

## **TUESDAY, MAY 10, 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, Kris Dockendorf, Jessica Green, Nancy Heinen, Jake Pidde, Nancy Schulzetenberg, Brian Lintgen, Jon Stueve, Tammy Paczkowski, Terry Czech, Tina Ludwig, Glen Ludwig, Marv Soldner, Dawn Pochardt, Nick Pochardt, Jon Douvier, Ashley Douvier, Adam Lubbers, Mark Watson, LaVonne Hedman, Jerry Hedman, Ambrose Sobania, Kim Stewart, Devin Stewart, Joanne Cymbaluk, Dave Hennen, Glen Richards, Wayne Cymbaluk, Kevin Ratka, Maria Rasmussen, Pete Kraemer, Tim Kraemer, Tori Kraemer, Gary Terhaar, Dan Steil, Scott Voigt, Brian Iten, Jeff Deiss, Jason Braegelmann, Vicki Braegelmann, Eric Paulson, Sara Paulson, Ray Schreiner, David Trombley, Jane Trombley, Karen Holtz, Molly Buerman, Tim Paczkowski, Mike Peterka, Holly Booth, Jeffrey Booth, Dale Utsch, Jake Zauhar, Jason Spoden, Melissa Jopp, Emily Jopp, Megan Carr, Jeff Peterson, Pat Arnold, Joan Warnert, Iggy Warnert, Heidi Stalboerger, Greg Henry, Andrea Robinson, Scott Klein, Brad Fredin, Kathy Ratka, Linda Stewart, Kevin Burr, Leah Peterka, Laura Kremers, Christa Theisen, Cindy Mies, Kathy Jukich, Deb Ramler, Gary Ashfeld, Joe Jrebish and Angie Mueller.

### **OPEN PUBLIC FORUM**

Andrea Robinson, Nick Pochardt, Jon Douvier and Karen Holtz addressed the Council about the housing proposal previously presented by Sand Companies. They commented about their concerns about the project including transparency with the project, corporate gain from the project, timing, increased traffic, safety, traffic flow, decrease of property values, and density. A petition opposing the project was presented to the Council containing 256 signatures.

Mark Watson addressed the Council stating that he owns 2.4 acres of land at 13891 County Road 140 that he would be interested in selling for such a housing project.

### **APPROVAL OF THE AGENDA**

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO APPROVE THE AGENDA OF THE MAY 10, 2016 CITY COUNCIL MEETING. MOTION PASSED 5-0.

### **CONSENT AGENDA**

#### **A. Minutes – April 26, 2016**

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE THE MINUTES OF THE APRIL 26, 2016 CITY COUNCIL MEETING AS PRESENTED. MOTION PASSED 5-0.

#### **B. One Day Bingo License, Cold Spring Home Pride Lions**

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO APPROVE FORM LG240B APPLICATION TO CONDUCT EXCLUDED BINGO FOR THE COLD SPRING HOME PRIDE LIONS FOR BINGO TO BE HELD FRIDAY, JULY 29, 2016 AT THE 200 BLOCK OF MAIN STREET DURING HOMETOWN PRIDE DAYS. MOTION PASSED 5-0.

### **LOCAL BOARD OF APPEAL AND EQUALIZATION HEARING**

#### **A. Mayor Opens Board of Review**

Mayor Thelen opened the Board of Review Hearing at 6:50 p.m.

#### **B. County Assessors Review**

Nancy Heinen and Jake Pidde from the Stearns County Assessors Office gave a brief overview of the assessing process and stated that there was an increase of two to three percent in residential values and no increase to the commercial values.

#### **C. Requests from Residents**

Ralph & Ann Louis Weismann, Parcel No. 48.29320.0539, 623 Emma Drive

It was explained that the City had received a letter from Weismann requesting a reduction in their estimated value from \$30,000 to \$20,000. Heinen explained that in 2012 the vacant land had a value of \$40,000 and it was reduced to \$35,000. She also stated that the sales data for vacant land supports the value of \$30,000.

MOTION WAS MADE BY RAMLER, SECONDED BY KNAPP, TO MAKE NO CHANGE IN THE VALUATION OF PARCEL NO. 48.29320.0539. MOTION PASSED 5-0.

Ray Schreiner, Parcel No. 48.29320.0504, 48.29320.0505, 48.29320.0508, 48.29320.0510, 48.29320.0511, 48.29320.0512, 48.29320.0515, 48.29320.0522, all in Emma's Estates

Schreiner requested a reduction in the valuation of all eight of the remaining vacant lots that he owns in Emma's Estates. He stated the current valuation for each of these lots is \$35,000, and he requested a reduction in the amount of \$5,000 on each lot. He stated that the last lot he has sold in that development was the lot he gave away for the Habitat for Humanity project. Heinzen explained that the sales are not broken down by neighborhood but instead are done as a mass appraisal.

MOTION WAS MADE BY RAMLER, SECONDED BY THELEN, TO MAKE NO CHANGE IN THE VALUATION OF PARCEL NO. 48.29320.0504, 48.29320.0505, 48.29320.0508, 48.29320.0510, 48.29320.0511, 48.29320.0512, 48.29320.0515, 48.29320.0522. MOTION PASSED 5-0.

Theresa Schramel, Parcel No. 48.29432.0000, 310 9<sup>th</sup> Avenue South

Heinzen explained that they received a letter requesting a reduction in the valuation for this property, which is currently at \$160,800. Heinzen stated that she had completed an interior and exterior review of the property and is recommending a reduction in the value to \$146,100 due to deferred maintenance and it not being fully finished.

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO REDUCE THE VALUE OF PARCEL NO. 48.29432.0000 FROM \$160,800 TO \$146,100. MOTION PASSED 5-0.

#### D. Final Call for Testimony

Mayor Thelen then called three times for additional testimony from the audience.

#### E. Mayor Closes Board of Review

After hearing no further testimony, Mayor Thelen closed the Board of Review Hearing at 7:11 p.m.

### **REVIEW OF THE 2015 AUDITED FINANCIAL STATEMENT**

Nancy Schulzetenberg from BerganKDV presented the 2015 Audit to the Council. She reported on the components of the audit, the tax capacity, levy, general fund, revenues and expenditures, general fund budgeted and actual amounts, cash and investments, fund balances, water, sewer and stormwater funds, and the government wide net positions.

MOTION WAS MADE BY RAMLER, SECONDED BY KNAPP, TO APPROVE THE 2015 AUDITED FINANCIAL STATEMENT AS PRESENTED. MOTION PASSED 5-0.

### **DISCUSS FINANCING OF CSAH 2 PROJECT**

Jessica Green from Northland Securities presented an overview of the financing plan summary for the issuance of bonds for the CSAH 2 Project. She stated that under this financing plan the City will pay more up front but will reduce the overall cost to the City as the annual debt service and property tax levies will decline over the life of the bonds. Green stated they will do a review to determine if bond insurance makes sense for this issuance.

MOTION WAS MADE BY RAMLER, SECONDED BY HEINEN, TO DIRECT NORTHLAND SECURITIES AND CITY STAFF TO TAKE STEPS NEEDED TO ISSUE BONDS PURSUANT TO THE FINANCE PLAN SUMMARY FOR THE G.O. IMPROVEMENT BONDS, SERIES 2016A DATED MAY 10, 2016. MOTION PASSED 5-0.

### **DISCUSS SAND COMPANIES HOUSING PROJECT**

Councilor Ramler stated that he would be abstaining from discussing and voting on the Sand Companies Housing Project discussion due to a conflict of interest since he lives in the Blue Heron Heights Addition.

Megan Carr from Sand Companies presented information on the proposed housing project in the Blue Heron Heights Addition. Jeff Peterson, Vice President of Property Management for Sand Property Management presented information on the income qualifications and requirements, background checks and general property management of their rental properties.

Numerous residents from the neighboring developments including Blue Heron Heights, Emma's Estates and Woodland Hills developments spoke about their opposition to the project. The major items of concern were increased traffic and lack of an additional outlet, potential decrease in property values, and lack of neighborhood support of the project. Greg Henry from Woodland Hills Owners Association stated that they will not allow a connection onto their private roadway which is Fireside Road.

The Council discussed their thoughts on the project. Councilor Heinen stated he was now struggling with the traffic issues and the neighborhoods opposition. Councilor Knapp stated his concern about traffic and that he was not sure what else could be done with the lots. Councilor Dingmann agreed that there has been no action on the lots that have been vacant for a long time and the City has major debt on the land. Mayor Thelen stated that over the course of the last year there have been meetings where builders, developers, and realtors have been made aware of this vacant land and yet businesses and community organizations have indicated that more housing is needed. Dockendorf explained that the City has an easement for only a small portion of the property that would be needed to create a northerly connection to 1<sup>st</sup> Avenue Southeast.

MOTION WAS MADE BY HEINEN TO DECLINE THE LETTER OF SUPPORT FOR SAND COMPANIES AS PRESENTED. THE MOTION FAILED FOR A LACK OF A SECOND.

MOTION WAS MADE BY THELEN, TO APPROVE THE LETTER OF SUPPORT FOR SAND COMPANIES AS PRESENTED. KNAPP STATED HE WOULD SECOND COUNCILOR HEINEN'S PREVIOUS MOTION. MAYOR THELEN'S MOTION FAILED FOR A LACK OF A SECOND.

