



COTTAGE GROVE PUBLIC SERVICES
COMMISSION

November 20, 2023

12800 RAVINE PARKWAY SOUTH
TRAINING ROOM - CITY HALL - 7:00 PM

1. Call to Order
2. Pledge Of Allegiance
3. Roll Call
4. Approval of the Agenda
5. Approval of Minutes
 - A Minutes 05.15.23
 - B Minutes 09.11.23
6. Open Forum
7. Presentation
8. Business Items
 - A Snowmobile Club Annual Meeting
 - B Cannabis/Tobacco Update
9. Commission Comments and Requests
10. Staff Updates/Reports
11. Council Comments
 - A City Council Agendas
12. Adjournment

**City of Cottage Grove
Public Services Commission Meeting
Cottage Grove City Hall Council Chambers
May 15, 2023, 7:00 p.m.**

The Regular Meeting of the Public Services Commission Meeting was held at Cottage Grove City Hall, 12800 Ravine Parkway South, Cottage Grove, Minnesota, on Monday, May 15, 2023, in the Council Chamber and telecast on Local Government Cable Channel 16.

I. Call to Order

Chair Lisa Kons called the Planning Commission meeting to order at 7:00 p.m.

II. Pledge of Allegiance

Chair Kons asked everyone to stand and recite the Pledge of Allegiance.

III. Roll Call

Chair Kons asked if Roll Call had been taken; Public Works Director Ryan Burfeind replied it had been. Absent: Commissioner Kelsey Moyer

IV. Approval of the Agenda

Commissioner Ron Kath made a motion to approve the agenda; Commissioner Lise' Rediske seconded. Motion carried: 6-0.

V. Approval of Minutes

Approve minutes from the March 20, 2023 meeting.

- A. Motion by Commissioner Nathan Lotts to approve the minutes from the March 20, 2023 meeting; Commissioner Tracy Jenson seconded. Council Liaison Justin Olsen reminded Chair Kons to take a vote on the motions. Motion carried: 6-0.

VI. Open Forum

Chair Kons opened the open forum and asked if anyone wished to address the Public Services Commission. No one spoke. Chair Kons closed the Open Forum.

VII. Presentations

- A. Emergency Management Update - Gwen Martin, Deputy Director of Public Safety

Deputy Director Gwen Martin stated she's a Police Captain and also the Emergency Manager for the City of Cottage Grove. She received an email with questions about train derailments, evacuation plans, chemicals imported through the City, and preventing derailments; obviously, these topics have been in the news recently, in Ohio and also in Minnesota, so it's a concern. In their packets she'd provided to them a sheet of Freight Rail Facts and Figures.

Captain Martin introduced a friend and subject matter expert, Sergeant Micki Mair with the Railroad Police, who will be able to answer questions that Captain Martin cannot. Freight rail is the safest way to transport goods, and they're very invested in their own safety and keeping the community safe. She asked if anyone had any questions about the Freight Rail Facts and Figures.

Commissioner Kath commented he found it interesting that over the years and lately, incidents are actually decreasing. If you watch local media, it almost seems to be escalating, but that's not what the facts are saying. The more we can get that information out there would put the public's mind at ease that there's not a pending catastrophe; we should be diligent to help prevent it, but it's still not a crisis at this point.

Captain Martin stated more than 99.9% of hazardous materials moved by rail reaches its destination without a release caused by a train accident, which she felt was a pretty amazing statistic. Situations that happen tend to get high publicity, and we tend to react to that. Training: She stated in November 2005, we all got together for a tabletop exercise in the Emergency Operations Center (EOC), then at Fire Station 2, and we simulated a tornado that went through the City and involved a train derailment. Since then, we have had three other tabletop exercises that in some way or form have dealt with train derailments. Most recently, on August 26, 2021, we did a virtual tabletop exercise; that's facilitated by the Emergency Management Institute in Maryland, run by FEMA. It brings together communities from all over the United States for four hours, all Department Heads and Public Safety personnel are involved, and we simulated what would happen with a train derailment and a spill of Bakken oil; that training took place before all the most recent train derailments happened. From a Public Safety standpoint, we're never prepared for when big incidents happen, but she likes to think that we're as prepared as we can be; we have used these exercises to do these simulated derailments. We have Emergency Response Teams that all major railroads have; they're on call 24/7 to provide local officials with access to information and other resources. The railroads themselves train tens of thousands of First Responders for what to do because there are certain things that they watch for; if you see something, say something. Will it possibly prevent a derailment? There are certain things that she trains officers to look for. For those of us in Public Safety, we know what this orange book is; this is a book where all of these chemicals are listed. We have no way of knowing what's coming through our City until we see the number on the rail car; then we can look it up and find out what we need to do.

In October, 2014, the railroads put out a user guide called, "Ask Rail," and all Public Safety personnel have it on our smart phones. If we see a train car with a number on it, we put in the number, and it tells us what is in that particular tanker or cargo carrier. We can also see what else is on the train; so, if one car buckles and goes off the track, we can maybe see something else that's going on. So, they've done a lot of safety initiatives, trying to make railroads safer with hot bearing detectors, acoustic bearing detectors, and increased training opportunities.

While we can't prevent derailments, we also can't prevent chemicals from coming through our City; we can prepare, and we do that. Our Emergency Management Planning Team went through a Threat and Hazard Identification and Risk Assessment (THIRA) process; that's where we look at the threats and hazards, and we identified 33 of them that could occur in Cottage Grove. Train derailments were in the middle third; so, there are many things that have the potential to be even worse. All in all, she thinks we do a good job with our preparedness.

Sergeant Mair stated their biggest ask for communities is that if they see something, say something; we also preach that to our employees. There's a 1-800 number posted on every railroad crossing, to identify whose crossing that is. That's the number to call if you see something suspicious; even if you're not sure, call us, as we can send people out to check on it and make sure it's not a hazard or something that could cause problems with the railroad or with people.

Chair Kons asked if there is a hazardous material spill, who is the responding organization, the Federal Railroad Administration (FRA) or the Duty Officer on call.

Captain Martin replied if it occurs in our City, the initial responders are us: Police, Fire, and EMS. Sergeant Mair added that they would be notified through their Dispatch Center and CP Police would respond, as well as their HazMat Operations Team. Our HazMat Officer is the one who notifies the Minnesota State Duty Officer as well; then FRA and all others are notified, and we report to them.

Commissioner Rediske stated we have a big exchange area for a lot of trains to go through. She asked how many trains would you say per day or per week travel through Cottage Grove, as she thought it was really high.

Fire Chief Rick Redenius stated it's roughly 80 trains a day. We have two sets of tracks that run through Cottage Grove; one is a Burlington Northern (BN), the other is a Canadian Pacific (CP). Chief Redenius stated he believed the west side of the City, along Grey Cloud and that area, is BN, and the east side, along West Point Douglas Road, is CP. Sergeant Mair added that trains from both of those companies, or any company, can run on those tracks.

Commissioner Rediske stated that's a lot per day, she didn't know that; Sergeant Mair said there will be an increase in that number. Commissioner Rediske stated that leads her to her next question regarding maintaining the rails. She asked who does that and how do we know we're comfortable with the maintenance of those rails.

Sergeant Mair stated the company that owns the tracks is required to maintain them. They meet the standards set by the FRA; most of the time they exceed how many inspections need to be done or how many tests need to be done on the rail, but it's all federally regulated.

Captain Martin stated these freight rail companies take their responsibilities pretty seriously; they've got over 140,000 miles of physical rail infrastructure to protect and keep things moving.

Commissioner Rediske stated she doesn't know what happened in Ohio, but she knows there was a derailment, and the company decided to explode the train, which led to a lot of bad chemicals being released into the area. What role does Cottage Grove law enforcement play with companies; who makes those types of decisions?

Captain Martin stated it is not up to us to decide how they're going to dispose of the chemical or hazardous materials; they weigh things carefully, and they've got all kinds of subject matter experts coming together in a room to decide what is going to be the best way. It might not necessarily be the most popular way, but in emergency management there's a structure and an Incident Commander; we call it Unified Command. So, you might have a Police Department involved, a Fire Department, a railroad, the EPA, and all these people get together in Incident Command. If it happened in Cottage Grove, we'd ask what is our primary life safety, preservation of property, and stabilization of the incident; those are our top three priorities, then we determine how we can best accomplish that. They may say blowing something up is going to release chemicals where you might have some people with medical problems, versus letting it run into the water where now your entire City water supply is contaminated. They have to make those decisions based on the chemicals, based on all kinds of input. From a Public Safety standpoint, we're involved in that, but it wouldn't ultimately be up to us.

Commissioner Jenny Olson asked if there was a need to do evacuations in the community, how is that communicated, how is that information disseminated to everybody.

Captain Martin replied that the book that they all use gives them specifics on evacuation and isolation distances based on the chemical(s) involved. We have different community notification systems, one is called Code Red; people opt into Code Red, which means they can sign up for general safety notifications. Something that requires an immediate threat to life or hazard qualifies

for what we call a WEA, a Wireless Emergency Alert. Our Dispatch Center at the Washington County Sheriff's Office can draw a polygon around an area; we pinpoint where something occurred, and we need to isolate one-half mile in all directions. So they put that polygon around that area and they issue a WEA, which has 360 characters to tell people this is what you need to do, why you need to do it, and you need to do it now. It will also give the public another area where they can look for more information. We're all human, we get an alert, and we all go outside and look at the sky for the tornado. On our City's website we have an Alert Center where we can post information, including a link with more information. We wouldn't just tell people to evacuate, we need to tell them where to go and stay out until we tell you it's safe to return, or we're going to have an Evacuation Center at our Ice Arena, so go to the Ice Arena. Part of what we need to do, as an Emergency Management Division of Public Safety, is communicate to people that should an Evacuation Order be communicated to you, you should have some type of "go kit," something containing medications, cash, car keys, your kids; people need to have a checklist of things that they can just grab and go. If we do the evacuation that way, we also follow up with personnel knocking on doors; that's why they call police officers blue canaries because with our blue uniforms we go out into the bad stuff and see if the canaries still survive.

Council Member Olsen asked Chair Kons if he could speak on this; she agreed. He stated first of all, we should inform everybody that those alerts Captain Martin is referring to are similar to an Amber Alert; so, your phone is probably the best way to get that information. Public Safety and the Emergency Management Division train for this stuff all the time. They do tabletop exercises and then they also do actual live exercises. He's been to several of the trainings that they do, and they're as real life as they can get without it being a real-life situation. He's been to one where they trained for an issue at Prairie Island with a nuclear issue. When it comes to the trains, Captain Martin mentioned earlier the Duty Officer; the Duty Officer is a pretty important person, as he or she is the one who gets everything rolling. They reach out to all kinds of different people, based on the situation. He asked Captain Martin to share a little bit more about that.

Captain Martin stated the State Duty Officer is the single point of contact for the State. If something happens in the State, you're supposed to call the State Duty Officer. Different people from Homeland Security, Emergency Management, Department of Public Safety, the Fire Marshal's Office, rotate through that position. You call that number and say this is what's happening, and they say they can get us this or that; they've got a list of resources available. Everything starts and ends locally, but we can't always handle things for the entirety of an incident locally. We have to reach out to our mutual aid partners, and if that doesn't work, we need to reach out to a little further with counties; if it gets even bigger, then we might have to go to the State. So, if something happens in Cottage Grove, we have St. Paul Park, Newport, Afton, Denmark Township, Woodbury, Oakdale, our communities in Washington County, and we have Hastings from Dakota County. If we need something even more and have to go through Dakota County or even Ramsey County or Hennepin County, or wherever, we'll call the State Duty Officer and say we need more help, how can you get us some.

Commissioner Lotts asked when our officers respond if they have the proper Personal Protective Equipment (PPE) in case of a situation. Captain Martin replied they all have binoculars. Commissioner Lotts stated he was in the military and would have to protect a scene, and he didn't have anything.

Commissioner Lotts asked in terms of the commonality with derailment issues that we've seen in about the last five years, does it come down to one particular type of infrastructure; is it speed that causes it on a tight corner or is it a bridge. He's asking because he wonders if we can find out if Cottage Grove has that type of infrastructure; do we have a corner that's a 30-degree corner,

something like that that's going to potentially be a problem for us. He doesn't know if that data is even available, it was just something that he was thinking about. He doesn't know why these trains have derailed over the last several years that have hit the media in a big way; if it's infrastructure, he asked if we have that here and should we be worried about it, more so than anything else.

Sergeant Mair replied, yes, you have the infrastructure because you have a track; anywhere there's a track there's a possibility of a derailment. The causes that she's seen include tampering with the tracks, a broken rail, or something to do with the train. There are many different causes for derailments, so there's not just one specific thing that you can pinpoint as the cause, there are multiple factors.

Commissioner Lotts asked in terms of the number of trains that was stated to pass through Cottage Grove, 80 per day, is that on the high end of most cities of similar size or is that common with the two sets of tracks that come through Cottage Grove.

Sergeant Mair replied there are two main lines that run through Cottage Grove, so it's common.

Captain Martin stated she had a map of the lines that run through Cottage Grove, so she gave the map to Commissioner Lotts and asked him to share that with the other commissioners.

Sergeant Mair stated she thought Captain Martin touched on the fact that you're seeing or hearing more about the derailments because today everybody has phones, they're taking videos and posting them, so it goes viral. We didn't have that ten years ago, so we're now dealing with a different type of society, which is why you're hearing so much about derailments even though they're fewer.

Captain Martin stated Commissioner Lotts had mentioned PPE, and she jokingly said binoculars, but that is true; if we have a derailment, we want to get eyes on the car number, pull out our app, and figure out what it is. That will tell us what PPE we need, like full self-contained breathing apparatus (SCBA) to approach. Officers don't carry that, so that's when she would call Chief Redenius at the Fire Department and tell him we need your firefighters with their SCBA. There are different levels of protection that we have with the firefighters. All the police officers have HazMat awareness; we take that training every year, and there are different levels of HazMat operations and HazMat technical specialists. There are things that our Fire Department can handle, and then there are situations that are more involved that they're not equipped to handle; that's when we call in the HazMat team from the railroad or St. Paul. If we don't have what our orange book says we need, we find it.

Commissioner Lotts asked if they ever have any insight as to when there's something super hazardous coming through town where you just hope for the best.

Captain Martin replied we don't have a list of all trains. Again, there's 80 trains that come through per day, so it's a fulltime job to just sit there and watch the trains. She said she can hopefully say that there aren't nuclear bombs that are being transported through our City, but things like common chlorine, like household bleach, can be super hazardous if it catches on fire or gets into your water. So, there's different degrees of that volatility.

Commissioner Lotts stated he was thinking of chlorine when he asked that question. Typically, when they load up a train, it's not just one car of chlorine, it's 25 or 50 cars, which is a substantial amount. He wasn't sure if they gave us a heads up, like this month we're going to see an increase in this.

Captain Martin replied no, we don't get information like that. She knows the rail companies are taking a lot of safety measures; there are newer requirements for tanker car safety, new fittings, new valves, thicker steel, different things that they're doing to try to make things safer. Again, they're very much vested in transporting their products safely through a community.

Chair Kons stated the rail companies have to take HazMat training to load and unload, package, and placard as well, so it's a dual partnership between the rail and the person who is packing and labeling.

Commissioner Jenson stated she was encouraged to hear about the app and how you can look and see what's on the train; it seems like a really great resource.

Captain Martin noted it's not an app that the general public is able to access; it's just for law enforcement, firefighters, and emergency managers, those who would directly respond to a train.

B. Heart Safe Communities Initiative - Public Safety Staff

Chief Redenius spoke about a Heart Safe Community and what our initiative is in Cottage Grove; it's a designation that recognizes a community's efforts to prepare our staff and citizens to recognize when someone suffers a sudden cardiac arrest and how to respond. Any municipality, county, or organization in Minnesota can apply for the Heart Safe designation from the Minnesota Department of Health and the American Heart Association. Organizations have partnered to promote Heart Safe Communities in an effort to have one million Heart Safe Minnesotans to prevent death by sudden cardiac arrest by increasing community and public awareness, placing automated external defibrillators (AEDs) wherever people live, work, and play, and educating the public on how to administer CPR. He noted an AED was recently placed at Woodridge Park due to an incident there last year.

Previously, CPR involved compressions and mouth-to-mouth resuscitation, which most people didn't want to do. Now, it's called "hands only" CPR, and people wonder why we're not giving breaths. With hands only, we're still circulating the amount of air in the blood to the brain; hopefully, that allows enough time for responders to get there and take over the CPR.

Heart Safe Communities helps communities and organizations by educating community members about sudden cardiac arrest and improving heart health, and training people to know how to use AEDs and perform CPR. At the Community Showcase event at Park High School, we had a booth there so people could just walk up and learn hands only CPR. It only takes about ten minutes to be trained and designated as a person who's been trained in hands only CPR.

Chief Redenius stated we need to get 800 Heartbeats (the term for scoring) to be designated a Heart Safe Community; the requirements are based on our community's population, so our goal is to achieve more Heartbeats than what's required. Categories include: CPR and Awareness Events; AED Locations; Early Advanced Care; Community Heart Health; Sustainability. Our CPR Goals: Get 2,000 people trained in CPR; as of this month, we have already trained 1,600 people since October 2021. Our long-term goal is to have 4,000 people trained; we believe that's attainable as we have a community of about 42,000 people and its growing. We've also been going into local businesses and doing training; so, we're also trying to reach people who might not live here but only work here. 14 Events are required, 17 Events have been completed, and so our new goal is 25 Events, and we think we should be able to reach that. He displayed photos of our Cottage Grove Lions Club learning hands on CPR and learning how to operate an AED at the Central Fire Station. We have a significant number of CPR mannequins so we can do larger groups at once. We're going to be training the entire staff of Afton Apple in a few weeks on CPR and how to use an AED. AED Location and Mapping: We have 53 AEDs identified in the community; at least 48 are required. We have accomplished our goal but are still going. Our new goal is to have 75 AEDs in our community. Summary: Overall, 800 Heartbeats are required, to date we have 805 Heartbeats, so we have hit our Heartbeat goal, but we still need to reach our CPR goal. You can help by spreading

the word; businesses or organizations can host a CPR class. Send AED locations to Deputy Chief Jon Pritchard at jpritchard@cottagegrovemn.gov. Most importantly, learn CPR! Families can host CPR training at the Central Fire Station or at the HERO Center.

A Commissioner asked to be certified if you needed to be age 18; Chief Redenius stated to be certified you only need to be 16. With hands only, you can be 11 or 12; if you can do a compression on an adult, you can get certified in hands only. She stated she was thinking of the sports teams with which she was involved; Chief Redenius stated the CGAA has been in contact with us, so the coaches might be getting that done, as that's what he's been hearing.

Chair Kons asked if Chief Redenius knew if there were plans to add one of these to every park in Cottage Grove, as we've already had one issue at a park.

Chief Redenius replied Parks and Recreation is working with the Teddy Dowdle Foundation, and they're going to attempt to get them into all of the parks at some point. That foundation is really great, and they're thinking not only about Cottage Grove, but also about Woodbury; he thinks it will be a back and forth type of situation. If you're not familiar with Woodridge Park, there's an outdoor AED station, next to the pavilion. Its easily accessible, so if there's an event in the park, anyone can go up and grab it. It notifies first responders by tripping an alarm, it's videotaped, and it's also climate controlled.

Commissioner Lotts asked if AEDs typically require maintenance.

Chief Redenius replied it's very minimal. Basically, preventive maintenance is to simply look at the icon on the handle; it should be either flashing or show an okay sign, which means it's good. If it fails, it will have a line through the okay or it will show a wrench symbol, which indicates it needs service. In that particular unit at Woodridge Park, if there's a failure it sends a notification.

Commissioner Lotts stated he was thinking a potential to maybe encourage businesses that already have AEDs, if they first tell us that they have one, was if we had the ability to do preventive maintenance for them for free.

Chief Redenius stated the only other preventive piece would be the pads, as they expire. We can give them information on where would be the best and quickest place to get those, but we found with COVID it was tough to get them anywhere; we checked with the manufacturer, who said even though they were expired, they should still work as long as they still attach to the body. Generally, the reason for the expiration is the gel and the adhesive go bad, and you really don't want to hold it in place as it could be a situation where you would both be feeling it.

Commissioner Lotts stated it was just an idea for community outreach, to find out where more AEDs are located. Chief Redenius stated if an AED is in a controlled environment, the batteries will last many years; AEDs do a once a day check, which allows the batteries to last a long time. The batteries are not rechargeable; its a lithium ion battery like a 10-year smoke detector. The battery just goes in it, and when the battery goes bad, you replace the battery.

Commissioner Kath asked if there was an incentive when we get certified, does that give us any kind of incremental leeway or anything to pipe up funding to help businesses bring them in that may not have them at this point. He stated he did that with his church, as it came to the end of its useful life, and he struggled to get the replacement pads for it. He Googled vendors, and there are hundreds of them out there. He felt having professionals giving us advice would also be helpful.

Chief Redenius stated both he and Deputy Chief Pritchard get emails from people about EMS supplies, churches and businesses who have noticed that their pads have gone bad or they've lost their battery charge, asking where they can get a battery. Because we have a conduit to bulk

purchasing, we can kind of lead them towards that; not that we're going to buy it for them, but we can tell them whose got the supply.

Chief Redenius said if they're in the public and see an AED someplace, take a picture of it with your smart phone and send it to Deputy Chief Pritchard. If we've already got it, it's no problem; if we don't have it, we'll appreciate that and he's sure he'll let you know that and thank you. Also, take the chance when you can and learn CPR, as it makes a difference.

Chair Kons asked if they sing "Stayin' Alive" when they teach us CPR. Chief Redenius stated there are actually other songs now, they've updated a little bit, so there's another one that has the same beat. Part of it is if you know that mnemonic, it makes it nice and easy because invariably you start singing to yourself and just kind of forget what you're doing and just go along with it.

Captain Martin stated a lot of the new AEDs have a metronome beat; the voice prompt tells you to place pads, says analyzing, start CPR, and you start hearing that beat. They're making a lot of progress with those AEDs.

Chief Redenius stated if you haven't heard an AED talk to you, they're pretty self explanatory, and it walks you right through it. If you have any questions, reach out to Deputy Chief Jon Pritchard via email or his phone number, 651-458-2859. Our City Facebook page for Public Safety and the HERO Center also have ads for the CPR classes.

VIII. New Business

A. Hunting Maps - Gwen Martin, Deputy Director of Public Safety

Captain Martin stated she'll speak on this tonight, as Captain Rinzel went to Ireland to get his daughter married. She stated in their packets they should have received a memo and the Hunting Zone maps. Our ordinance states each year, prior to commencement of the hunting season, the designated hunting areas will be reviewed by this commission. There have been a number of complaints, that have been very minimal; as indicated in the memo, two of the violations were legal activities and one hunting complaint was for someone who was shooting rabbits in their own yard. The Public Safety Department and the Planning Division have both reviewed the hunting maps, and there are no changes to either of the hunting maps for the firearm or the archery hunting area. The recommendation is that you approve the 2023-2024 Hunting Maps, designating boundaries for discharge of firearms and archery equipment for hunting.

Commissioner Kath made a motion to approve the 2023-2024 Hunting Maps; second by Commissioner Lotts. Commissioner Kath stated he appreciates that the City still looks at this and that we give folks who enjoy that type of outdoor activity the opportunity to do it. Part of our community is rural, where it is safe to do it, so he appreciates that we allow that to happen.

Commissioner Lotts commented that these maps are pretty detailed, so thank you; he doesn't know who did them, but they're fantastic. Director Burfeind stated Eric did the maps, and he's very good. Motion carried: 6-0.

IX. Old Business - None.

X. Response to Previously Raised Commission Requests - None.

XI. Commission Comments and Requests - None.

XII. Staff Updates/Reports

Director Burfeind spoke on the following:

Our 2023 Spring Cleanup was last Saturday, and the weather cooperated until right about the end, when it rained. We had 880 vehicles come through, an increase of 50 from last year. We recycle everything we can, tires, batteries, electronics. Several years ago Washington County stopped coming here for the hazardous waste, as we're pretty close to the Environmental Center, off Cottage Grove Drive in Woodbury; they're open Monday through Saturday.

Since our last meeting, the East Point Douglas Road and Jamaica project was started; he's sure everyone is well aware of that. It's controlled chaos down there, and we'll do our best to keep as much access as possible. We still want people to go to the commercial area and access those businesses. If you're just driving home, you might want to access Keats Avenue or 80th Street, but we wanted to keep the commercial node open for those businesses' customers. Traffic is all on what was the southbound side of Jamaica; it will be like that for half the summer while we work on the northbound side, and then it will flip, probably halfway through July. We're doing all that work on Jamaica and kind of on either leg of East Point Douglas this year so this is the biggest traffic impact. Next year the roundabout will be built over by Cub Foods and Top Ten Liquors; that's actually a closure at that specific roundabout, so a physical disconnect to the actual traffic pattern, but the new signal will be up at Jamaica and East Point Douglas. So, traffic will be pretty good next year, but you won't be able to go around behind Target; when you're going to Menards and Walmart next year, you'll have to go to Keats Avenue. We've been working on this for about three years, so it's exciting to see it start; we're going to do our best to make it work well during construction. Highway 61 work is occurring right by Jamaica right now; MnDOT had to do it, as they also had to get their project done. So, there's a major backup going southbound on Highway 61 now with the evening commute. The MnDOT project should be done in a couple days so things should return to normal.

A pavement management project is occurring, south of 80th Street, north of Hillside Trail, and west of Hyde Avenue, just south of Park High School. A Mill & Overlay Project will be taking place over in the Thompson Grove neighborhood, north of 85th Street, west of Hadley and south and east of Grange.

Hydrant flushing is now finished, as of last week, which was good for our Utility Division; that was delayed due to the weather and how long we had to wait to do the sweeping.

This week we have our Public Works Appreciation Lunch on Wednesday, at 11:30, at our Public Works Department; we do that every year. We try to line it up with Public Works Appreciation Week, which is one week later this year, but we always do this on the third Wednesday of the month. They'll each be presented with a special coin for the extra challenging winter that we endured this year.

Gary Orloff, Streets Superintendent, stated with our crazy weather, it put street sweeping off for two weeks; we started on April 17, and it took 330 hours to complete. So, coming up on Wednesday, we call it Dirt Day, where any plow damage occurred we sprinkle black dirt and then we hydro mulch it; that's the same day as our luncheon. We took down over 80 trees this winter between snow events, so we ground up those stumps and already have them backfilled and hydro mulched. We then planted 80 trees to replace those taken down. All of our main roads are now fertilized, and we'll be spraying dandelions shortly. Part of our summer help started today, which is a very big help for us. After Park High School graduation on June 6, we'll have some more help coming in.

Commissioner Kath thanked Gary and his crew for their work this past winter, keeping our roads open and safe.

Commissioner Kath asked Director Burfeind about the Highway 61 project; how do they know where to cut, because that road was just redone not too long ago with concrete. So, as the

construction guys are going down there, how do they know why this section has to be pulled up and why a different section doesn't.

Director Burfeind replied there are areas that have kind of blown out and they've back patched with asphalt; you might not see that cruising down Highway 61 at higher speeds. Asphalt patches aren't a very permanent fix, so they're actually cutting all of that out to get the new concrete in. They also do different types of testing with concrete roads to understand their condition. This was just an overlay of a road section; it wasn't a total reconstruction back in the day. So, that's something they want to address before something blows out or has a major failure. He knows they have different criteria, but there were actually some areas that were blown out that had been asphalt patched, so now they're now also doing the permanent fix.

Commissioner Kath also asked about Keats, as a lot of people are heading to Keats. Have we had any problems with or even thought about putting a four-way stop up, especially when Chemolite is releasing. We have the roundabout on the other side, which he uses, and he's sat at that intersection for a good long time now; he's never seen it where it's backed up to Highway 61 again, but he didn't know if that was something that was maybe in the works if we see a continued increase of using Keats.

Director Burfeind replied not specifically for this year; as its a County Road with the MnDOT interchange, they're always watching that very closely. When we do our 100th Street realignment project, hopefully in the coming years, that will be either a roundabout or a signal when that's done. He imagines they'll lean towards a roundabout with the roundabout on the north side, but that's kind of when they're eying an improvement in that intersection.

Chief Redenius spoke on the following Fire Department topics:

Personnel Updates

- We have completed interviewing for our open, fulltime position; a decision on who will be moving forward will be made this week.
- We have a new parttime member completing Fire School this month at Century College. She will then be placed with an FTO and her journey as a responder for our department will begin.
- Parttime District Chief Jeff Brown retired on March 31, 2023, with 27 years of service. A lot of experience walked out the door, with a lot of respect for that gentleman. He was really an integral part of our department; he gave a lot to the department and to the City, and he will be sorely missed.

Calls for Service: March and April, 2023: EMS: 607 - Fire/Rescue: 168

Certifications: We had several fulltime and parttime team members complete State certification for Fire Apparatus Operator (FAO) and Aerial Apparatus Operator (AAO). This was new to the FAO course, and the aerial course was something that we asked for through Century College; a curriculum was developed and we hosted both the FAO course and Aerial course at Cottage Grove. These courses were offered during the day, instead of at night; normally, they're offered at night so parttime staff or volunteer staff can get to them, off their regular job. The major interest for these courses was from fulltime staff, so we offered to host a daytime course and it filled up almost immediately. When agencies with aerial devices caught wind that we were going to trial an aerial class also, they also opted in. From what he gathered from the course instructor and the reviews, it was thought very highly of, so he can see that happening again in the future, hopefully here in Cottage Grove. Community Paramedic Visits: We've had several Community Paramedic visits so far this year; this is a new program that we're building upon. Designated Community Paramedics schedule in-home visits with certain patients who have been discharged from the hospital; we get their information from the hospital and just do simple healthcare follow up meetings with them. We also provide some in-home fire safety and health safety tips. We also encourage them if they're not feeling well to call us; the elderly are really hesitant to call the police or fire because they don't want to feel embarrassed or they don't want the neighbors knowing what's going on. We try to put them

at ease with that; so far, those meetings have gone really well. Burning Restrictions: We know it's been a rough Spring so far with burning restrictions; even though we've had rain and a late season snowfall that damaged a lot of trees that people wanted to burn, the DNR still has burning restrictions in place for Washington County. If people want to know when they can start burning, they can go to the DNR website because that map is updated daily. Public Education Team: Our team received some good feedback at the Business Expo that was held last month. We were promoting CPR and promoting our department as well. Grant Money for Equipment: We've applied for and received some grant money for some air monitoring equipment and some rope rescue equipment. Our air monitoring equipment for carbon monoxide, oxygen levels, gas levels, etc. is near end of life so we applied for the grants; we were able to get at least one and the testing unit for it to maintain its calibration. We're just going to build upon that as we move forward. Radiological Preparedness Drills: We're preparing for these drills, which will be conducted on June 7 and June 28 at Park High School. People might see multiple vehicles there from the County and State, but they're just there for testing; every other year, we have to test with FEMA to get signed off on our site. Our site is a reception center that people can come to if there's an evacuation away from the Prairie Island plant; we prepare and work with the State on that.

Commissioner Lotts stated Chief Redenius mentioned 600 calls in the last two months; he asked if that was high. Chief Redenius replied that's about what we're averaging.

Commissioner Lotts commented that's about 10 calls a day; Chief Redenius confirmed it's about 10 to 12 calls per day. Commissioner Lotts stated that's incredible. Chief Redenius stated about a week or two ago, they projected they'd be at about 1,424 calls and we're at 1,480, so our thinking is right on track.

Commissioner Lotts stated at the last meeting Chief Redenius had spoken about some additional projections of fulltime staff potentially turning over this year; he asked if that was correct.

Chief Redenius replied they're not turning over; we're hoping with the staffing plan that we're going to propose to Council in June that we can start adding more fulltime staff to meet the demand that our department is facing.

Commissioner Lotts asked in terms of application density for the position that they're getting ready to move forward on, is it normal application density or are you suffering the same as the Police Department in terms of the number of applicants for an open position.

Chief Redenius stated they're not suffering like the Police Department because they're actually getting a high number of applications; we're suffering in application numbers, though, for this replacement as we only had eight people apply. The reason for that is there are 10 to 12 departments in the metro area that are hiring, and several of them are hiring more than five people at once. So, applicants have a good area to choose from as to where they want to work and for whom they want to work. We're not used to that in the fire service because Minnesota is not known for fulltime firefighters; it's just the big cities that have the fulltime firefighters and some cities to the west of us have a higher income than most metro departments. When things started changing to duty crew models, not as many parttime people want to be parttime anymore. So, agencies and cities got together and started talking; they saw what they needed to do to provide the services to their citizens so it opened up more fulltime jobs. That allowed people not to have to worry about traveling so far to apply for a fulltime job when there might be one in the next city. It's us, White Bear Lake, Maplewood, and Burnsville that are hiring right now; we're competing against a lot of big cities to try to draw people to Cottage Grove who want to work here. We do our best to get them to come here.

Commissioner Lotts has some friends who live in the west metro, and he'd asked them about their application density; they basically said the same thing, which is why he asked, as he wasn't sure how we did.

Chief Redenius stated we're well known around the metro for what we do because we're Fire EMS in the Twin Cities area; in the East Metro, it's higher density Fire EMS combination departments rather than just a Fire Department. We have more agencies that do EMS transports in Washington County than Hennepin County and Dakota County. That makes us a little unique because Firefighter Paramedics is kind of what they're looking for, but after a while some people get tired of that and want to go to an agency that's just strictly fulltime Fire. As people kind of see what different models are out there, that's kind of what intrigues them.

Police Department Updates: Captain Martin stated we've hired two officers, who will be starting on Monday, and then we'll be fully staffed at that point with 44 sworn officers. We are hoping to go forward with an ask for additional officers, starting next year.

We recently acquired a mobile camera trailer; it was a \$78,000 trailer, and we got an Urban Area Security Initiatives (UASI) grant, which allows us to acquire that equipment with funds from the government.

