

TUESDAY, JULY 28, 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, Doug Schmitz and Gary Theisen. Others present: Brigid Murphy, Jason Blum, Brent Neisinger, Brad Kelvington, Jayda Woods, Callie Swanberg, Peter Hansen, Erika Hansen, Jon Stueve, Sue Dege, Dan Weber and Angie Mueller. Also present by video/phone: Brian Lintgen, Jon Douvier, John Simon, and Pete Weber.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE THE AGENDA OF THE JULY 28, 2020 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 5-0.

CONSENT AGENDA

A. Minutes – July 14, 2020

B. Resolution No. 2020-40, A Resolution Granting Approval for St. Boniface Parish for a Gambling Permit for October 31, 2020

MOTION WAS MADE BY MILLER, SECONDED BY KNAPP, TO APPROVE THE CONSENT AGENDA. MOTION PASSED 5-0.

REQUEST FOR A STATEMENT FROM THE CITY COUNCIL AGAINST SYMBOLS OF HATE

Jayda Woods requested a City Council statement on behalf of the community of Cold Spring condemning hate symbols and rhetoric that make people feel unwelcome and to show support for inclusivity and diversity for everyone. She stated how the display of the confederate flag by a resident of Cold Spring across from the Rocori High School is extremely offensive and a direct response to the recent events in the Black Lives Matter movement. She acknowledged that everyone has the right to free speech, expression and display. In response to Woods' request, Mayor Heinen provided the following statement: The City of Cold Spring does not condone racial discrimination or the display of racist icons. The City strives to be a welcoming community for all persons, regardless of race, color, ethnicity, religion, gender identification, age, ability, place of origin, citizenship status and veteran status. All citizens have the right to freedom of speech guaranteed by the First Amendment to the Constitution. This right is fundamental to our democracy and protects us all against tyranny. For that reason, the City can make no laws that abridge any citizen's right to free speech, regardless of how offensive the speech may be.

APPROVAL OF ON SALE 3.2 LIQUOR LICENSE, WINE LICENSE AND SUNDAY SALES LICENSES FOR MCPEATS INC. AT MARNANTELI'S PIZZA AND GRILL

Peter and Erika Hansen introduced themselves as they will be the new owners of Maranteli's in the coming weeks. They gave a brief history of their experience owning and running a restaurant business.

MOTION WAS MADE BY THEISEN, SECONDED BY SCHMITZ, TO APPROVE AN ON SALE 3.2 LIQUOR, WINE AND SUNDAY SALES LIQUOR LICENSE FOR MCPEATS, INC. FOR SALE AT MARNANTELI'S PIZZA AND GRILL, EFFECTIVE WHEN APPROVED BY THE STATE OF MN – ALCOHOL AND GAMBLING ENFORCEMENT. MOTION PASSED 5-0.

FIRE DEPARTMENT REQUEST TO INCREASE RETIREMENT BENEFITS

Jon Douvier explained the request to increase the retirement benefits from \$2,200.00 to \$2,400.00 per year of service. He stated they consulted with BergenKDV about increasing the annual amount to make sure the funds would support and increase to the pension.

MOTION WAS MADE BY MILLER, SECONDED BY KNAPP, TO APPROVE RECOMMENDATION OF THE FIRE DEPARTMENT RELIEF ASSOCIATION AND INCREASE THE RETIREMENT BENEFITS FROM \$2,200.00 TO \$2,400.00. ROLL CALL VOTE, AYES - MILLER, KNAPP, THEISEN AND HEINEN. NAYES – NONE. ABSTAINED – SCHMITZ, DUE TO BEING A MEMBER OF THE FIRE DEPARTMENT RELIEF ASSOCIATION. MOTION PASSED UNANIMOUSLY.

