

## **TUESDAY, JUNE 28, 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, Jon Stueve, Heidi Stalboerger, Perry Schmidt, Dan Steil, Russ Kalthoff, Jon Douvier, Lance Weber, Brian Junkemeier, Sue Kadlec, Dan Weber, John Kremers, Lynn Schurman, Christie Theisen, Linda Stewart, Mike Peterka, Leah Peterka, Jerry Reiter and Angie Mueller.

### **OPEN PUBLIC FORUM**

Jon Douvier stated that he would not be able to stay for the discussion of item 11A. and requested the Council be specific in their discussion so that he could read the minutes or watch on Channel 10. He also encouraged the Council to consider updating the City's 2007 Comprehensive Plan to designate an area for multi-unit housing so that there is a guide for where it would be allowed and the public would be aware of it.

Lance Weber stated his support for Douvier's comment and encouraged the Council to consider rezoning the area next to Gold'n Plump, if their business is in need of housing for their workers.

### **APPROVAL OF THE AGENDA**

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO APPROVE THE AGENDA OF THE JUNE 28, 2016 CITY COUNCIL MEETING. MOTION PASSED 5-0.

### **CONSENT AGENDA**

A. Minutes – June 14, 2016

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE THE MINUTES OF THE JUNE 14, 2016 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 5-0.

B. Approval of Liquor Licenses for Cold Spring Brewing Co.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE AN ON-SALE SUNDAY BREWER'S LICENSE AND SUNDAY SALES OF MICROBREWER OFF-SALE MALT LIQUOR FOR COLD SPRING BREWING CO. MOTION PASSED 5-0.

### **PRESENTATION OF GRANT FOR THE FIRE DEPT FROM CENTERPOINT ENERGY**

Perry Schmidt from Centerpoint Energy presented a check to the Cold Spring Fire Department in the amount of \$2,500 to be used towards the purchase of coats and pants for the firefighters.

### **MUTUAL AID AGREEMENT WITH ROCKVILLE FOR FIRE DEPARTMENT**

Fire Chief Dan Weber explained that the Cold Spring and Rockville Fire Departments have automatic mutual aid for structure fires. He stated that the agreement is over 20 years old and that it just needed some wording updated.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE ENTERING INTO THE AMENDED MUTUAL AID AGREEMENT WITH THE ROCKVILLE FIRE DEPARTMENT. MOTION PASSED 5-0.

### **EDA PROPOSAL REGARDING MARKETING CAMPAIGN FOR BLUE HERON HEIGHTS TAX FORFEITED LOTS**

EDA President Dan Steil explained that with the help of some residents from the Blue Heron Heights neighborhood a committee was established and a marketing plan has been developed to spur interest and sell tax forfeited lots for single family homes in the Blue Heron Heights Addition. The plan includes reducing the sale price on all the single family lots to \$19,950 and the twin home lots to \$24,000 to \$25,000, with further discounts being given for the purchase of multiple lots and if construction begins immediately. The committee will contact local developers, builders, realtors and individuals about the lots, and also advertise them through brochures, Facebook, city webpage, and word of mouth.

MOTION WAS MADE BY RAMLER, SECONDED BY KNAPP, TO APPROVE THE MARKETING PLAN AS PRESENTED FOR BLUE HERON HEIGHTS LOTS. MOTION PASSED 5-0.

### **PUBLIC WORKS DIRECTOR REPORT**

A. Accept & Award Bids for the Joint Project for Seal Coating

Stueve explained that the seal coating project was bid jointly with the City of Rockville for cost savings.

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO ACCEPT THE BIDS FOR THE JOINT SEAL COATING PROJECT AND AWARD THE SEAL COATING PROJECT TO ASTECH OF ST. CLOUD MINNESOTA FOR A TOTAL CONTRACT PRICE OF \$59,619.32, OF WHICH \$28,715.02 IS THE COST RESPONSIBILITY OF COLD SPRING. MOTION PASSED 5-0.