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO DECLINE THE LETTER OF SUPPORT FOR SAND COMPANIES AS PRESENTED. MOTION FAILED 2-2, COUNCILOR HEINEN AND KNAPP IN FAVOR, MAYOR THELEN AND COUNCILOR DINGMANN OPPOSED.

Mayor Thelen stated that if Sand Companies had a different proposal to present on May 24<sup>th</sup>, they should contact staff.

#### **PUBLIC WORKS DIRECTOR REPORT**

##### **A. Approve Re-Hiring Part-Time Seasonal Parks Employee**

Stueve requested to re-hire Jeff Illies for a seasonal parks position to provide assistance at the Baseball Park.

MOTION WAS MADE BY RAMLER, SECONDED BY DINGMANN, TO APPROVE THE RE-HIRING OF JEFF ILLIES AS PART-TIME SEASONAL PARKS EMPLOYEE AT THE BASEBALL PARK; FURTHERMORE, THAT THE BEGINNING RATE OF PAY SHALL BE \$11.00 PER HOUR. MOTION PASSED 5-0.

##### **B. Vehicle Hoist**

Stueve stated that \$4,300 had been budgeted for a vehicle hoist. He explained that Richmond Body Shop will be having a hoist on their upcoming auction and staff is hoping to get it at a better price than what's been budgeted.

MOTION WAS MADE BY RAMLER, SECONDED BY HEINEN, TO APPROVE THE PURCHASE OF A VEHICLE HOIST FROM RICHMOND BODY SHOP AT A COST NOT TO EXCEED \$4,300. MOTION PASSED 5-0.

##### **C. Exploring New Well Field**

Stueve explained that he has an upcoming conference call with the Department of Natural Resources and the Department of Health on exploring the new well field. He stated that the City is waiting for Froehles to provide their final purchase price for their land which is also being considered for the new well.

##### **D. Noise Barrier Fence**

Stueve explained that he will see if there are any grants for planting trees for a noise barrier.

#### **CITY ENGINEER REPORT**

##### **A. CSAH 2/Red River Avenue**

Lintgen explained that a preconstruction meeting is scheduled for the following day. He stated that Xcel Energy will be providing costs for the power relocation soon.

##### **B. Main Street**

Lintgen reported that the soil borings and televising are completed.

##### **C. Accept Bids and Award Contract, SW Stormwater Infiltration Project – Resolution No. 2016-30**

Lintgen reported that there were six bidders for the project and that the low bidder was Kraemer Trucking and Excavating with a base bid of \$146,361.46.

MOTION WAS MADE BY KNAPP, SECONDED BY HEINEN, TO ADOPT RESOLUTION NO. 2016-30, A RESOLUTION ACCEPTING BIDS AND AWARDING A CONTRACT FOR THE "SW STORMWATER INFILTRATION PROJECT". MOTION PASSED 5-0.

**CITY ADMINISTRATOR REPORT**

**A. Approval of Resolution for Rocori Trail**

Dockendorf explained that the Rocori Trail Construction Board is submitting an application to the Greater MN Parks & Trails Commission for regional trail designation and is requesting approval of the resolution from each of the three cities.

MOTION WAS MADE BY DINGMANN, SECONDED BY KNAPP, TO APPROVE RESOLUTION NO. 2016-29, A RESOLUTION SUPPORTING REGIONAL TRAIL DESIGNATION APPLICATION IN GREATER MINNESOTA. MOTION PASSED 5-0.

**LIST OF BILLS AND ADDITIONS**

MOTION WAS MADE BY RAMLER, SECONDED BY HEINEN, TO REVIEW AND ACCEPT THE PAYMENT OF THE ACCOUNTS PAYABLE ACCORDING TO THE LIST TOTALING \$59,907.93 AND SUPPLEMENTAL LIST TOTALING \$24,917.46 PRESENTED BY CITY STAFF. MOTION PASSED 5-0.

**CLOSED SESSION: ANNUAL REVIEW OF FINANCE DIRECTOR KRIS DOCKENDORF**

At 9:45 p.m. Mayor Thelen announced that pursuant to Minnesota Statutes § 13D.05, Subd. 3a that the meeting was closed for the purpose of conducting the annual performance review of the Finance Director who had been serving as the Acting City Administrator.

The closed session of City Council for the annual review of Finance Director resulted in a favorable review for her.

**OPEN CLOSED MEETING**

MOTION WAS MADE BY DINGMANN, SECONDED BY HEINEN, TO OPEN THE CLOSED MEETING AT APPROXIMATELY 10:50 P.M. MOTION PASSED 5-0.

**ADJOURN**

MOTION WAS MADE BY HEINEN, SECONDED BY KNAPP, TO ADJOURN AT 10:50 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