XIII. Council Comments

Council Member Olsen spoke on the following: He thanked Chief Redenius for his presentation on the Heart Safe City Initiative. The Cottage Grove Lions Club had the opportunity to attend CPR training, AED training, and Narcan training at the Central Fire Station. Something the Council has been discussing is trying to create an opportunity to bring all of our commissions together at one time to do a similar training at either the Central Fire Station or the HERO Center. It's a great opportunity to learn from the subject matter experts. If you look at the proliferation of AEDs in the public spaces, it is our intent to have those in every park; as a City, we're working with the Teddy's Heart Foundation. They're working closely with other nonprofits like CGAA, Cottage Grove Lions, Woodbury Lions, etc. to help fund the costs of the AEDs. The standalone unit in Woodridge Park costs about \$8,000; it has many nice features, including the fact that it self reports if it's used, is Bluetooth enabled, and is temperature sensitive so it will heat and cool as needed. Every police officer in the City of Cottage Grove carries an AED unit with them in their squad, all Public Works foremen carry AEDs in their trucks, and we have them at all City public buildings. It's definitely something that we're continuing to work closely towards ensuring that we have AEDs in all of the area businesses, parks, etc. The Heart Safe City Initiative really comes down to are we able to respond to any kind of cardiac event with a citizen, Public Safety professional, City staff member, or Council Member because we're all trained on how to do that. The more people who are trained the better chance for success we have if such an incident should occur.

The City also recently received a very important distinction, as we became a AAA bond rated City. There are very few communities in the State that are AAA bond rated, it's the highest rating. It's a benefit to us as a community, as taxpayers, because anytime we go to sell bonds for any projects, those bonds are going to be in extremely high demand because we have a AAA stable bond rating; that tells people our bonds are a good investment. That means more competition for the bonds, which pushes the price lower and results in a much lower interest rate for the bond seller, the taxpayers of the City of Cottage Grove. We've already seen that happen with the bonds that we sold for the pavement management project that Director Burfeind spoke about earlier; it turned out to be a really favorable sale. We're going to work really hard to maintain that AAA bond rating, which we received because of our track record of excellent financial management here in the City of Cottage Grove. It took a long time to achieve that; in 2008, we were a AA City, we became AA+ a few years later, and we thought AAA was 30 years down the road. Due to a very stable financial plan, conservative budgeting mechanism, and several other factors, we got that AAA rating, which is pretty cool.

May is the month of months and weeks; this month we have several things to celebrate, including Military Appreciation Month, we just completed Nurses Week, Public Works Week is next week, it's Asian and Pacific Islander Month, Mental Health Awareness, and many more. The one he wants to speak about tonight, which is very relative and timely, is yesterday was the start of National Police Week, which is celebrated this week of the month every year. One thing it's intended to do is to draw attention to the fact that when our law enforcement professionals go out on the street every day, they do that knowing that terrible things could happen. We've had several of our officers over the course of their career who've had to endure terrible things, whether it's a scene that they roll up on, or a situation where they have to use force of some sort; you got to hear that report from Sergeant Brad Petersen last week. Today is Peace Officers Memorial Day, and Peace Officers Memorial Day is a big deal. It's a big deal to him and his family, it's a big deal to this community, and it's a big deal to law enforcement professionals around the country. Today is the day when they remember and they honor their fallen colleagues. Last year in the United States we had 246 officers who perished in the line of duty; he gets choked up talking about this because we have a lot of friends throughout the country who wear the badge. At his house, we worry about them and we pray for them regularly. So, if you could today, at some point take a moment and just think about the fact that there are brave women and men out there who put their lives on the line for us every single day. All their family members want when their husband, wife, brother, sister, mom, or dad go to work is to know that they'll get home safe; 246 of them didn't make it last year, and we've already had 35 or 36 this year, and you've seen a lot of information in the news. So, take a moment, it means something, and I don't think we can ever say thank you enough.

Council Member Olsen stated he'd take any questions from the commissioners. Before doing so, though, he gave them a piece of advice: Don't listen to Facebook, Twitter, or Instagram. If you have questions about something that's going on, come to us, as we're happy to tell you what is really going on. There is so much misinformation that is out there right now about things going on in the City, things going on in the State, and things going on nationally that you have an advantage; you have direct access right here, right now, to us. We're happy to answer people's questions as transparently as we can. Don't buy into what you read; take the time to make a phone call, as he thinks you'll find that you'll get much better information delivered in a much more truthful way.

Captain Martin asked if she could clarify something with the AEDs so there's no confusion. We talked about the AED that self reports or does notification. In Minnesota, you cannot have an automated message going over the 911 system; so, we can't have AEDs that you open up, pull it out, and it automatically calls 911. It does self report to us that the unit's been removed or that it needs maintenance, but it is still vitally important for anybody who uses an AED to call 911. Just because they grab it and go doesn't mean that we're going to be there and ready to go. They still absolutely need to call 911 if they use an AED.

Chair Kons asked if that's indicated on the instructions with the AED; Captain Martin stated she didn't know if the sign had been installed out there yet, but absolutely there will be a sign that will tell people to call 911 when they use it.

XIV. Adjournment

Commissioner Rediske made a motion to adjourn the meeting; Commissioner Lotts seconded. Motion carried: 6-0. The meeting was adjourned at 8:13 p.m.

Minutes transcribed by J. Graf and reviewed by Kari Reubish.

City of Cottage Grove Joint Commission Meeting
Public Services and Parks, Recreation & Natural Resources
Cottage Grove City Hall
September 11, 2023, 7:00 p.m.

A Joint Meeting of the Public Services Commission and Parks, Recreation & Natural Resources Commission was held at Cottage Grove City Hall, 12800 Ravine Parkway South, Cottage Grove, Minnesota, on Monday, September 11, 2023.

1. Call to Order

Parks Commission Chair Susie Brown called the Joint Commission Meeting to order at 7:00 p.m.

2. Roll Call

Chair Brown stated Roll Call had been taken.

3. Approval of the Agenda

Commissioner Samantha Crabtree made a motion to approve the agenda; Commissioner Dave Olson seconded. Motion carried: 15-0.

4. Discussion Items

A. Adult Use Cannabis Regulation

Kori Land, City Attorney, spoke on this topic. There is a lot we're trying to digest from the City Attorney world, because the legislature threw a lot at us in the last few months without a lot of guidance. So, that's why it's coming to you.

As you know, a year ago the State adopted the CBD regulations, which we figure out and regulated. We put it in the City Code where you have to be licensed to sell these products; we put it in Zoning, the places where you can do those kinds of things and activities, as it's more than just the retail, it's also the manufacturing, etc. But these are under 0.3% THC, which is technically nonintoxicating, but it's still a regulated product. Anything over 0.3% THC is considered intoxicating, legalized cannabis. So, that's kind of the division line.

What we have on our books today is all under 0.3% THC, so, we're talking about CBD. It used to be called CBD, this year they named it low potency, so, it's all wonderfully confusing. Last year's ordinances are still valid and enforceable, but they have nothing to do with public use or penalties, other than what's outside of our ordinance.

On the last day of this year's legislative session, there's a 320-page document that legalizes adult use cannabis. It sets up an agency that's going to regulate this, the business side of things, but that agency isn't going to be set up until January 2025. So, in the meantime, we have a lot of people who want to buy and sell this stuff, but they can't technically do it until they're licensed.

There are a few things that are legal today: Use of adult use cannabis is allowed; there are very specific places where you can use it, but there's no penalty if you violate that. That's one thing we're going to talk about tonight. It's also illegal to use, whether it's under or over 0.3%, if you're under age 21; you cannot use those products, but, again, there's no penalty in the law for that use. So, right now, all our police can do is go out there and say please, stop; you're under age 21, so, please stop, but there's no way to enforce that.

When we addressed this with the Council, we were talking about sort of the business side of things and what we needed to do, and they adopted a moratorium on the business side. We also brought up the public space, public use topic, and no penalty for both adults and those under age 21. They said we need to hear from these two commissions because a lot of cities are saying we don't want them in our parks, and other cities are saying we don't want them anywhere the general public is allowed. So, we need to get information from you on if the City should consider prohibiting the public use; it is technically prohibited now, but it's not penalized. So, first, we would have to adopt an ordinance that specifically says it is prohibited in public places and define what public places means; secondly, we adopt a penalty for that. That's the first part; the second part that we'll discuss is whether or not we should adopt a penalty if they're under age 21 because, again, while it is illegal under the law, there's no penalty under the law, unlike Underage Consumption. If you are underage and you consume alcohol, it is an automatic misdemeanor punishable by a minimum fine of \$100; obviously, the maximum is a year in jail and up to \$1,000 fine, but that rarely happens. Usually, it's the \$100 fine. So, we'll discuss those two topics separately.

As was noted in the memo, there are three places where public use of adult use cannabis is allowed: 1) A private residence, in your home or in your back yard. 2) Curtilage is the legal term for anywhere that is your property, even if it's outside. So, your front sidewalk, your driveway, your back yard are all legal. 3) Someone else's private property with their permission is also legal, or a business that has been licensed for onsite consumption. Remember, that's not going to happen until January 2025; so, there is currently no place that is licensed for onsite consumption of the 0.3% THC or more.

You can find these 0.3% or less THC beverages currently being sold at liquor stores and being sold in bars and restaurants with an on-sale liquor license because they are under the 0.3% THC. So, they're not adult use cannabis, or not the adult legalized cannabis, they are considered the low potency CBD that were adopted a year ago. Nobody can sell the over 0.3% THC on sale, for onsite consumption, but again, there's no penalty for it.

We are suggesting adopting a definition for saying where it is prohibited; the Statute uses Public Place, which she thinks is a difficult term to understand. So, she separated Public Place from Public Property, because those are two different things. Public Place: Anywhere that is accessible to the general public. So, that's a parking lot, any retail shopping center or retail store open to the public, an office building, a medical building, an insurance office, any place that is open to the general public is a public place. Within that, we separately defined Public Property: Anything owned or controlled by the City; so, City-owned buildings like City Hall, and that also means the parking lots. It can also be *controlled* by the City, so that can be sidewalks, trails, parks, places that maybe we don't own title to, but that we have control over. So, a sidewalk adjacent to a residential neighborhood is part of the Right-of-Way. We may not own it, as there isn't a title to the roads, but we have it platted as a Right-of-Way in the plat that's officially owned by the City and is under our control. So, anything in the Right-of-Way would be considered Public Property.

Looking at the two definitions, we're asking you to discuss first of all, is it appropriate to specifically have an ordinance that prohibits it so that we can have a penalty or not; if you say as a group, we don't think we should, then we move on to the next topic. If you think there should be an ordinance, then we should discuss what that penalty should be. The legislature has specifically said if a City decides to penalize it for using it inappropriately, in an inappropriate place, it can be no more than a petty misdemeanor. A petty misdemeanor is not a crime, there's no criminal history, it's like getting a parking ticket. It doesn't show up on anybody's criminal record because it's a petty misdemeanor, maximum penalty is \$300. She's heard cities' fees range anywhere from \$25 to \$300, or sometimes it's a graduating scale if you're caught more than once in a 12-month period.

So, first time it's \$25, the next time it's \$50, the next time it's \$100, maybe it doubles each time if it's within a certain timeframe.

Attorney Land stated she'll take questions or told the commissioners to just feel free to discuss. Questions followed from the commissioners, as follows:

- Are the definitions she's given us for Public Places and Public Property consistent throughout our existing ordinances. Attorney Land replied there isn't an ordinance for this, so we're making it up. It was asked if there are other places in our ordinances where we use these terms and they mean something else. Attorney Land replied she didn't think we used these terms exactly like this; so, this will be unique. We don't call things Public Property, we say members of the public or locations or public use, but we don't define Public Property or use those phrases of Public Place, for sure, and she believes we don't use Public Property either. So, she doesn't think we'll be inconsistent with anything.
- How does this penalty compare to our current alcohol ordinance; he assumes that ordinance has more of a penalty than what we're talking about if we were to mirror it on our alcohol ordinances. Attorney Land replied what's really unique is that alcohol violations are all covered under State law, so we don't have to have an ordinance on it other than licensing the businesses. So, we license on sale and off sale liquor licenses, and there are certainly some kind of nuisance ordinances we might have, but, again, State law covers most things related to alcohol, so we don't have to. So, this is very, very unique.
- The alcohol use in our parks today is governed by State law. Attorney Land replied there's no ordinance on it at all, we don't have an ordinance that you can't use alcohol in parks. State law doesn't care, it's up to the individual City.
- Do we know what our neighboring cities are doing for this. Attorney Land stated she didn't do a survey because it changes daily. She'd say that most cities are adopting a prohibition; she has not heard of a city that's not, that's choosing to allow it. Most want a way to regulate it and then penalize it; otherwise, again, it's completely unenforceable to just go up to people and ask them to please stop.

Council Member Olsen told the commissioners that Attorney Land serves as a City Attorney for other cities, too, not just us. She also has a group of city attorneys with whom she communicates regularly to answer questions like what's everybody else doing. As Council Members, we also have access to information from the League of Minnesota Cities, Metro Cities Board, etc., and what's pretty clear, based on at least what he's read, is the vast majority of communities are moving quickly toward some sort of prohibition. As Attorney Land mentioned earlier, the fine lines are where are we going to prohibit this because the State Statute is clearly not going to help us; so, we have our own ordinance authority to be able to do that. Bloomington just came to the table with a pretty strict ordinance about restrictions. One of the things we have to think about is not only do we have parks, but we have golf courses and the Ice Arena; those are all City-controlled entities, so, how does that look. Every community is a little bit unique, but what's consistent is they are all looking for some way to figure out how a prohibition will work until this new State agency comes online in 2025.

- Has the League has suggested anything; do they have any templates yet that could be followed. Attorney Land replied no, they are leaving it up to the cities to decide, and that's the guidance that they're giving us.
- She read through the documents from the State, and she thought it said something in reference to anything in an area where minors would be present, that's illegal. Attorney Land

replied that is true; the law prohibits that there is no minor present, even from smoking or vaping. That's in the State law, but again, there's no penalty for that.

- Backing up to that, though, you can currently drink in our parks, correct? And, so, how would you do that; while the majority of people smoke it, there are a lot more people who are using edibles or drinking it. So, why can you smoke and drink in our parks, but we would say that you couldn't use those other things? Attorney Land stated the smoking and vaping of cannabis affects other people, and that's really the only part we're talking about with the legalized cannabis. It's just smoking and vaping because that's the part that is noticeable. I don't know what you're drinking, I don't know what's in anybody's water bottle, I have no idea.

Council Member Olsen told the commissioner the Council talked about that, we discussed how we wanted to approach it. One approach we discussed was if we wanted to make this more about a public health ordinance and include smoking; in addition to the cannabis products, the tobacco products as well. There was a time when a friend in the Parks Department actually came before the Council with a smoking cessation recommendation; at that time, the Council chose to continue to allow smoking in the parks. He was one of the people who voted for that, as he didn't want to prohibit smoking because he felt a personal grievance issue. If you want to look at this from a different angle, and consider it a public health related issue, then you could potentially consider those things. She said she felt if you were to regulate smoking, then you would also have to include this, and said she can't stand those people who are smoking at soccer games.

- Typically, a public place has a predetermined location for smoking, like at Target, for example, you can't stand and smoke at their front door. Here is something like that for the public place, and then for parks, would it be the same thing, predetermined locations? Attorney Land replied certainly that's an option. One thing she brought up is we can sell cigars and other tobacco products at the golf course because a lot of people smoke them at golf courses. So, that's a real thing to think about as you're contemplating all of this.
- This is actually like regulation of it; is it worth it to talk about legally. Attorney Land stated obviously, it will be complaint based. Frankly, by the time the officer gets there the person is long gone anyway. So, it's really going to be in the moment, if the officer is there, witnessing the behavior; that's the only time that it's actually going to come into play because they can't obviously always be patrolling in the parks.
- Ideally, it's keeping the honest people honest, like you said, at the soccer games where those kids are always there. So, that's a situation where personally, he's like yeah, we need to properly think of something. But, yeah, if we have reason to call the police, they get there after they get done doing all the other calls, and the person is going to be gone.
- Chair Kons stated the one question she's been receiving a lot is who's going to be the marijuana police in our City. I have cities calling me asking me about what do we do with this law, but the downside effect is they're getting tons and tons of calls about people smelling marijuana. So, to that point, it's \$25 or \$100, and do they have to dispatch somebody to that call; if we set an ordinance, then it is her thought process that if I smell marijuana, I can call the police. So, now do we have this volume of calls coming in because everyone smells marijuana in a public space. She just wanted to throw that out there; she totally understands why we want to do this, but then do we have the staff.

Council Member Olsen stated for those Parks people here who do not know Lisa Kons, she's the Chair of the Public Services, and she works for the State of Minnesota in Public Safety. So, when she says people are calling her, that's what she's talking about.

- Chair Kons said that's a huge concern, so, she doesn't know how you deal with that; are those call volumes going to go down? Absolutely, but once this ordinance comes out and people learn of it, now all of a sudden you have an issue.
- Another commissioner stated on the flip side, though, we should be hearing from our Public Safety; is it a problem that we don't have a new ordinance, and that it's going to include smoking. She does think they'd be concerned about call volume burdens.

Council Member Khambata stated he was at the park today with his kids, and thought about if it would be a concern with somebody who was smoking a cigar or smoking marijuana, for that matter; he doesn't know that he would be bothered by it, as much as he would having a similar experience at a Wild game, if there's a clearly drunk person next to him and his kid, and he feels like he can't do anything about the situation. So, he thinks the orderly vs. disorderly aspect is already covered, he would mitigate it as a parent. I wouldn't be making it about the law. If they were sitting right next to him, he might ask them to move, and if they don't, then as an adult, he can decide to go play somewhere else with his kid. He thinks if people were intoxicated and they were being unruly, that's the point as a parent where he might want to get some sort of intervention from a police officer. He doesn't think he would be calling the police because he smelled marijuana. Because, quite honestly, every concert and every hockey game he's been to for the last five years, he's smelled marijuana. So, that's his two cents worth.

- With the THC Commission from the State coming in January 2025, in your opinion, do you think that they will handle anything that isn't covered in regards to prohibition in a public place. Attorney Land replied she thinks they will just deal with the businesses, she doesn't think they're going to touch this. They intentionally overlooked the penalty first. He stated he just wanted to make sure we weren't going to develop something for 13 months. Attorney Land replied, well, that's the limbo land we're in right now is the 13 months of trying to enforce the CBD ordinance.
- Another commissioner stated he does think, though, there's an element of the public health piece. He gets what Council Member Khambata is saying about the disorderly conduct, but we all have the right to be in an environment where we can choose to take care of ourselves. If you're constantly subjected to that, he doesn't know how you'd balance that, but it's definitely a thought.

Council Member Olsen stated it's worth noting that 70% of the families who live in the City of Cottage Grove have children under the age of 18 living at home. We're a very family-oriented community in terms of our populus. So, there is some validity, as Council Member Khambata mentioned earlier, as to we really put a lot of emphasis and pride in our parks and our public spaces and our families like to take advantage of those things. How do we deter anything that might change that type of family thing.

- When she was property managed, she got stuck in a lot of positions where she felt that she couldn't do anything. It was like things that were happening that were out of her control and how uncomfortable it was, but she still couldn't change her position. If she started having an occurrence like he was saying, if you go to this area and somebody was smoking and was causing an issue or making you feel uncomfortable, she would call the police, and then they'll monitor that area. And then it's like they're not coming every single time it's happening, but if there's something that keeps occurring, we know that this is the spot that people are comfortable making uncomfortable decisions. So, it's their right to call the police if they cannot, correct? Attorney Land replied well, if the police were there and witnessed it,

obviously that's the ideal situation because they'd be able to see the violation right there. The same commissioner stated she doesn't know, this kind of makes her feel like that's where we're at; it's like we're just stuck here, trying to keep everybody safe, but we can't move away. So, she doesn't know, maybe somehow if we eliminate that in our comfort zone, maybe.

- This had totally been in place now for a little over a month, month and a half, so what kind of issues have we seen with the City. What are the things that administrators are being faced with because he doesn't want to make a problem if we don't have a problem either. He knows it's kind of early in this, and we have winter just around the corner; he asked does there have to be a rush to get it done before fall, right now? That's kind of where his head is right now. Attorney Land replied just to throw out kind of a timeline, realizing the only thing that we know right now is you can smoke it, but you have to grow it yourself. You can't buy it anywhere, unless it's out of state; so, if you bring it in from another state, there's nothing we can do about that, but you can't buy that product in the State of Minnesota right now. A commissioner stated you can buy it on the reservations; there's three of them. Council Member Khambata stated he drove through the reservation and he saw like a fully operational shop. Attorney Land stated you are correct, she stands corrected; any reservation will sell you their marijuana, that is true. So, you can get it if you have access to those places, but at a retail shop in a regular city, it's not allowed, you cannot. So, it probably isn't super prevalent yet, but it will be in the future.
- Has the School District started any conversation about it, like about school property, etc. Attorney Land stated it's prohibited on school property. Council Member Olsen stated he had a chat with a member of the School Board about this issue last week, and one of the things they're trying to figure out is distance from schools, like we do with some of the other substances that we have. He doesn't know if the State law covered this with the schools, but he didn't think so. The commissioner stated no, it just said the school and grounds. Schools, prisons, and there's some other stuff that was mentioned. He stated that's one of the things that they were wrestling with.
- There's a Federal law that prohibits tobacco consumption within 50 feet of the door. Attorney Land stated Federal law has the Clean Indoor Air Act, so that obviously regulates the indoor use, and cannabis is covered by that. So, you can't smoke tobacco because of the Clean Indoor Air Act, and you can't smoke cannabis either. She doesn't remember what the distance requirement is from a front door, but certainly inside the building it is prohibited. The commissioner stated it used to be the City had moved from 50 feet; Attorney Land replied that was another era, so she doesn't know.

Attorney Land stated we appreciate the feedback and all of the different perspectives on it; you don't have to come to a conclusion or a decision. Obviously, we can take that back to the Council, as they do have to make the decision.

Council Member Olsen stated the reason we're here is because there is a cross section of the public, regardless of the issue that you're dealing with, that's going to feel a certain way; and then there's another cross section of the public that's going to feel a different way, and those two things are often in conflict. As citizens and as advisory commissioners, one of the things that he thinks is critical for us as Council Members is to listen clearly to what you're hearing, your advice, your points of view. You're out in the public every day, just like we are, but these advisory commissions are there for that purpose. You are advocates to us for the general public and you're advocates from us to the general public, and we want to make sure that this is a truly collaborative effort, regardless of how it turns out. He can speak for the entire Council, that's a unanimous thing as far as us being here. Because we don't want to just arbitrarily put something in an ordinance without really getting

the feedback that we need to understand whether it's even necessary. If it's necessary, what should it cover and what shouldn't it cover. There's a lot of ways to slice this, so, your help would be very much appreciated.