#### B. Wells Update

Stueve explained that he had submitted the necessary paperwork to the Minnesota Department of Natural Resources for their approval to allow the City to increase the pumping appropriation to 100 million gallons from Wells 4, 5 and 6 in order to supply the Brewery with additional water they would need if they do an expansion of their production facility. He stated that there is a mandatory 90 day open hearing period that has to occur before approval will be given. He stated that sampling will be done by Traut Wells at the KB land site in the coming weeks.

#### D. Recycling Containers in Downtown

Stueve stated he had been contacted by Farmers Insurance because they would like to donate recycling containers in the downtown area on Red River Avenue and Main Street. It was unknown whether the City's garbage provider would empty the donated recycling containers. The Council was interested in obtaining more information about such an arrangement and directed Stueve and Murphy to gather more details and report back at a future meeting.

### **CITY ENGINEER REPORT**

#### A. Agreement with Braun Intertec Corporation to Perform Clean-Up Duties for Contaminated Soil

In Brian Lintgen's absence, Stueve explained that Braun Intertec has been on site testing potentially contaminated soils to determine if they can be reused or sent to a landfill. He stated that Braun Intertec has completed the application to the Petrofund for reimbursement for the expenses related to the contaminated soil.

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO APPROVE ENTERING INTO AN AGREEMENT WITH BRAUN INTERTEC CORPORATION TO PERFORM SERVICES RELATED TO THE CONTAMINATED SOIL CLEAN-UP. MOTION PASSED 5-0.

#### B. Electric Relocation and Easements Update

Stueve explained that there were challenges with obtaining the electrical easements that were originally planned for the CSAH 2 project in the downtown area. He explained that the agreements with Xcel Energy and Faber Electric will be revised to reflect the change in the scope of the work since several easements were not able to be obtained.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE ENTERING INTO A CONTRACT WITH FABER ELECTRIC FOR ELECTRICAL IMPROVEMENTS ALONG RED RIVER AVENUE. MOTION PASSED 5-0.

### **SUE KADLEC CITY ATTORNEY**

#### A. Froehle Letter Regarding the Lease Agreement and Option to Purchase Agreement

City Attorney Sue Kadlec explained the City had received a letter from the Froehle's attorney requesting performance on the binding option agreement to purchase 12 acres of land plus easement at a price of \$110,000. Kadlec explained that the City did exercise the option to purchase because it was going to expire, although the exact property the City would purchase was not spelled out in the agreement. She stated that the Froehle's will be providing an updated abstract to the City Attorney. She explained that no action was needed from the Council at this time but wanted the Council to be aware of the situation.

### **CITY ADMINISTRATOR REPORT**

#### A. Vacant Lot Purchase Agreement with Granite Community Bank

Murphy explained the purchase agreement for the two vacant lots owned by Granite Community Bank to the north of the former First National Bank building. She stated that the purchase price is for \$95,000 and a term of five years had been established wherein Granite Community Bank could purchase back the property at this same price, but not before December 31, 2017. These terms would be recorded in the deed for the property.

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO NOT APPROVE ENTERING INTO THE PURCHASE AGREEMENT WITH GRANITE COMMUNITY BANK FOR PURCHASE OF VACANT LOTS PARCEL NUMBERS 48.29831.0000 AND 48.29832.0000. MOTION PASSED 4-1. THELEN OPPOSED.

**B. Temporary Family Health Care Dwellings**

Murphy explained that effective September 1, 2016, Temporary Family Health Care Dwellings are approved unless the City chooses to opt-out of this newly created law. She stated that if the Council would want to opt-out, a zoning ordinance change could be needed, and therefore a public hearing is needed. She explained the definitions and regulations spelled out in the new law for these dwellings. The Council was in favor of starting the process to consider opting-out of the law by referring the matter to the Planning Commission.

**MOTION WAS MADE BY KNAPP, SECONDED BY RAMLER, TO APPROVE OPTING OUT OF THE TEMPORARY FAMILY HEALTH CARE DWELLING LAW AND DIRECTING CITY STAFF TO COMMENCE THE OPT-OUT PROCEDURES. MOTION PASSED 5-0.**

**C. Southwest Minnesota Housing Partnership**

Murphy stated that the Mayor received written notice from Minnesota Housing Finance Agency that Southwest Minnesota Housing Partnership intends to substantially rehabilitate the Pinewest and Springhaven apartment complexes in Cold Spring. She stated that a letter of support from the City is helpful to the applicant and that Southwest Minnesota Housing Partnership is planning on purchasing these properties.

**MOTION WAS MADE BY RAMLER, SECONDED BY HEINEN, TO APPROVE SUBMISSION OF A LETTER OF SUPPORT FOR SOUTHWEST MINNESOTA HOUSING PARTNERSHIPS APPLICATION FOR REHABILITATION FUNDING FOR PINEWEST AND SPRINGHAVEN APARTMENTS. MOTION PASSED 5-0.**

**D. Space Needs Update**

Murphy stated that the Administration Department was the final department to present their space needs at the last Planning Commission meeting. She stated that the next step identified by the Planning Commission would be to take the input from the departments and work with an architect to conceptualize how the needs could be met with the existing building or through an expansion or a combination of both. The Planning Commission had recommended a work group assembled to review proposals for a professional analysis of the space needs. Murphy stated that she had received a proposal from Stantec and was waiting for a second proposal from another firm.

**MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE CREATION OF A FORMAL SPACE NEEDS WORKGROUP AND APPOINT ANN HARRREN AND DAVE HEINEN ALONG WITH JAYME KNAPP, TO A SPACE NEEDS WORKGROUP TO CONTINUE A FORMALIZED SPACE NEEDS STUDY. MOTION PASSED 5-0.**

**E. Mueller Storm Drain Update**

Murphy explained that the insurance adjuster would be providing a report determining if there would be any coverage for this situation.

**F. Boni-Fest Parade Registration**

Murphy presented the parade registration form and several members of the Council indicated their interest in participating in the parade. Murphy stated she would send in the registration form and the Council agreed they would arrange for obtaining a vehicle for the parade.

**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 \$374,931.57 AND SUPPLEMENTAL LIST TOTALING \$3,051.62 PRESENTED BY CITY STAFF. MOTION PASSED 5-0.**

**GENERAL COMMENTS AND QUESTIONS FROM CITY COUNCIL****A. Hometown Pride Trailer**

Murphy explained that Lynn Schurman from the Hometown Pride committee had submitted a request to increase the expenditure for the utility trailer being purchased for Hometown Pride as a larger trailer was available at a reasonable cost of \$5,100.

**MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO APPROVE THE INCREASE IN THE AMOUNT OF FOR THE PURCHASE OF A TRAILER FOR HOMETOWN PRIDE. MOTION PASSED 5-0.**

**B. Comprehensive Plan**

Mayor Thelen suggested that the Planning Commission discuss updating the City's Comprehensive Plan.

**MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO APPROVE THE PLANNING COMMISSION DISCUSSING UPDATING THE COMPREHENSIVE PLAN. MOTION PASSED 5-0.**

**C. Downtown Parking**

Mayor Thelen stated that since the purchase agreement with Granite Community Bank for the vacant lots did not get approved and there is still a need for additional downtown parking, the Council should come up with a new plan for downtown parking at the next meeting.

**D. Electronic Packet**

Mayor Thelen suggested that instead of printing out paper Council packets that the Council allow staff to look into having tablets that the packets could be uploaded onto electronically. The Council agreed to have staff explore electronic packets and the ability to display the agenda onto the screen during the meeting.

**ADJOURN**

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO ADJOURN AT 8:09 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 5-0.

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Robert R. Thelen, Mayor

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Brigid Murphy, City Administrator