

## **WEDNESDAY, AUGUST 28, 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, Doug Schmitz and Fran Ramler. Absent: None. Others present: Kris Dockendorf, Jon Stueve, Sam Butler, Jason Spoden, and Joe Jelovnick.

### **APPROVAL OF THE AGENDA**

MOTION WAS MADE BY HENNEN, SECONDED BY SCHMITZ, TO APPROVE THE AGENDA OF THE AUGUST 28, 2024 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 5-0.

### **CONSENT AGENDA**

A. Minutes – August 14, 2024 Regular Meeting

B. The Nicholas P. Koenig HERO Foundation, Application to Conduct a Raffle, Form LG240B on October 18, 2024 at The Great Blue Heron – 305 5<sup>th</sup> Ave S

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

### **ORDINANCE NO. 413 – AN ORDINANCE AMENDING CITY CODE FOR PARKING IN FRONT YARDS**

Councilor Hennen stated that the Planning Commission discussed the ordinance change and their goal was to make it so that the zoning ordinance and nuisance ordinance would match. Councilor Fall inquired who would enforce the ordinance and Dockendorf stated that it would be enforced by the police department.

MOTION WAS MADE BY FALL, SECONDED BY HENNEN, TO APPROVE ORDINANCE NO. 413 AMENDING THE CITY CODE REGULATING PARKING IN FRONT YARDS. MOTION PASSED 5-0.

### **ORDINANCE NO. 414 – AN ORDINANCE AMENDING ZONING ORDINANCES FOR PARKING IN FRONT YARDS**

Several Council members inquired about properties that currently do not fall into compliance with this ordinance. Dockendorf explained that those properties would be considered non-conforming use, that they would be allowed to continue to exist in the current state, but if a change was made on the property, then they would need to bring their property into compliance with the current standards.

MOTION WAS MADE BY HENNEN, SECONDED BY FALL, TO APPROVE ORDINANCE NO. 414 AMENDING THE ZONING ORDINANCE PERTAINING TO PARKING ACCESS AND SURFACE DESIGN STANDARDS. MOTION PASSED 5-0.

### **PUBLIC WORKS DEPARTMENT REPORT**

A. Stump Removal on City Property

Stueve explained that the quote for removing stumps in City parks and other City properties came in at \$850, therefore Council approval was no longer needed.

B. Remove Dead Trees and Granite

Stueve stated that there are twelve dead or nearly dead trees throughout the downtown area. After discussing them with the respective business owners he recommended removing the trees and replacing the granite pavers with concrete. Councilor Fall suggested that City staff do the tree removal portion instead of hiring it out. Stueve stated that equipment would need to be rented in order to do the work and stated that it would take much longer to complete the work if staff did it.

MOTION WAS MADE BY RAMLER, SECONDED BY HENNEN, TO APPROVE HIRING ANDREW PHILLIPI TO REMOVE DEAD TREES AND REPLACE THE GRANITE AROUND THEM WITH CONCRETE IN THE DOWNTOWN AREA AT A COST OF \$12,000; TO BE PAID OUT OF STREET DEPARTMENT, TREES AND STUMPS LINE ITEM #6712. MOTION PASSED 4-1. ROLL CALL VOTE, AYES - HENNEN, HEINEN, SCHMITZ AND RAMLER, NAYES – FALL.

C. Updates

Stueve stated that they will be removing stumps on Friday of this week. He also stated there was some vandalism to Alexander Park which was caught on camera and is being dealt with by the police department.

#### D. 2025 Improvements Project

Stueve stated the costs for the improvements are nearly 2.9 million dollars for the project, with the City cost being 2.1 million dollars. He stated that considering the large cost they are looking at options for the project. He stated that there are lots of new services on the project and the biggest need is for pavement. He stated if a mill and overlay was instead done it, could provide another five to ten years of life to the project, which would reduce the cost of the project to \$480,000. He stated that if re-aligning the corner on the east end and the mill and overlay was done, the cost would be more like \$900,000.

### **CITY ENGINEER REPORT**

#### A. Resolution No. 2024-25, a Resolution Accepting Feasibility Report

Butler presented the Feasibility Report for the 2025 Main Street Improvements Project. He went over many elements of the project including the western and eastern portions, the reclaim areas, street alignment, full reconstruction areas, the proposed trail construction, and trail realignment on Main Street. He stated the total construction costs would be \$2.9 million with \$746,000 in assessments and just over \$2.1 million in City costs. Discussion of elements included reduction of street widths and trail alignment. Butler explained that grant opportunities would be stronger if the pedestrian trail was a separate project and had a connecting point tied into a trail system. After further discussion Council members Fall, Schmitz and Heinen agreed that they did not want a bandage fix and that the full project should be done. Dockendorf stated that her recommendation was to accept the feasibility report only at this time since there are staff concerns about the cost impact on the tax levy since the Fire Hall construction project will also be starting in 2025. Alternatively, she said she did draft another resolution accepting the report and calling for a public hearing if the Council chose to instead move forward with the project. Council discussion included revising the feasibility report to remove the trail from the project, and/or revising it to show a mill and overlay. Councilor Hennen stated that he would like more time to further consider the various components of the project. Ultimately, the Council came to unanimous consensus that since the annual budget meeting would be held the following week, that they would delay a decision on the Feasibility Report until after that time, to see what the potential impact would be to the tax levy.

**MOTION WAS MADE BY SCHMITZ, SECONDED BY HENNEN, TO TABLE THE FEASIBILITY REPORT UNTIL THE NEXT MEETING. MOTION PASSED 5-0.**

#### B. Memorandum of Understanding with Rockville

Butler stated the memorandum of understanding was reviewed by the City Attorney, changes were made and the City of Rockville signed it. He stated that there will be another agreement before the plant would be done, which would define the allocated flow and loading capacity.