- Has the Council been approached at all with issues? Council Member Olsen replied yes, we get emails and phone calls all the time. She asked about what, about public consumption? Council Member Olsen replied about the smell and the public consumption in our parks, it seems like they just want to know. He said he was at the park with his kids and that actually happened.
- And that's been in the last 45 days because he didn't understand the answer to the question earlier, about the activity seen since the law changed. He didn't understand the answer to that question. So, these emails have been since the 1st of August? Council Member Olsen replied yes. The commissioner said but prior to the 1st of August you weren't getting them? Council Member Olsen replied no. He said thank you, he just wanted to understand that. His opinion is that we should have an ordinance. Council Member Olsen stated yes, the complaints never stop, they just kind of change form and fashion.
- How many people in this room think that there should be an ordinance, as he certainly does. Now, should it be restricted, like super restrictive, he doesn't think so, but there has to be something, right?
- The Minneapolis parks went smoke free, and they made it very similar; there's no real penalty, you're not going to get caught, they're just kind of policing it. The biggest impact it had was on the employees, and it gave the employees the ability to say, hey, you can't smoke here, get out of here. The other part was the complaint was now the employees had to go across the street to smoke. So, there was no real winning that, but. Council Member Olsen stated that's commonplace with businesses; somebody mentioned Target earlier, you can't smoke out front. That's not just for the public, that's for the employees, that's a fact. Trust him, he's a retail guy, so he knows about that.

Council Member Khambata stated he thinks from the discussions that we've had on Council, the challenging aspect of this is we can't put any actual punitive recourse attached to it; we can ask somebody to leave, but there's currently no penalty. If we criminalize it to whatever extent we can, then we're paying an officer, who's making probably more than any ticket would be anyway, a pretty good amount of money to go out and politely ask somebody to leave. So, for the time and effort involved, and then again, once it's criminalized, now people are like hey, you're not supposed to do that, you're not listening, I'm going to call the cops. So, basically, we're giving people a reason to complain if nothing gets done even though we can't do anything, technically. So, he thinks whatever we do it should be meaningful and done as a deterrent without being so burdensome to City staff and to people. He knows people who get frustrated simply because somebody's doing something wrong; they're not affected in any way, but because they know that somebody is breaking a rule, that's enough for them to want to complain. Another neighbor was parking in front of a fire hydrant, so, he came over and personally asked me which of us should call the police. I suggested why don't we just ask them to move the vehicle. So, there's going to be those type of people where they're going to be upset about the simple fact that somebody's breaking the rule, and then they're going to ask for a solution. Then there are people who are being borderline disorderly, and that's more for a police officer; then there are circumstances where maybe it's better off just giving them a little bit of redirection. He thinks what the legislature did, knowingly or unknowingly in this aspect, was put all of us in this room in really a position where we don't want to be: We're being asked to fix a problem because we're commissioners or because we're councilmen, but we also don't have any teeth; there's no teeth attached to the law that we can

utilize as tools, like we would normally do as City administrators. The law says we can go up to here, so we have discretion on if we want to be easy or if more enforceable in our implementation, but the law gave us teeth should we choose to use them. In this scenario, the law didn't really give us any teeth. So, he's frustrated because he feels like he really wants to fix this and wants to find something that's meaningful; but everything we do like to somebody who is savvy and knows that there is no real penalty as of right now, they're just going to say no, I'm not going to stop that, and then everyone involved in that specific situation will just become more frustrated. So, he thinks some sort of passive intervention might be in our best interests right now. Some signage, specific zones, something like that where we can kind of direct if somebody was going to do something unpleasant, at least do it over here, away from kids type of thing.

- Chair Kons stated with raising the fine, if we set a City ordinance that makes this a misdemeanor, does that go on their record. Attorney Land replied yes, but it can't be a misdemeanor. Chair Kons stated it can't be a misdemeanor, so we can't increase the fine more than a petty misdemeanor, is that right? Attorney Land replied that's correct, \$300 is the maximum. Chair Kons stated okay, she thought we were talking about making it more than that. Attorney Land stated that was the second part of the conversation where we were talking about those Under 21; if you're Under 21 and consuming an illegal product, there's no penalty for that either. But the vaping and smoking in public, public places, violating the law, can only be a petty misdemeanor. And that is non-criminal, it's basically a civil penalty, and doesn't go on anyone's record.

Deputy Director of Public Safety/Police Captain Greg Rinzel stated to be very clear, a small amount of marijuana was decriminalized years ago, and it's since been a petty misdemeanor. He's been doing this for 28 years, and it's been a petty misdemeanor as long as he can remember. So, this isn't really a lot of new, it's just a lot of different.

- If people want to go sit in the park and drink a beer or smoke a cigarette or go smoke a joint or whatever, then we're telling those people that they can't do that, there are fines against it. She says people say that a lot about smoking, like they can't smoke in a restaurant anymore, so then they'll go drink a beer. So, should we get it into that type of a situation where it's like okay, if we're going to do it for CBD or should it be smoking all around? Council Member Olsen stated that's a valid concern.
- Another stated that's what she was thinking; is there a reason why we need to treat smoking or vaping of cannabis separately from smoking or vaping tobacco? Is there a public health reason why they can't be the same? Attorney Land replied no, but she would caution this on the definitions of Public Places vs. Public Property. You don't see no smoking in public places, ever. You see no smoking at public property, so in parks, specifically, you'll see no smoking in the parks. So, you could, if you wanted to throw it in as an option, let's just focus on parks for both topics. Like she said, there are a lot of cities that are including all places generally accessible to the public; so, anyplace that's open, like parking lots and sidewalks, to the public that they're also prohibiting cannabis.
- If we were to do a smokefree parks thing, how would that affect the golf course? Council Member Olsen stated a golf course isn't a park; Attorney Land yes, it technically is under the definition. So, you would have to think about it as to whether or not you would want to prohibit just tobacco, and we certainly can do cannabis, or maybe you allow both, she doesn't know in the golf course. A golf course is kind of a separate, unique park, if you will, because it separates people. You're in a group of people that you know, it's not like you

have random people walking around that don't know each other. Typically, you know your foursome.

- Does Council gets complaints about people smoking at the golf course? Council Member Olsen replied no. They pay for the privilege to be there. She asked do they get complaints about people smoking cigarettes? Council Member Olsen stated no, he doesn't get complaints. Captain Rinzel stated it's not a violation. The same commissioner stated it's not a violation, though, to smoke marijuana either, so that's why she's asking. Have you gotten complaints about people smoking a cigarette at Kingston Park, or? Council Member Olsen stated we get more complaints about the parks than we do about the golf course, just in general, because the ratio of use is significantly different. He thinks part of that is families go to parks, and it's a free service, and they want to be able to enjoy that space without having to breathe in those other things. He thinks people go to the golf course with a different expectation; they go to either eat, or perhaps have a cocktail, or golf, or all three. They pay for the privilege to be there, it tends to be a much greater percentage of strictly adult clientele; so, it's sort of a different animal. The same commissioner stated she understood that, she meant if we do smokefree or prohibit the use of smoking cannabis, if we do that Citywide, then if we do incorporate tobacco as well, she's wondering how that would potentially affect the sale of cigars, etc.

Council Member Olsen stated he thought if we did a public health survey for a smokefree ordinance and made that focused upon parks and trails, etc., he doesn't know if we could carve out something for the golf course based on the way it's defined.

Attorney Land stated if you said we wouldn't recommend including the golf course, she'll figure out a way of excepting it, whether we remove it from the definition of a public park, that might be the simplest way to do it. As Council Member Olsen said, you have to pay something to just go hang out at the golf course, whether it's to play or eat or drink.

Council Member Khambata asked if the tobacco element is different from the cannabis simply because the consumption of the cannabis at a certain point, you become impaired; you can't drive, etc. You can smoke a pack of cigarettes and you can still get in a car and drive, you can't do that with cannabis. So, to him, they are a little different, they're not apple to apple, because you have that impairment piece.

- A commissioner stated they did some different research showing that some people with nicotine become impaired, and it's absolutely similar to cannabis. But that's the same with cannabis, somebody could take one dose of something and I take the same dose, and we both have completely different reactions to it. It's like anything, like alcohol.
- Council Member Khambata asked Commissioner Larson with the Minneapolis parks going smokefree, do you guys have any feedback from law enforcement regarding service calls or volume of service calls? He replied he doesn't work there anymore, but he can say that we had Park Police. Our Park Police had a schedule, and there was kind of a hotline, so they were always in the parks; so, it wasn't really that they were calling Dispatch on smoking. Council Member Khambata stated so you wouldn't say that there was a disproportionate impact immediately following that; he replied no, not really. To be honest, a lot of people weren't smoking in the parks; there wasn't a big problem with it.
- Are there statistics from other states that have had this for a long time that could help. Council Member Khambata replied every state does it a little differently, at least from what he's heard. Attorney Land stated she's seen that most cities do prohibit it in public parks.

- Chair Kons stated our law is so much different than anywhere else. We went all in when this law was passed, we actually took marijuana off of the Schedule I list, and we don't call it a drug anymore in Minnesota; we're unique in that fashion. So, it's hard to go to other states for information because in order to do that, you have to have the same parallel laws. So, you really have to go through them with a fine-toothed comb to say okay, what happened here because this is our law; unfortunately, that's not the law in other states. We see a lot of public consumption in other states, but cities and counties have the ability to set ordinances, it's just like any other law. If you go over to South Dakota, they don't have primary laws for a lot of things, but there's a lot of cities that say in our city, you're not going to text and drive, in our city, you're going to wear your seatbelt.
- Is the intent to try to develop something today? Attorney Land replied no, it's just to get your feedback. So, if Council Members feel like we got enough, we can move on to her second question.
- The only thing that's been rolling in his head, just to think out loud, was ordinance vs. a statement. Can a City, instead of putting it in an ordinance, have more of a health statement? You know, thinking of our water, how we're fixing our wells. Can we have more of a public health statement that goes out, here's why we feel you shouldn't do it vs. going out and saying you can't do it, because we can't do anything about it. He doesn't know if that could be an option. Attorney Land replied she doesn't think it's fair to say we can't do anything about it because we can; we will have a penalty. And for those that continue to violate, because there are those that will continue to violate and tell the Police Department I don't care, you're not going to do anything to me. Well, we can finally go out and say here's your ticket. So, without anything in our books, there isn't anything we can do. A resolution, while great with lots of nice, flowery words, is unenforceable. So, if we want to have the option of having a penalty, you have to have an ordinance in the books.

Council Member Olsen asked before we transition, can we maybe hear from Parks & Rec Director Zac Dockter and Jim Fohrman, Parks Superintendent, in terms of what you guys are seeing out in the parks or what they're hearing from the public. Has there anything been brought to you from your team in the parks?

Director Dockter stated he doesn't hear a lot of complaints, he probably has a few emails recently, in the last 45 days, of people smoking marijuana on a trail; why do I have to be around that? But otherwise, typically, from his perspective, we don't get a lot of complaints about smoking of tobacco or marijuana, but Jim can speak more about that.

Jim stated no, we don't see it a lot. We had one where the person got really upset about it, and there was one at Highlands. There was something at the Skate Park where we had a call; they're hiding their stuff in the Skate Park and whatever, and there's a whole team down there, but other than that, no. We haven't had any issues or people complaining when we're in the parks at all.

Director Dockter said the same with cigarettes, too. Looking back, the world has just changed; smoking cigarettes around kids is not really socially acceptable anymore, and it's not socially acceptable in a restaurant, or wherever. So, people have just adapted. We'll also sometimes see grandpa tucked away by the trees at 50 yards from the playground, smoking a cigarette; and, usually, nobody cares about that particular situation. He sees more of that.

- Wondered if our biggest issue in the park setting is going to be those young people, under 21, who can't do it at home because they know they're going to get in trouble with mom and dad, so they're going to go somewhere else. She doesn't think we're going to have 28- or 30-year-olds sitting at the park doing it; they're probably going to be at home.

Council Member Olsen agreed, and stated that's a great transition to Attorney Land's next topic.

- A commissioner said she thinks she's seen signage in our parks about certain limitations on smoking, around the Splash Pad and when people rent the pavilions and things. Do we have anything like that? Director Dockter stated that's inside the buildings only; outside of the buildings, there are no regulations. The commissioner asked not around the Splash Pad; Director Dockter stated that might be referring to the building, but typically we don't regulate anything outside. Maybe it's at the overhang of the building. Director Dockter stated that's what he's wondering, but otherwise he doesn't think so; he's never 100% sure. Jim stated we don't have anything posted outdoors.

Attorney Land stated full disclosure, she believes in punishing the children. It's under 21, so, we're not necessarily talking about juveniles; if you're between 18 and 21, you are an adult. She believes the Underage Consumption law she thinks should be consistent with your Underage Cannabis. That's her two cents, you can choose to do or recommend whatever you want, but there's no penalty in the law; again, that was intentional, that's with smoking and vaping as well. She believes that if you're going to enforce Underage Consumption of Alcohol, which is intoxicating, you should be able to enforce Underage Consumption of Cannabis, which is also intoxicating.

- Are there any good tests for it right now; that's what he keeps hearing in the workplace is there's no good test if I can smell it on you. There's no real good test that would show it, like a breathalyzer. Council Member Khambata stated there is for officers, for like DUIs, but it's not enforceable, it's like strictly volunteer. He thinks he read it in the Star Tribune, there are states starting to work on something along the lines of like a field sobriety test for that. Chair Kons stated there's an oral fluid pilot project that's going on right now, and that'll happen for a year, as it was passed this legislative session. But part of that pilot project, because it's a pilot project, also means if you get pulled over, you have to agree to the oral fluid test. So, we'll find out more in a year, and we do have to report back to the legislature after one year of the pilot study.

Attorney Land stated she's not so much concerned about the driving, maybe we should be, but it's more the public use and the juveniles in the park, who are using it, and all the officers can say is stop. So, she thinks we again need to have something on the books so it makes it enforceable if the officers see them with it. That is going to be if the officer actually walks up on the juveniles while they're smoking.

- Since it's 21 or younger, how do you determine who is 21 and younger, because they look very old these days. Attorney Land stated she'll leave that to the officers to figure out, whether they ask for ID or try to get voluntary admissions. So, it would be somebody making the call who's assuming they're under 21, and then the police officer has to get there and identify them. Attorney Land stated again, a lot of it is going to be inadvertent contact, that they're in the right place at the right time.
- Captain Rinzel stated the other big issue is nobody's testing. The BCA doesn't test for it, so we have a prohibition against using something that we can't test to determine whether it is something; it's a little bit difficult to enforce that, unfortunately. Council Member Olsen stated we would have to utilize a private lab; Captain Rinzel said and then we'd have to pay for that. Attorney Land stated but that's only if somebody challenges it.
- It's been a few years since he's had a minor consumption ticket for alcohol, and he knows the difference, but is that on a graduating scale in terms of fine or is it just a fine? Attorney

Land replied it's just a misdemeanor; she said she thinks it's up to the judge, and it's a minimum of \$100. Captain Rinzel stated it's on the payables list now, so you can just walk in and pay the citation; it's payable, just like a speeding ticket. It might have a graduated fee if there are things like law library fees; however, it used to be court required, and now it's a payable. To be a payable like that, it's essentially a City Ordinance violation. It's a low impact, administratively. He said we just don't want to go down the road where a judge throws out your ordinance because they can; so, we don't want to be that department that has one of those tickets get challenged and we lose every one of them. It was asked do you only write them if you see them? Captain Rinzel stated the Underage Consumption is very easy; I saw you drinking alcohol or beer, you have stary, glossy, bloodshot, watery eyes, consistent with somebody who's been drinking alcohol. Smoking weed, I walk out and I have no idea; they have bloodshot and glassy eyes, but say, no, I was standing next to this person. Plus, did we physically observe it? There's no test available right now, so there's no way for me to get proof beyond a reasonable doubt; there's probable cause, which is what I need to write the citation in the beginning. Proof beyond a reasonable doubt is what we try to hold ourselves to if we're going to send this to court, because judges and attorneys aren't willing to take it forward without knowing they're going to win. So, that's why those cases just don't get charged.

- Chair Kons said unfortunately, in Minnesota, there's just no case law right now. So, there's going to be a lot of attorneys on both sides of the fence. She serves on some Strategic Planning Committees and there's always case law; to Captain Rinzel's point, no one is going to want to stick their neck out to be the first case law that's going to rise up in the court system. Council Member Olsen stated we got our body cameras for that reason; we wanted case law to exist to work out some of the bugs before we went to using the body cameras.

Attorney Land stated as a former prosecutor, she would say wait until you have the evidence in front of you, see them smoking it, now you don't need to send it to a lab.

Council Member Khambata noted Captain Rinzel had mentioned to him that he hadn't written a citation for Underage Consumption of Alcohol in quite a long time; he asked if the presence of that ordinance is enough of a deterrent in his mind, or is it just not a big enough issue. He asked Captain Rinzel when he was previously writing them, was he like hey, get out of here, you guys need to disperse, or I can use these tools against you; I can write Underage Consumption if you don't leave. How do you practically implement or utilize an Underage Consumption ordinance; he's assuming you just weren't writing a ton of them, ever, because of the practical difficulty of like having to observe somebody drinking. When most people see a cop coming, they're probably going to ditch it.

Captain Rinzel replied a lot of times you'd get the testing that was available. We used to write Underage Consumption tickets on house parties; we'd sit there and write 60 tickets, that was commonplace on house parties when he was a newer officer. It's just everything evolved; he thinks we'll see more people smoking marijuana with their buddies, playing Xbox at their houses, separately, than you will happen on a party with everyone smoking marijuana. It's just the dynamics of how kids interact now have changed immensely. You don't have huge house parties anymore; graduations are really the only time we have any issues with Underage Consumption in large groups. It just doesn't, it's an odd dynamic, he can't figure it out, but we used to have them a lot more often. So, it's really hard to compare the two of them.

- With the ordinance for the under 21, do we have to have an ordinance for Citywide if we have an ordinance for under 21. Attorney Land asked if she meant are these two ordinances connected; she replied yes. Attorney Land replied no. So, we could potentially just have an ordinance for the under 21 with a penalty and not have a Citywide one? Attorney Land replied yes.
- Do we need a new ordinance for the Under 21, or can you just add cannabis to the current one? Attorney Land stated there is no ordinance; the Underage Consumption is a State law. He said but we could mirror what State law is; Attorney Land stated yes, that's what she's suggesting is we just mirror what it is for Underage Consumption. He stated she would have his support to go forward with that.
- What about the fine? Attorney Land stated it can be up to \$1,000, but Council can set the fine. It would be a payable, so we'd just add it to the payables list, whatever amount you decide. It should be enough to be a significant hit.
- Is there a repercussion for multiple offenses? Is there a plan for multiple Underage Consumption offenses? Attorney Land replied she thinks that we probably could write it that way; she doesn't know that there is for alcohol. She couldn't find a State law on it that says there is. A commissioner stated in Wisconsin, there actually was a graduated scale, but he thought it was within a certain timeframe as well. Captain Rinzel stated he thought that was their State Statute also, whereas this is different, it's a City Ordinance. If we have a City Ordinance violation for somebody who lives in Thief River Falls, he has no idea how many Underage Consumption violations they may or may not have had or how many marijuana violations, or anything. He thought we'd have difficulty enacting that because it's not a statute, it's an ordinance. Ordinances that we have steps on are if you're selling to underage people, and there's a step process for the licensure, and other things. But for a situation like this, he would strongly recommend we just go with something, and then we stick with that because the courts aren't going to like manipulating that, one way or the other. What is the crime; the same thing, a petty misdemeanor or misdemeanor, and this is the fine. So, it stays cleaner.
- Essentially, we have to develop what we see fit as a prohibitive amount of money. Council Member Olsen stated the idea of the citation is to change the behavior, whether it's a driving citation or something else; and we want it to be enough that it will have that person hopefully change their behavior moving forward.
- You want it to be enough so mom and dad have to become involved. I don't know too many 16-year-olds that can drop \$1,000 for smoking marijuana.

Council Member Khambata stated he doesn't know too many adults who would be happy about having to pay a \$1,000 for a fine like that.

- Can we use the State Statute for selling to underage, like selling alcohol to underage, to prosecute whoever provided legal cannabis to the underage consumer? Attorney Land replied it is illegal for anyone to provide legal adult use cannabis to anyone underage. Council Member Olsen stated we already established the ordinances on that. Commissioner stated so, we have that covered already, so we don't have to worry about that. Attorney Land stated from a retail perspective, we for sure do. With State law, she doesn't recall if they have a penalty for selling to underage, but she would imagine that they do.

Attorney Land stated so she saw a lot of head nods. Council Member Khambata stated this is a focus group, so he asked how much of a penalty would be prohibitive for a younger person?

- A commissioner stated he wanted to know about a penalty to use; it spreads a lot throughout the school, so you'll hear of kids using it or distributing it. He knows not many kids like to speak up for it, so he thinks if there was a penalty for it, it would crack down on that a lot and make kids feel safer at school. Council Member Olsen stated he thinks he's right; he said that was a very good piece of feedback.

Council Member Khambata stated now, if you got caught with it, how much of a fee would be really, really uncomfortable for you, \$100, \$200? He appreciated the good feedback of kids not wanting to speak out against that.

- For people who have older kids, do you as a parent talk to kids about marijuana as much as you talk to your kids about alcohol? Most responded yes; one said they talked about it yesterday. Despite her talking to kids about it, they used it anyway. An important point, too, is unfortunately we have parents who smoke it whose teenagers are going to think it's okay, especially now that it's legal; so, now this teenager is going to potentially get a citation when they sit at home and smoke marijuana illegally with their parents.

Captain Rinzel said there's a program at the Youth Service Bureau; so, if you're under age 18, there is a course offered for offenders. So, for the high school age kids and young adults, he doesn't see us writing a plethora of citations for this. The judges will only kick those back and say they need to go to the Youth Service Bureau for education and then probably the Chemical Assessment Program, which you're required to pay for and attend; the parent also has to attend, so that tends to be more of a larger sum than the fine associated with it. He thinks you're really concentrating on the 18- to 21-year-olds, where we have no more mechanisms, as we do with minors, to change that behavior, other than a financial burden. We have very good messaging from the County Attorneys relative to minors; so, if it's a first offense, they're going to the Chemical Assessment Program. If it's a second offense within less than six months, maybe they're getting a citation, but most likely they're going through the Chemical Assessment Program again. So, it's really geared to the under 18; so, the penalty that you're talking about here is really for the 18- to 21-year-olds.

