

TUESDAY, OCTOBER 27, 2015 COLD SPRING CITY COUNCIL MINUTES

Mayor Robert Thelen called the meeting to order at 6:30 p.m. The following members were found to be present: Mayor Robert Thelen and Council Members Jan Dingmann, Dave Heinen, Jayme Knapp and Fran Ramler. Others present: Kris Dockendorf, Jon Stueve, Brian Lintgen, Heidi Stalboerger, George Schnepf, Ray Schreiner, Mike Dockendorf, Sandy Kremers, Jodi Teich, Lisa Hunstiger and Angie Mueller.

APPROVAL OF THE AGENDA

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO APPROVE THE AGENDA OF THE OCTOBER 27, 2015 CITY COUNCIL MEETING. MOTION PASSED 5-0.

CONSENT AGENDA

A. Minutes – October 13, 2015

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO APPROVE THE MINUTES OF THE OCTOBER 13, 2015 REGULAR CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 5-0.

B. Accept Resignation of Firefighter Janet Aaseth

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO ACCEPT THE RESIGNATION OF FIREFIGHTER JANET AASETH, EFFECTIVE NOVEMBER 13, 2015, AND THANK HER FOR HER SERVICE. MOTION PASSED 5-0.

C. Accept Resignation of Firefighter Steve Kollmann

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO ACCEPT THE RESIGNATION OF FIREFIGHTER STEVE KOLLMANN, EFFECTIVE OCTOBER 13, 2015 AND THANK HIM FOR HIS DEDICATED SERVICE. MOTION PASSED 5-0.

D. Approve Advertising for Firefighters

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO APPROVE ADVERTISING TO HIRE THREE FIREFIGHTERS TO THE COLD SPRING FIRE AND RESCUE DEPARTMENT; FURTHERMORE, TO APPOINT COUNCILOR HEINEN, THE INTERIM CITY ADMINISTRATOR, FIRE CHIEF, TWO OFFICERS AND ONE SUPERVISOR FROM EACH OF THE THREE SERVICED TOWNSHIPS TO THE HIRING COMMITTEE FOR THE HIRING OF THREE FIREFIGHTERS. MOTION PASSED 5-0.

E. Approval of Sale of 2000 Subaru Forester

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO ACCEPT THE BIDS FOR THE SALE OF THE 2000 SUBARU FORESTER, A FORFEITURE VEHICLE, AND AWARD THE SALE OF SAID VEHICLE TO THE APPARENT HIGH BIDDER, SETH DONLIN FOR \$752. MOTION PASSED 5-0.

SIREN FOR RIVER LINKS

EMS Director Mike Dockendorf explained that for several years money was being set aside to purchase an emergency management system siren for the River Links Development once there were houses constructed. He stated that a \$1,000 grant was obtained from Stearns Electric along with a reduction in price from the original bid price bringing the price cost down.

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE THE PURCHASE OF A SIREN FOR RIVER LINKS DEVELOPMENT FROM GRANITE ELECTRONICS FOR \$13,915.00 PLUS INSTALLATION OF THE SIREN FROM DESIGN ELECTRIC FOR \$2,897.00, FOR A TOTAL OF \$16,812.00, TO BE PAID FOR FROM THE EMS CAPITAL EXPENDITURE BUDGET. MOTION PASSED 5-0.

ASSESSMENT HEARING 2ND AVENUE RECONSTRUCTION PROJECT

Mayor Thelen opened the assessment hearing at 6:36 pm. Brian Lintgen gave a presentation on the improvements and proposed assessments. George Schnepf representative from Coldspring requested that the Council not include the land acquisition costs in the assessments, stating that the improvements provide a benefit not just to the property owners but also to the neighboring businesses of Granite Community Bank and Teals Market, in addition to the community as a whole. The Council agreed and noted that the land acquisition costs would be paid fully by the City. Mayor Thelen closed the assessment hearing at 6:50 pm after hearing no further comments.

MOTION WAS MADE BY KNAPP, SECONDED BY DINGMANN, TO ADOPT RESOLUTION NO. 2015-25, A RESOLUTION ADOPTING THE ASSESSMENTS FOR THE “2ND AVENUE RECONSTRUCTION PROJECT”. MOTION PASSED 5-0.