RESOLUTION NO. 2020-39, A RESOLUTION APPROVING A VARIANCE FROM SECTION 17, SUBDIVISION 15, PART 6 REQUIRING LANDSCAPE ISLANDS IN A PARKING LOT

Brad Kelvington, Superintendent for Rocori School District presented the request for a variance from the requirement of landscape islands in the expanded parking lot south of the Rocori High School. He explained

that 139 parking spaces will be added in the expansion and that islands in the parking lot would require additional maintenance and upkeep, reduce functionality and would be a financial hardship. Murphy stated that the Planning Commission did recommend approval of the variance. Councilor Miller stated that she didn't find a specific uniqueness to the situation and therefore she did not vote in favor of it. Mayor Heinen stated that the only thing he saw was the financial component, which he stated was not a uniqueness to the property.

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO APPROVE RESOLUTION NO. 2020-39, A RESOLUTION APPROVING A VARIANCE FROM SECTION 17, SUBDIVISION 15, PART 6 REQUIRING LANDSCAPE ISLANDS IN A PARKING LOT AT ROCORI HIGH SCHOOL. ROLL CALL VOTE, AYES – KNAPP, SCHMITZ, THEISEN. NAYES – HEINEN AND MILLER. MOTION PASSED 3-2.

ARCHITECTURAL FIRMS DECISION

MOTION WAS MADE BY THEISEN, SECONDED BY MILLER, TO APPROVE AWARDED FIVE BUGLES THE ARCHITECTURAL DESIGN FOR THE FIRE HALL AND DIRECT THE CITY ADMINISTRATOR AND CITY ATTORNEY TO DRAFT NECESSARY CONTRACT DOCUMENTS. MOTION FAILED 0-5.

In further discussion on the firms, Councilor Knapp suggested that Five Bugles be invited back for a second interview, since this is a multi-million dollar project. He stated since the first interview was only 90 minutes long, he'd like a longer conversation with the company before awarding the design to their firm.

MOTION WAS MADE BY KNAPP, SECONDED BY THEISEN, TO HAVE FIVE BUGLES BACK FOR A SECOND INTERVIEW ON OR BEFORE THE NEXT REGULAR COUNCIL MEETING ON AUGUST 25TH, FOR A SPECIAL MEETING. MOTION PASSED 5-0.

FIRE DEPARTMENT REPORT

A. Request to Purchase Bunker Gear

Fire Chief Dan Weber explained that the bunker gear needs to be replaced every ten years.

MOTION WAS MADE BY KNAPP, SECONDED BY MILLER, TO APPROVE THE PURCHASE OF 11 BUNKER JACKETS AT A COST OF \$1,450.00 PER JACKET AND 4 BUNKER PANTS AT A COST OF \$875.00 FOR A TOTAL COST OF \$19,065.00 AND FURTHERMORE, TO BE PAID OUT OF THE FIRE DEPARTMENT DONATION FUND. MOTION PASSED 5-0.

B. Department Activity Report

Chief Weber reported that in the month of July they responded to 45 calls, bringing a total of 259 calls so far this year. He stated it recently has been very busy having 10 calls in a 36 hour time span. He stated the department is taking the appropriate safety precautions at calls to protect members from COVID-19. Council Theisen inquired how many of the 45 calls in July were to the Assumption Campus. Weber thought maybe twelve were to their campus. He added that humid weather has been setting off alarm systems lately and several car accidents have also happened.

C. Other

Chief Weber stated that he recommends the architectural firm BKV, he stated that he's heard good thing about their firm and stand behind the projects they have completed.

PUBLIC WORKS DIRECTOR REPORT

A. Request Approval to Improve Baseball Park Entry Area Landscaping

Jon Stueve explained his design drawing for a home plate shaped landscape garden bed at the former vehicle entrance to the baseball park. He stated that although there is now a curb in this area, a raised garden will help provide a visual cue that this entrance is no longer an entrance for vehicles and is for pedestrians only. He stated there will be eight feet on each side of the garden for wheelchairs.

MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO APPROVE THE LANDSCAPING GARDEN BED AT THE COLD SPRING BASEBALL PARK ENTRY AT A COST OF \$4,000.00 AND

FURTHERMORE, TO BE PAID OUT OF THE PARKS DEPARTMENT BUDGET CAPITAL EXPENDITURES LINE ITEM #6413. MOTION PASSED 5-0.

B. Award Seal Coating and Fog Sealing Bid

Stueve explained that Astech does quality work and that the work areas will be in the Cold Spring Business Park and River Oaks.