**MOTION WAS MADE BY HENNEN, SECONDED BY RAMLER, TO APPROVE ENTERING THE MEMORANDUM OF UNDERSTANDING WITH THE CITY OF ROCKVILLE REGARDING TREATMENT CAPACITY AT COLD SPRING'S WASTEWATER TREATMENT FACILITY AND AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO SIGN THE MEMORANDUM OF UNDERSTANDING. MOTION PASSED 5-0.**

#### C. Cold Spring Fire Station – Request for Additional Project Budget

Butler explained that during the design process there were project changes that required additional engineering work. He explained the additional items were the multiple parking lot layouts, revised grading plan, landscaping and retaining walls and contaminated soils. He added that the bid opening for the project is the following day.

**MOTION WAS MADE BY FALL, SECONDED BY RAMLER, TO APPROVE THE REQUEST FROM STANTEC FOR ADDITIONAL BUDGET IN THE AMOUNT OF \$10,450.00 FOR ADDITIONAL WORK AND PROJECT CHANGES ON SITE DESIGN FOR THE NEW FIRE STATION. MOTION PASSED 5-0.**

#### D. Project Updates

Butler stated that the bids will be due on September 5<sup>th</sup> for the Backwash Tank Project. He stated that the new generator for the Lift Station #1 Project has been modified to use propane for its source instead of natural gas, due to \$815 monthly service cost being required by CenterPoint Energy. He stated that work is ongoing on

River Links 5<sup>th</sup> and 6<sup>th</sup> Addition and that services are being installed. Lastly, he provided additional information on the lead service line project stating that the City's survey information has been sent to the Minnesota Department of Health. They are reviewing the information and will be requiring the City to send out letters to all residents informing them of the survey being completed and a second letter will need to be sent to the property owners with lead, galvanized or unknown services. He stated that MDH's response on future steps in the program is that it continuously changes. He stated he will continue to provide updates when they are received.

## **POLICE DEPARTMENT REPORT**

### **A. Purchase of New K9 Dog**

Sgt. Spoden explained that fundraising had been done for the purchase of the dog through forfeitures, grants and donations. He stated that the handler and the K9 are now in training which is expected to go until the end of October. Councilor Fall stated again that he was against the apprehension feature of the dog training. MOTION WAS MADE BY SCHMITZ, SECONDED BY HENNEN, TO APPROVE THE PURCHASE OF A K9 DOG FOR THE POLICE DEPARTMENT AT A COST OF \$19,340.00 FROM PERFORMANCE KENNELS, INC.; TO BE PAID OUT OF THE DRUG PREVENTION FUND FROM DONATIONS; FURTHERMORE, TO APPROVE MITCHELL MUELLER AS THE HANDLER FOR THE NEW K9 DOG. MOTION PASSED 4-1. ROLL CALL VOTE, AYES – HEINEN, HENNEN, SCHMITZ AND RAMLER, NAYES – FALL.

### **B. Other**

Councilor Fall gave the addresses of several parking complaints that he wanted to report, one being an RV parked for over three weeks at 440 7<sup>th</sup> Ave North, a pontoon parked on 7<sup>th</sup> Street North and a boat that has not been moved on 8<sup>th</sup> Avenue.

## **CITY ADMINISTRATOR REPORT**

### **A. Updates**

Dockendorf stated that bid opening for the Fire Hall project will be the following day at 2:30 p.m. She stated that it will take approximately a month to get all the contracts signed and estimated that construction will start October 1<sup>st</sup>. She stated that the packets for the budget meeting will be sent out at the end of the week. She added that the library fundraising committee met last week for the first time.

## **COMMISSION UPDATES**

### **A. Planning Commission**

Councilor Hennen stated that DJP Properties was present to discuss their preliminary plat which was unique because there was no final plat with it like there usually has been. He stated that the original plat is over 20 years old, so they discussed layouts. He stated they discussed the ordinance changes approved earlier in the meeting and also dwellings in the C-1 District and special use permits.

### **B. EDA**

Councilor Ramler and Schmitz did not attend the last meeting. Dockendorf stated that they did a few business visits and discussed that Arnie Schmitt had changed his mind about selling his property.

### **C. Park Board**

Mayor Heinen stated that they discussed different ideas for parks in the River Links development. He stated there was interest in soccer fields but there is no available land for it, therefore that inquiry was redirected to the school district. He stated they also discussed replacement of the section of wooden bleachers at the Baseball Park.

### **D. Rocori Trail**

Councilor Schmitz stated that they approved bills at their last meeting and that Sam Butler was there to discuss the proposed trail re-alignment component of the 2025 Main Street Improvements Project.

**LIST OF BILLS AND ADDITIONS**

MOTION WAS MADE BY RAMLER, SECONDED BY SCHMITZ, TO REVIEW AND ACCEPT PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$214,069.18 AND SUPPLEMENTAL LIST TOTALING \$48,496.41 AS PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

**GENERAL QUESTIONS AND COMMENTS FROM CITY COUNCIL**

Mayor Heinen stated that he attended a meeting held by the Woodland Hills Homeowners Association. He stated the association wants to change the current private portion of Fireside Road to instead be public. He stated that they have hired the township engineer to do the engineering work for it. The Council agreed that there would be a great benefit to that being a public road.

**ADJOURN**

MOTION WAS MADE BY SCHMITZ, SECONDED BY HENNEN, TO ADJOURN AT 6:53 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 5-0.

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Dave Heinen, Mayor

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Kris Dockendorf, City Administrator