

## **TUESDAY, JULY 14, 2020 COLD SPRING CITY COUNCIL MEETING 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 and Doug Schmitz. Council members present by phone/video: Gary Theisen. Others present: Brigid Murphy, Jason Blum, Karl Schmitz, Dave Hallila, Mike Welle, Andrew Kim, Anna Kim, Craig Hiltner, Dean George and Angie Mueller. Also present by video/phone: Jon Stueve, Brian Lintgen, Tammy Paczkowski, Dan Weber, and Sue Dege.

### **APPROVAL OF THE AGENDA**

MOTION WAS MADE BY MILLER, SECONDED BY KNAPP, TO APPROVE THE AGENDA OF THE JULY 14, 2020 CITY COUNCIL MEETING AS PRESENTED. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

### **CONSENT AGENDA**

A. Minutes – June 23, 2020

B. One Day Gambling License, Form LG230, for Nicholas P. Koenig HERO Foundation, July 25, 2020 at The Great Blue Heron

C. One Day Gambling License, Form LG220, for Saints Peter & Paul Church, November 7, 2020 at The Great Blue Heron

MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO APPROVE THE CONSENT AGENDA. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

### **RESOLUTION NO. 2020-37, A RESOLUTION APPROVING OF A STREET CLOSURE – COLD SPRING BREWING COMPANY**

Dave Hallila from Cold Spring Brewing Company explained that they are going to be getting a new cooling tower which will need to be set by a crane at the downtown production facility. He explained that it is scheduled to arrive the week of July 27, 2020. They will give a 24-hour advanced notice for the closure which should be needed for only a couple of hours.

MOTION WAS MADE BY MILLER, SECONDED BY KNAPP, TO APPROVE RESOLUTION 2020-37, A RESOLUTION APPROVING THE CLOSURE OF 5<sup>TH</sup> AVENUE NORTH INTERMITTENTLY THE WEEK OF JULY 27, 2020. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

### **DISCUSSION ON WATERLINE ISSUE**

Andrew Kim, homeowner at 300 5<sup>th</sup> St S was present to discuss the circumstances regarding a waterline issue that occurred earlier in the month. He explained that he felt he should have been contacted by phone before the water line repair was made to his service line, between the right of way and the water main. He was skeptical on how he could be certain that it was his line that received the repair since he didn't see it in person when it was excavated. Staff explained that they were willing to meet with him on site, with the contractor that performed the work, and to demonstrate that it was his line that was repaired, by shutting off his water at the curb stop to prove that the repair area is in fact the line that services his house. After some discussion he was satisfied with that plan of action. He continued to express his frustration in being given a bill that he needs to pay when he did not initiate or request the work to be completed but understood that the water line repair needed to be done.

### **RESOLUTION NO. 2020-35, A RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT OF KWIK TRIP 1120**

Dean George, from Kwik Trip stated that there was a minor modification to the plat since the last meeting due to Stearns County requiring additional right of way. He explained that MnDOT did not require any extra right of way which was in question at the last meeting.

MOTION WAS MADE BY SCHMITZ, SECONDED BY THEISEN, TO APPROVE RESOLUTION NO. 2020-35, A RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT KNOWN AS KWIK TRIP 1120. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

## **BLUE HERON HEIGHTS OUTLOT A DISCUSSION**

Craig Hiltner, from Woodland Homes/ARC Land, LCC, explained that they are interested in discussing Outlot A in Blue Heron Heights and wanted to see if the Council would be willing to waive the outstanding assessment on Outlot A which is approximately \$67,989.33. He stated they would build single family homes on the lots starting in the \$260,000 range. He stated that if the Council is receptive to that concept, then they would also purchase the remaining five tax forfeited lots in Blue Heron Heights. He stated they would start on plat design right away and hope to have a plat for approval yet in August. The Council stated that they would formally consider the waiver of the assessment for the Outlot when the plat approval is presented.

## **PUBLIC WORKS DIRECTOR REPORT**

### **A. Sale of 1992 Ford L9000 Truck**

MOTION WAS MADE BY MILLER, SECONDED BY KNAPP, TO ACCEPT THE BIDS FOR THE 1992 FORD L9000 TRUCK AND AWARD THE SALE OF SAID VEHICLE TO THE APPARENT HIGH BIDDER, JEREMY TOMSCHE FOR \$2,100.00. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

### **B. Sale of 1986 GMC 1500 Truck**

MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO ACCEPT THE BIDS FOR THE 1986 GMC TRUCK AND AWARD THE SALE OF SAID VEHICLE TO THE APPARENT HIGH BIDDER, CONNOR TOMSCHE FOR \$300.00. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

### **C. Sale of 1978 International Cab & Chassis**

MOTION WAS MADE BY KNAPP, SECONDED BY MILLER, TO ACCEPT THE BIDS FOR THE 1978 INTERNATIONAL CAB AND CHASSIS AND AWARD THE SALE OF SAID VEHICLE TO THE APPARENT HIGH BIDDER, BRADY GERTKEN FOR \$101.00. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

### **D. Water Treatment Plant Design Discussion**

Stueve provided renderings to the Council of the proposed water treatment plant building to get feedback. The Council stated that they like the looks of the structure. Stueve stated that it is designed to easily add capacity in the future if and when needed without undergoing a major construction project.

