

**Cold Spring City Council
Special Meeting
October 13, 2008**

The special meeting of the Cold Spring City Council, as advertised, was called to order. Roll call showed the following present – Lou Gerding, Charles Gray, Dave Guidugli, Rob Moore, and Kathy Noel, excused – Stuart Oehrle.

Mayor Stoeber pointed out the exits as required by Fire Department regulations.

Ordinance 08-953, establishing the city's property tax, motor vehicle tax and tangible property tax at .169 per hundred and establishing garbage collection fee at \$170.76 was read in summary form for the second time. Mayor Stoeber stated that we had a public hearing on these items, as well as a special meeting on October 9th for the first reading. Rob Moore made a **motion to adopt this ordinance** and Dave Guidugli seconded the motion. Roll call vote showed all in four yeases and one no – Lou Gerding. **Motion carried.**

Ordinance 08-951, establishing the city position entitled city administrative officer, was read in summary form for the second time. Lou Gerding made a motion to adopt this ordinance and Charles Gray seconded the motion. Dave Guidugli requested that on the second page item F, the word "his" be removed, and he also questioned if the ordinance should require additional wording to include the writing of grants. Brandon Voelker stated that under item 9 it includes wording for additional duties delegated by the mayor, and this would give the mayor the authority to require additional duties, such as grant writer. Roll call vote showed five yeases and no noes. **Motion carried.**

Ordinance 08-952, establishing a pay plan for the city administrative officer, was read in summary form for the second time. Dave Guidugli made a motion to adopt this ordinance and Rob Moore seconded the motion. All were in favor. Motion carried.

Resolution 08-03, authorizing the city clerk to be a co-signer on checks written on all Cold Spring bank accounts, was read. Kathy Noel made a motion to approve this resolution and Lou Gerding seconded the motion. All were in favor. Motion carried.

Brandon Voelker stated that the map on the nursing home facility that was seen and approved by the Cold Spring Planning & Zoning Commission and Council had shown the entire property outline. When the engineer for this development submitted the metes and bounds, there was an error in the submission which did not include the small triangle on the side closest to the retention area. For title purposes, Anne McBride asked that the minutes reflect that the entire area, including that small triangle, is what the legal description should be and is what was approved to be zoned R-1DD. Dave Guidugli made a **motion to approve this reconfirmation that the plat drawing, including all of Lot 7 as submitted at the original application, is what was approved to be rezoned from NC to R-1DD residential, to allow for the development of the transitional Care Center.** Rob Moore seconded the motion. Roll call vote showed fives yeases and no noes. **Motion carried.**

Brandon Voelker reported that with the new roadway for Carespring , the un-inspected area of the Plaza Drive roadway must be addressed. He met with Scott Hiles, NKAPC and Don Thelen, of Thelen Geotech. The only thing not inspected on that roadway was the top surface, about 1 ½ to 2". Everything else, include sub-base was inspected. Because it is only the top coat, Brandon Voelker recommends that Thelen Geotech develop a testing to obtain core samples of the roadway, taking cross sections that will show that the roadway is sound. If the roadway is not sound, it will be up to the developer to fix it. We need to make sure that once Carespring is built, we have a dedicated public street all of the way through.

Kathy Noel questioned why NKAPC did not do the inspections. Brandon Voelker stated the road had been built and inspected and was just waiting for the topcoat. The construction contractor made a mistake and came in and put up the final coat without inspection. Kathy Noel verified that NKAPC has documentation on previous inspections of that road.

Rob Moore verified that this would be done at the expense of the developer and there would be no financial responsibility of the city. Dave Guidugli said he would like to see proof of the inspections, and Lou Gerding said the top coat is very important. He doesn't want to be rushed into accepting this tonight. Brandon Voelker suggested that we have Scott Hiles come to the November caucus with supporting documentation of all that they have done.

Lou Gerding made a motion to adjourn. Dave Guidugli seconded the motion. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor: