MOTION PASSED 5-0.

GREG THEIS VARIANCE FROM SIDE YARD SETBACK REQUIREMENTS

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE RESOLUTION NO. 2024-16, A RESOLUTION DENYING A VARIANCE FOR GREG THEIS TO ALLOW CONSTRUCTION OF A STRUCTURE WITHIN 6.58' OF THE SIDE PROPERTY LINE. PASSED 5-0.

CITY OF COLD SPRING CONDITIONAL USE PERMIT FOR PLACEMENT OF FILL IN THE FLOODWAY

Butler explained the improvements being made at Lift Station #1 include expanding the existing structure to the south and that fill was needed to meet the existing grades. He stated that it was later discovered that a conditional use permit was needed for placing fill in the Riverfront Commercial District. He added that a No-Rise Certification was issued and submitted to the DNR and that they are still reviewing it. Butler explained

the differences between the existing lift station project and building a new home with respect to placing fill, but stressed the no-rise certificate as a major component needed.

MOTION WAS MADE BY SCHMITZ, SECONDED BY HENNEN, TO APPROVE RESOLUTION NO. 2024-17, A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR THE CITY OF COLD SPRING TO ALLOW FOR PLACEMENT OF FILL IN THE FLOODWAY. MOTION PASSED 5-0.

DISCUSS ORDINANCE FOR PARKING CAMPERS ON STREET

Mayor Heinen stated that at a previous meeting he brought up wanting to discuss the ordinance for parking campers on the street and later learned during the process that campers are only allowed to be parked for six hours on a street, not three days as he had thought was allowed. The Council discussed the length of parking time with respect to recreational vehicles, boats, construction and utility trailers. The Council discussed the current ordinance and the enforcement of it. They also discussed off-street parking, driveway widths, roadway safety, consistency within the ordinance as a whole, and parking campers in front of one’s own property, not in front of their neighbor’s house.

MOTION WAS MADE BY SCHMITZ, SECONDED BY HENNEN, TO ALLOW CAMPERS TO BE PARKED FOR A PERIOD OF 96 HOURS, OR FOUR DAYS ON A STREET. ROLL CALL VOTE, AYES – SCHMITZ AND HEINEN, NAYES – HENNEN, RAMLER, AND FALL. MOTION FAILED 2-3.

MOTION WAS MADE BY HENNEN, SECONDED BY HEINEN, TO ALLOW CAMERS TO BE PARKED FOR A PERIOD OF 72 HOURS ON A STREET AND THAT THEY SHOULD BE PARKED DIRECTLY IN FRONT OF THE OWNER’S PROPERTY. MOTION PASSED 5-0.

PUBLIC WORKS DIRECTOR REPORT

A. Project Updates

Stueve explained that he would like to clean up the area of the old Skateboard Park. He proposed tearing down the basketball courts, brush and fence. He stated it is unknown when the Field House project will begin, therefore they will simply plant grass in that area for now. He also explained that the bid opening for the Maintenance Shop will be on Friday. He stated there has been lots of questions from bidders on it, so he hopes that will provide good bid results.

CITY ENGINEER REPORT

A. Project Updates

Butler stated that striping is still in the works and was delayed by weather and the upcoming fog sealing project. He stated that they are still working on design elements for the 2025 Improvements project. He stated they are working on the draft agreement with the City of Rockville and will be meeting soon with staff to go over it before presenting it to Rockville. Lastly, he gave an update on the lead pipe inventory survey.

CITY ADMINISTRATOR REPORT

A. 2025 Budget Calendar

Discussion was had about the start time of the meeting, but the majority of the members did not have any issue with starting at 8 a.m.

MOTION WAS MADE BY SCHMITZ, SECONDED BY HENNEN, TO ADOPT THE 2025 BUDGET CALENDAR AND SCHEDULE THE BUDGET MEETING AS A SPECIAL MEETING FOR SEPTEMBER 5, 2024 AT 8:00 A.M. MOTION PASSED 5-0.

B. Stantec Release Document

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE THE MAYOR SIGNING THE RELEASE FROM STANTEC CONSULTING SERVICES RELATED TO ISSUES ADDRESSED IN CHANGE ORDER NO. 2 FOR THE COLD SPRING 2022 BREWERY SEWER IMPROVEMENTS PROJECT. MOTION PASSED 5-0.

C. Braun Intertec Soil Vapor Testing Proposal

Dockendorf stated that the MPCA approved the City’s Response Action Plan for the Fire Hall site, contingent

upon doing a second vapor sampling on the footprint of the proposed building. She stated that the results of the test will determine if a vapor mitigation system is needed. Discussion was had on whether the vapor liner cost would be more than or equal to the additional sampling requested by MPCA, but ultimately decided to move forward with the sampling.

MOTION WAS MADE BY RAMLER, SECONDED BY HENNEN, TO APPROVE HIRING BRAUN INTERTEC TO DO AN ADDITIONAL SOIL VAPOR SAMPLING AND ANALYSIS ON THE FIRE DEPARTMENT SITE AT 109 MAIN STREET AS REQUIRED BY THE MINNESOTA POLLUTION CONTROL AGENCY AT A COST OF \$8,540.00. MOTION PASSED 5-0.

D. Off-Street Parking Ordinances

Dockendorf stated that the Zoning Ordinance and City Code are conflicting when it comes to off-street parking and brought it to the Planning Commission to have them review the language in both sections. She presented their findings which was to focus on front yards only and that vehicles need to be parked on a hard surface consisting of concrete, asphalt, or pavers. Councilor Hennen also explained that the Planning Commission’s main objective was consistency throughout both the zoning and nuisance parking ordinances. MOTION WAS MADE BY FALL, SECONDED BY HENNEN, TO PROCEED WITH THE AMENDMENTS TO THE ZONING ORDINANCE AND THE CITY CODE AS PRESENTED. MOTION PASSED 5-0.

E. Other

Councilor Fall asked various questions about the updated budget and expenditures report that was provided in the Council packets.

COMMISSION UPDATES

A. Planning Commission

Councilor Hennen stated that they discussed the two variance requests and the zoning and nuisance ordinance language amendments, both of which were discussed at tonight’s meeting also.

B. EDA

Councilor Ramler stated that an offer to purchase property from Arnie Schmitt was discussed and Councilor Schmitz added that they made a visit to Red Truck Ice Cream.

C. Park Board

Mayor Heinen stated that they have not met since the last update, in which he reported they had conducted a tour of the parks.

D. Rocori Trail

Councilor Schmitz stated they approved the final pay applications and they will be meeting less frequently going forward.

LIST OF BILLS AND ADDITIONS

MOTION WAS MADE BY RAMLER, SECONDED BY HENNEN, TO REVIEW AND ACCEPT PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$72,374.80 AND SUPPLEMENTAL LIST TOTALING \$41,858.83 AS PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

ADJOURN

MOTION WAS MADE BY SCHMITZ, SECONDED BY HENNEN, TO ADJOURN AT 6:15 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 5-0.

David Heinen, Mayor

Kris Dockendorf, City Administrator