## **CITY ENGINEER REPORT**

### **A. County Road 158/First Street South Update**

Lintgen reported that the utilities are completed all the way to 9<sup>th</sup> Avenue along with curbing. He stated water and sewer work is ongoing to 14<sup>th</sup> Avenue.

### **B. Resolution No. 2020-38, a Resolution Accepting the Bids and Awarding a Contract for the “Wells 8 & 9 Pumping Facilities” Project**

Lintgen explained that there were four bidders for this project. He stated that the low bidder withdrew their bid due to a unilateral mistake. He stated it meets the conditions and factors to release their bid bond. MOTION WAS MADE BY KNAPP, SECONDED BY MILLER, TO ADOPT RESOLUTION NO. 2020-38, A RESOLUTION ACCEPTING BIDS AND AWARDING THE CONTRACT FOR THE “WELLS 8 & 9 PUMPING FACILITIES” PROJECT TO C & L EXCAVATING. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

### **C. Sanitary Sewer and Water System Improvements Update**

He stated they are continuing to work with landowners to finalize the route for the pipes and will be doing some soil borings.

D. Industrial Wastewater Pretreatment Update

Lintgen stated that they received the data from Cold Spring Brewing Company to further their design concept work.

**POLICE DEPARTMENT REPORT**

A. Monthly Reports

Chief Blum presented the calls for service for the month of June.

B. Sale of 2015 Chevrolet Impala

MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO ACCEPT THE BIDS FOR THE 2015 CHEVROLET IMPALA AND AWARD THE SALE OF SAID VEHICLE TO THE APPARENT HIGH BIDDER, SHEILA REITMEIER FOR \$3,501.00. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

C. Sale of 2011 Can-Am Commander

MOTION WAS MADE BY MILLER, SECONDED BY KNAPP, TO ACCEPT THE BIDS FOR THE FORFEITED 2011 CAN-AM COMMANDER AND AWARD THE SALE OF SAID VEHICLE TO THE APPARENT HIGH BIDDER, CONNOR TOMSCHE FOR \$3,010.00. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

D. Graffiti on Cold Spring Dam

Chief Blum explained that he was emailed photos of the graffiti by the Cold Spring Dam and discussed cleaning it up with the Public Works staff. He stated it is a difficult area to catch someone in the act due to the unique physical features of the area. He proposed covering the graffiti as it occurs and continuing extra patrols.

**CITY ADMINISTRATOR REPORT**

A. Liability Insurance Coverage Waiver

MOTION WAS MADE BY THEISEN, SECONDED BY MILLER, TO APPROVE MAINTAINING THE LIABILITY INSURANCE COVERAGE AT THE STATUTORY TORT LIABILITY COVERAGE LIMIT. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

B. Ordinance No. 379, an Ordinance Rescinding Adoption of the Minnesota Electrical Code

Murphy explained this resolution would relinquish local control of the electrical permits and inspections and those functions would be turned over to the State to administer.

MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO ADOPT ORDINANCE NO. 379, AN ORDINANCE RESCINDING THE ADOPTION OF THE MINNESOTA ELECTRICAL CODE. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

C. CARES Act Funding Update

Murphy explained that local governments are receiving funds from the federal government to use for response to COVID-19. She stated that the City of Cold Spring received \$316,504. She stated currently the expenses the City has incurred has not reached that amount. She stated that the funds can be used to give grants to local businesses. She stated that the money needs to be used by November 15<sup>th</sup> or it has to be given back, and that there are reporting requirements on the use of the funds. She stated she will be working with staff to determine future needs and establish grant criteria for businesses. She proposed two resolutions for the next meeting, the first showing the expenses already incurred and the second resolution showing future anticipated expenses and an amount for business grants.

**LIST OF BILLS**

MOTION WAS MADE BY KNAPP, SECONDED BY SCHMITZ, TO REVIEW AND ACCEPT PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$478,341.42 AND SUPPLEMENTAL LIST TOTALING \$592,032.04 PRESENTED BY CITY STAFF. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

**ADJOURN**

MOTION WAS MADE BY KNAPP, SECONDED BY SCHMITZ, TO ADJOURN AT 7:50 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. ROLL CALL VOTE, AYES- MILLER, SCHMITZ, KNAPP, THEISEN AND HEINEN. NAYES – NONE. MOTION PASSED UNANIMOUSLY.

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David Heinen, Mayor

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Brigid Murphy, City Administrator