MOTION WAS MADE BY MILLER, SECONDED BY KNAPP, TO AWARD THE SEAL COATING AND FOG SEALING PROJECT TO THE APPARENT LOW BIDDER OF ASTECH FOR THE AMOUNT OF \$1.13 PER SQUARE YARD AND FURTHERMORE, TO BE PAID OUT OF STREET DEPARTMENT BUDGET LINE ITEM #6611 STREET REPAIR/SEAL COATING. MOTION PASSED 5-0.

C. Other Updates

Stueve explained that staff did meet on site with the Kim family about the water service line issue and after the meeting they seemed satisfied. He stated that another service line broke last week on 17th Avenue. He stated that the residents staircase was lost during the repair due to the curb stop so close to it and being buried two feet down. He stated that the repair was successful and that this is the third service line break this year. He next stated that the concrete has been poured for the fishing pier in Alexander Park.

D. Skateboard Park

Councilor Theisen stated that members of the Council received a letter about the condition of the equipment at the Skateboard Park. Stueve stated that the rotten equipment has been removed from the park since the letter was received. He stated that the popularity of the skateboarding has declined, and he proposes cementing the ice skating rink so that it could be used for skateboarding in the summer and then turning the skateboard park into some other sort of use such as pickleball or basketball courts.

E. Landscaping by Fenced Area

Councilor Miller stated that the new fenced areas on Red River Avenue South with landscaping have lots of weeds in them. Stueve stated that many of those plants are native and that he thought the beautification committee was weeding those areas. Stueve stated that the part-time summer staff could likely tackle those weeds.

CITY ENGINEER REPORT

A. County Road 158/First Street South Update

Lintgen reported that the utilities are still being installed and should be completed within the next two weeks. He stated that half of the project has been paved at this point.

B. Water Treatment Plant Update

Lintgen stated that some minor adjustments are being made after the staff meeting recently and that bids will be back in late September so that some work can begin yet this fall.

C. Well No. 8 and 9 Pumps, Controls, and Roadway Update and Overhead Power Plans and Request to Bid
Lintgen explained that the contracts for the pumping facility have been finalized. He stated that the plans for the overhead power were included in the packets.

MOTION WAS MADE BY THEISEN, SECONDED BY SCHMITZ, TO APPROVE THE OVERHEAD POWER PLANS AND AUTHORIZE ADVERTISING FOR BIDS FOR THE WELLS 8 & 9 OVERHEAD POWER CONSTRUCTION. MOTION PASSED 5-0.

D. Sanitary Sewer and Water System Improvements Update

He stated soil borings will be done this week and that design work is continuing. He added that hopefully easements can be obtained from landowners so that the project can get out for fall construction.

E. Industrial Wastewater Pretreatment Update

Lintgen stated that concept design is underway for the project.

F. Blue Heron Heights Fourth Addition Scope and Estimate for ARC LAND, LLC Development of Blue Heron Heights 4th Addition

Lintgen explained that the developer has requested that Stantec design the project. He stated that the project would be privately bid and financed by the developer. Councilor Knapp inquired whether another outlet for the development could be discussed. Murphy stated that in the past the township hasn't been very receptive to that concept, but that the issue can be revisited again.

MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO APPROVE THE IMPROVEMENTS AGREEMENT WITH ARC LAND, LLC FOR DESIGN OF THE IMPROVEMENTS NECESSARY TO PLAT OUTLOT A OF BLUE HERON HEIGHTS 3RD ADDITION TO MEET CITY STANDARDS. MOTION PASSED 5-0.

POLICE DEPARTMENT REPORT

A. National Night Out

Chief Blum stated that National Night Out has been postponed from August 6th to October 6th. He stated that date might change in the future depending on current circumstances at the time. Mayor Heinen suggested hosting it with Fire Safety Awareness week.

B. Mask Mandate Update

Chief Blum stated that the department will continue with education over enforcement of the mask mandate and that there haven't been any issues as of yet.

C. Other

Chief Blum stated the speed truck has been out and if anyone has any suggestions for a location it should be parked they should contact the department.

CITY ADMINISTRATOR REPORT

A. 2021 Budget Calendar

MOTION WAS MADE BY THEISEN, SECONDED BY KNAPP, TO ADOPT THE 2021 BUDGET CALENDAR AND SCHEDULE THE BUDGET MEETING FOR SEPTEMBER 3, 2020 AT 8:00 A.M. MOTION PASSED 5-0.

B. Request for a Traffic Study for County Road 50

Murphy stated that the County requests a local letter of support from a local municipality when the County submits a request for a traffic study from MnDOT. She stated that someone had requested the County to do a traffic study on County Road 50 for the location of the 30 mile per hour zone at the city limits. There is no cost to the City for the study. After some discussion, Councilor Schmitz inquired whether the letter could also include support for a traffic study on County Road 2 from the roundabout, north to the city limits. He stated that in the past the speed limit had been 30 miles per hour and when a traffic study was done, it had been increased to 40 miles per hour. He stated he would like to see it lowered back down.

MOTION WAS MADE BY MILLER, SECONDED BY KNAPP, TO APPROVE SUPPORTING STEARNS COUNTY HIGHWAY DEPARTMENT'S REQUEST TO MNDOT FOR A TRAFFIC STUDY ON COUNTY ROAD 50 FROM COUNTY ROAD 2 TO 158TH AVENUE. MOTION PASSED 5-0.

MOTION WAS MADE BY SCHMITZ, SECONDED BY THEISEN, TO REQUEST STEARNS COUNTY HIGHWAY DEPARTMENT TO REQUEST MNDOT TO CONDUCT A TRAFFIC STUDY ON COUNTY ROAD 2 FROM THE ROUNDABOUT, NORTH PAST THE SCHOOL DISTRICT PROPERTIES. MOTION PASSED 5-0.

C. Rockville and Stickney Hill Update

Murphy stated that the City received a response from Rockville and Stickney Hill within the time period requested. She stated city staff is still reviewing the agreement before signing off on it.

D. CARES Act Funding Update

Murphy stated that Stearns County can provide assistance to local cities for a city’s own grant assistance program for businesses. She stated that at the next meeting she should have more information at the next meeting.

E. Request to Purchase Six Laptops from Windahl Technology, LLC

Murphy explained that in the event that meetings need to go back to being virtual, she would like for each Council member to have a laptop to accommodate that remote need and one for the presenter at the meeting. She added that the Thinkpads currently assigned to the Council will be used for other boards and commissions to accommodate those needs too. She stated members will be able to hear better with the laptops since that has been an issue on remote meetings.

MOTION WAS MADE BY KNAPP, SECONDED BY SCHMITZ, TO APPROVE THE PURCHASE OF SIX HP NOTEBOOK COMPUTERS AT A TOTAL COST OF \$2,694.00 AND FURTHERMORE, TO BE PAID OUT OF THE CITY HALL BUILDING CAPITAL EXPENDITURES BUDGET LINE ITEM #6413 WITH REIMBURSEMENT FROM THE CARES ACT FUNDING RECEIVED BY THE CITY OF COLD SPRING. MOTION PASSED 5-0.

LIST OF BILLS

MOTION WAS MADE BY MILLER, SECONDED BY THEISEN, TO REVIEW AND ACCEPT PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$488,014.22 AND SUPPLEMENTAL LIST TOTALING \$16,584.68 PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

BOARD AND COMMISSION UPDATES

A. EDA

Councilor Knapp stated that the CEDA representative assigned to our City, Robert Harris has resigned and that a new representative will be assigned soon. He added that the new representative will be working only with the City of Upsala and the City of Cold Spring.

B. Rocori Trail

Murphy explained that no funding was approved at the legislative special session in July.

C. Planning Commission

Councilor Miller stated that the variance for the Rocori School District was the main item on their agenda.

D. Park Board

Councilor Schmitz reported that there was not a quorum at the last meeting so it wasn’t held. He stated that the meeting is rescheduled to August 24th.

ADJOURN

MOTION WAS MADE BY SCHMITZ, SECONDED BY KNAPP, TO ADJOURN AT 7:42 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 5-0.

David Heinen, Mayor

Brigid Murphy, City Administrator