DISCUSS GRANITE BANDING FOR CSAH 2 IMPROVEMENT PROJECT

George Schnepf from Coldspring stated that Coldspring would like to donate granite banding by the bollards for the CSAH 2 Improvement Project. He stated they would donate the materials and the cost for installation. The banding would be similar to the banding in the Granite Landing development.

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO ACCEPT THE DONATION FROM COLDSRING FOR THE INSTALLATION AND MATERIALS FOR GRANITE BANDING NEAR THE BOLLARDS ON THE CSAH 2 IMPROVEMENT PROJECT. MOTION PASSED 5-0.

DISCUSSION OF CSAH 58/MAIN STREET TURN BACK TO THE CITY

Stearns County Engineer Jodi Teich explained that CSAH 58 is part of Main Street, starting from the intersection with Red River Avenue and going east, just short of the Sauk River. She explained the County had identified CSAH 58 as a road that they would like to turn back to the City. The County has approved a \$60,000 payment to the City for the turnback, which would equal the cost to mill and overlay this section of roadway. She stated that the County will consider a resolution to revoke their interest and remove the state aid for it at their next meeting in November, so the Council could have some time to discuss it before making a decision.

ST. BONIFACE SPECIAL USE PERMIT – RESOLUTION 2015-23

Councilor Heinen stated that the Planning Commission had discussed the Special Use Permit and recommended approval of it. He stated that the property is owned by St. Boniface Church and is currently zoned commercial but they would like to sell it to be used as a residential property. He stated using the property for residential use fits with the neighboring properties. It was noted that should one year go by where the property is not used as residential, the property will then revert back to C-1 Downtown Commercial.

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVE RESOLUTION NO. 2015-23, A RESOLUTION APPROVING A SPECIAL USE PERMIT TO ALLOW FOR A RESIDENTIAL USE IN THE C-1 DOWNTOWN COMMERCIAL ZONING DISTRICT FOR THE CHURCH OF ST. BONIFACE FOR PROPERTY LOCATED AT 22 5TH AVENUE NORTH. MOTION PASSED 5-0.

DISCUSSION OF NORTH POINTE PLAT 4 PUD

Ray Schreiner of Ray’s Construction explained to the Council that he had submitted a building permit for a new home in the North Pointe 4 development and it had not been issued because it did not meet the required side yard setback. He stated that he believed there was a misunderstanding in what the side yard setback is for the lots on the north side of 15th Street in this plat, as he believed it was five feet measured from the footings, and staff believed it was five feet measured from the outermost point, which is the eave. He requested Council approval to build this new home and for the remaining lots on the north side of 15th Street North, in North Pointe Plat 4, to have a side yard setback of 5 feet as measured from the footing to the property line. The Council gave their approval to Schreiner and requested that staff amend the PUD to reflect this change for only the lots on the north side of 15th Street North, and bring the PUD amendment back for Council approval.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO ALLOW A FIVE FOOT SIDE YARD SETBACK MEASURED FROM THE PROPERTY LINE TO THE FOOTINGS, FOR THE LOTS IN NORTH POINTE PLAT 4, LOCATED NORTH OF 15TH STREET NORTH ONLY. MOTION PASSED 5-0.

PUBLIC WORKS DIRECTOR REPORT

A. Public Works Technician II

Jon Stueve explained that there was one letter of interest submitted during the internal posting of the position. He stated that he didn’t feel that person was the right fit for the job and requested that the position be opened up to the public.

MOTION WAS MADE BY KNAPP, SECONDED BY DINGMANN, TO APPROVE ADVERTISING FOR THE POSITION OF PUBLIC WORKS TECHNICIAN II. MOTION PASSED 5-0.

B. Private Lift Station

Stueve explained that there are several private lift stations throughout town and that as per the contracts the homeowners are responsible for the maintenance of the lift stations. He stated that the City owns the easement that the lift stations are on but not the lift stations themselves. He stated that if homeowners have questions about them, they can ask the City staff for guidance, but the maintenance responsibility is that of the homeowners. He stated the City Attorney reviewed the contract and agreed that the homeowners must maintain their private lift stations.

C. Stearns County Auction

Stueve explained that City owned property that was put on the auction sold with the exception of the ATV plow.

CITY ENGINEER REPORT**A. CSAH 2/Red River Avenue**

Lintgen explained that design work is continuing.

B. Main Street

Lintgen explained that the topographic survey is underway and that the Feasibility Report will be completed later this winter.

C. Wells

Lintgen explained that the wetland delineation comment period has ended and there haven't been any comments received on it. He stated that in late November a roto sonic rig will come out to drill the test well which will give a better indication of what is down there. He said the next step will be to execute the agreement to purchase the land before the end of the year.

TRANSPORTATION BILL RESOLUTION

Dockendorf explained that several members of the Council had attended a League of Minnesota Cities meeting where transportation funding was discussed. The League had provided a sample resolution for outstate cities to adopt showing their support of dedicated state funding for city streets. They also provided a press release which the Council indicated should be sent out to local media.

MOTION WAS MADE BY KNAPP, SECONDED BY DINGMANN, TO ADOPT RESOLUTION NO. 2015-24, A RESOLUTION SUPPORTING DEDICATED STATE FUNDING FOR CITY STREETS. MOTION PASSED 5-0.

DISCUSS BUSINESS DISPLAYS ON SIDEWALKS

Councilor Heinen explained that the Planning Commission had discussed business displays on sidewalks. He stated they agreed business displays on sidewalks are not against the ordinance as long as they do not obstruct the sidewalk and are in front of their business. He stated they did contact one business that had items displayed on the side and front of their business and they willingly moved the items in front of their business only. The Planning Commission recommended no change to the current ordinance.

REVIEW DRIVEWAY WIDTH ORDINANCE

Dockendorf reviewed the issue of driveways being constructed wider than allowed by the Zoning Ordinance. She stated that the Building Inspector had suggested the City issue driveway permits that require an inspection of the driveway and provided extreme consequences for non-compliance. Heidi Stalboerger explained how the township requires a permit and a refundable deposit for all driveways. The Council discussed that the fee or deposit must be enough to ensure contractor compliance. Dockendorf suggested that the driveway permit be required for the concrete contractor for better control of the responsibility. The Council agreed that all driveways, whether new or replacement should be required to obtain a driveway permit for a fee and a refundable deposit. They requested that this topic be brought back to the next meeting.

CITY ADMINISTRATOR REPORT**A. Advertising Rate for Electronic Sign**

Dockendorf explained that when the electronic sign was put up in 2006 there were four panels for advertising on the sign which the City sold for a ten year contract at \$10,000 for each company, which helped pay for the sign. She stated that one of the panels is currently open and someone is interested in advertising on it. Councilor Knapp suggested that the City purchase a new, bigger sign without advertising on it. The Council discussed moving forward with a year to year lease at market rate. After further discussion the Council agreed that the rate for the vacant spot would be \$83.33 per month until the end of 2015. The Council directed staff to bring the topic to the Planning Commission for their input on the suggestion of a new larger sign.

B. Housing Study

Dockendorf explained that staff had applied for a grant through the Initiative Foundation to conduct a housing study. The City has since been invited to submit a full application but would only be awarded \$5,000 if selected for the grant, which would only pay for half of the housing study. The Council requested that staff find out if there is an expiration of the funds should the City be awarded the grant, being as the Council did not include money in the 2016 budget for a housing study. The Council requested that the Planning Commission and EDA review the matter and provide a recommendation on whether to proceed with submitting the full grant application.

At 8:20 p.m. Councilor Knapp recused himself from the discussion due to his interest in the City Administrator position.

C. Hiring Process for City Administrator Position

Dockendorf explained that the next step in the hiring process will be to advertise for the position. The Council agreed they would like to advertise the position for 30 days using the *St. Cloud Times*, *Cold Spring Record*, League of Minnesota Cities and the City websites. The Council requested that the salary range of \$60,000 to \$80,000 be taken off the advertisements and instead included in the application materials. They agreed that the condensed version of the ad with fewer words be used for the paid advertising. The Council agreed to the following hiring committee: Fran Ramler, Bob Thelen, Kris Dockendorf, Chris Boucher, Jon Stueve, Dan Weber, and one at large person such as Dan Steil or Gary Theisen.

At 8:28 p.m. Councilor Knapp resumed his seat at the Council table.

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 \$80,865.98 AND SUPPLEMENTAL LIST TOTALING \$83,130.03 PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

ADJOURN

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO ADJOURN AT 8:30 P.M., SEEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL. MOTION PASSED 5-0.

Robert R. Thelen, Mayor

Kris Dockendorf, Acting City Administrator