- It was asked what is the typical fine for a speeding ticket. Captain Rinzel replied he hasn't written those lately, but it's right around \$140, but there's also a law library fee, so he'd guess it's right around \$200. The commissioner asked if the other commissioners thought \$200 was going to correct behavior for 18-to-21-year olds.
- A commissioner replied she thought that it might be enough of an irritation because then if they don't pay it, what are the consequences? Attorney Land replied they can get their driver's license revoked for failure to pay fines. The commissioner said, so they have to make that decision, is it really worth smoking this weed outside, or should I just stay in the house. She knows they're not supposed to do it at all, but can we really stop this individual from not smoking? Probably not. So, realistically, how do we at least keep it so that they have more control over where they do it. But she thinks they're going to go and do whatever they want, that's her opinion. Captain Rinzel stated if you roll through a stop sign or disobey any traffic laws, that's one thing, but is this more egregious than a traffic violation. What's the tipping point on what you do; everyone's going to have a different opinion. The commissioner stated he's just trying to draw a parallel to that, essentially the amount of the fine; he doesn't know what the fine should be, \$500? Captain Rinzel asked what's the Underage Consumption citation on a payable fine that it mirrors; there is no difference, as they're both intoxicating chemicals, whether it's alcohol or marijuana. Just for the sake of we're not choosing one thing over another; there's one group that tends to drink and one

group that tends to smoke marijuana, and there's no difference. If you do either of those, that's the fine.

Council Member Olsen stated we talked at our last Council meeting about the 0.3% beverages. He asked if this would cover that as well. For the 18-to-21, if they're found in violation by smoking this substance, there's going to be a fine, a citation issued. We're talking about mirroring the Underage Consumption; is it Underage Consumption for them to drink the 0.3% THC beverages? Attorney Land replied they can't drink anything containing under 0.3% THC or drink anything over 0.3% THC; it's illegal for anyone under 21 to have anything that has THC in it. Now, it's no longer called CBD, it's now relabeled as low potency.

Director Dockter stated we still have two agenda items tonight, so asked if commissioners had any last comments. He asked the Council Members if they had received some direction on this topic. Council Member Olsen replied he thought we had some. Council Member Khambata stated there's a consensus on an ordinance and there's a consensus on some sort of fine, but thought we're undecided at this point on the value of that fine. His input is he thinks we should mirror the existing ordinance on Underage Consumption because it seems fair, and we don't want to look like we're targeting anybody. It also makes challenging that fine or that ordinance a lot more difficult if it mirrors something that's already established.

Council Member Olsen asked Director Dockter if we could do a show of hands on the first topic; who is in favor of some sort of ordinance prohibiting use or smoking in the parks and potentially in public places, like trails and things?

- A commissioner asked if it's just for the CBD or is it smoking everything? Attorney Land replied it's just for the THC; we're not talking about general tobacco.

Council Member Olsen stated we're not talking about tobacco, but that could be part of the conversation if we wanted to approach it from a total public health perspective. Speaking politically, that might be the safer way to go. What he's curious about is how many feel as though there should be some sort of ordinance in place prohibiting that use in our parks and trails and places where families congregate. Council Member Olsen stated he can't count them all, it kind of looks half and half to him. Director Dockter stated he counted 10 to 5.

Council Member Olsen stated at our next Council Meeting, or shortly thereafter, we're going to meet and have another conversation about this, so we very much value the input while we're here. We want to be sensitive to the fact that there are slices of the population that are going to feel really strongly one way and another group of people who are going to feel really strongly the other way. Of course, we're the ones in the middle who get to decide, but it's always helpful to have your input and kind of a general consensus of what we're looking at. Council Member Olsen asked Attorney Land if that was helpful for her; she replied yes, very.

- A commissioner stated obviously, the adults get the information, not really the children; is there a way to put a program or update together to bring to the schools, or at least maybe just the high school, so that they know what they're facing and like what's out there. She's sure they're confused as well about what the laws are, so, just kind of keep them on track; so, they can make their own decisions without completely being oblivious to what the whole picture is, because all they might know is they can smoke weed. Council Member Olsen replied that's good feedback. She stated it's just something to think about, and she didn't mean to get off topic.

Council Member Olsen stated we would need to partner with the School District and their communications team, but that's something we do often, so, it's good feedback. He thinks absolutely that's the right thing to do.

Director Dockter stated along with that, you may wake up tomorrow, read a newspaper article, and change your mind. So, you have email addresses for me, Ryan, Greg, Council Members; if there's anything, please do not hesitate to use that as a tool. We all want to keep hearing information because his opinion seems to change almost daily.

Council Member Olsen stated if there's more that they want to discuss, that maybe they didn't feel comfortable discussing in front of the group, please reach out to Council Member Khambata or me, or both of us. Council Member Olsen gave his cell phone number, 612-845-3524; he said they can call him anytime, he'd love to hear more of their feedback.

B. Electric Vehicles

Director Dockter stated the world is changing rapidly around us, and maybe we're not keeping up with it in terms of what our ordinance says and how we regulate some of these new technologies emerging with recreational vehicles. There are electric scooters and electric bicycles, and we're only going to define a handful of those today, the most common ones that we're seeing. As you know, whatever we have today, there's going to be a bunch of new technology in the future; so, it's going to change constantly. We're going to ask the commissions today what do you see out in the public, what are you hearing about any concerns, particularly on the trails and in the parks and on the roadways, and how they interact with the public around them.

Some of the most common technology we're seeing out on the roads and in the recreational system are Ebikes, with typically 2 or 3 wheels with a seat, and they don't have signaling devices, though some have little brake lights. He thinks it's important that we understand that the State actually classifies them into three types of Ebikes:

Class 1: Is electric assisted, meaning you still have to pedal in order to keep it going; they're limited to about 20 MPH and there's also kilowatts for the motor that can go on there as well.

Class 2: Assisted bicycle is capable of propelling the bicycle without the rider actually pedaling, so now you can just push the button and it goes by itself; you can either bike or just push the button. It also typically goes up to about 20 MPH.

Class 3: Electric assisted bicycle is the same type of concept as Class 1, but it can go up to 28 MPH, so it's got a larger motor in it, but you also have to pedal this one.

One thing we actually were looking at as we were studying this topic is that the State Statute does say that no person under the age of 15 shall operate an electric-assisted bicycle; we didn't even know that until we started studying this topic. We all know that that's happening in our community; people under age 15 are using those pieces of equipment. We're just trying to figure out do we care or not; if we do, what do we do about it?

Golf Carts and All-Terrain Vehicles (ATVs): Other emerging recreational trends are golf carts and ATVs, but there are different types of golf carts. There are those used at the golf course, which don't have turn signals or brake lights, and no signs that warn people that you have slow-moving traffic; those typically move about 10-15 MPH. Obviously, technology has changed and people are really invested in their golf carts, as you can get as high as 30 MPH on specialty designs. Many of those fancier golf carts have signaling devices, brake lights, and there are certain communities that are allowing them. He knows Prescott, WI, uses a permitting or licensing system, and there need to be certain tags on the units, but then they can drive on the roads; they're not the only community.

ATVs and a lot of four wheelers can obviously reach some pretty extensive speeds of 40-60 MPH, and typically they are automatically equipped with signaling devices for people traveling around on them.

State Statute: A neighborhood electric vehicle or a median speed electric vehicle may not be operated on a street or highway with a speed limit greater than 35 MPH, except to make a direct crossing of that street to get from Point A to Point B. A person may operate a three-wheel neighborhood electric vehicle without a two-wheel vehicle endorsement, provided they have a driver's license.

Director Dockter stated Attorney Land will speak about our current ordinance.

Attorney Land stated in case you didn't know, we went through about a two-year process of revising the entire City Code, piece by piece. And this is one of the areas that we specifically studied because it is, as Director Dockter said, an emerging area with new definitions. Every time we think we have it figured out, they come out with a new regulation that we needed to know. So, we tried to adopt something that would be adaptable as they change State law; because if you're too specific in your ordinance, based on what the State law is today, we know it's going to be different tomorrow. So, currently in the City of Cottage Grove, we have a general definition for recreational vehicles that includes all things that are tiny, which have either a gas motor or an electric motor; all of those things are to be considered a recreational vehicle. We, as a general statement, prohibit all of them in our roads and sidewalks and trails and parks except for the ones that are regulated by State law, specifically: Motorized foot scooters, electric-assisted bicycles, and electric personal assisted mobility devices. Because they're so special, we don't want to try to contradict what State law allows. So, generally speaking, electric or gas-powered scooters, minibikes, motorcycles, go carts, hovercraft, snowmobiles, ATVs, and dune buggies, all of those are prohibited on our City streets, sidewalks, and trails; except for the motorized foot scooters, electric-assisted bicycles, and electric personal assisted mobility devices, which means electric foot scooters are specifically to follow bike laws. So, generally, if you can ride a bike, you can ride a motorized foot scooter on all roads, totally allowed, but not on sidewalks; trails are totally fine, as are bicycle trails, those are allowed. They do not require any licensing or registration, so you can own one without having to tell anybody about it, and it is regulated by State law.

Segways: Under State law those are an electric assisted mobility device because it has two wheels; so, those are special, and those can go on the road, up to 30 MPH, but no faster than a speed limit of 30 MPH. They can also be on a sidewalk, on a bike path, and again, no license or registration. So, we're not going to try to regulate it; as State law says it's allowed, we can't prohibit it.

Golf Carts: The rule on golf carts is they can be on the roadway, up to 35 MPH only. Sidewalks and bike paths, but not if they take up more than half of the space; they have to have a passing area to have two golf carts on the same path. They have to be licensed and registered, just like a car, or they're not legal to be on the road. So, if you see people driving a typical golf cart, like you find on a golf course, on a road, that's illegal. Captain Rinzel stated he doesn't think you could easily fit two golf carts on a trail; Attorney Land stated you cannot, we already tried it.

Attorney Land stated that you can drive any of these things on your own property; you own your own property, and we're not going to come on your property and tell you that you can't.

Ryan Burfeind, Public Works Director, stated he's going to talk about our different types of trails in town and how they're designed because if we're going to talk about what should be used on them,

it's important to know how we design them and what we design the use for; those are recreational and transportation trails.

Transportation Trails: Are generally located in the road Right-of-Way, along 80th Street, along Jamaica Avenue, etc. We follow a very specific design, the MnDOT Bikeway Facility Design Manual, so that actually tells us how to design that trail in the Right-of-Way so it has a 20 MPH design; so, it's a safe design for a bike, a scooter, etc. to go 20 MPH and not run off the road or hit someone coming around the corner too fast. It looks at how steep is it, how sharp are the curves, are there sight lines, is there a clear zone because we don't want a street sign one foot off the trail that you're going run right into if you run off the trail. We generally plow almost all of our transportation trails all winter so they can be used year round.

Recreation Trails: These are generally located in parks, open spaces, those around Hamlet Pond, etc. They are often in very heavily-wooded areas, and we do try to follow the Bikeway Design standards; that's not really possible throughout because being in a wooded area we're trying to reduce tree loss, and there might be some very desirable trees in the park that we don't want to take down. Just like the wetlands, we're not going to run a bike trail through a wetland. While we try to do our best to follow the Bikeway Design standards, it's not commonplace to follow them to a tee. That's why they don't really have a 20 MPH rating as we design and build those. We plow some of them, as some are very important, some are nice connections from one neighborhood to another, so we'll plow them in the winter. A lot of them are simply too steep or too windy to safely have them plowed in the winter. They're not designed for higher speeds with sight lines and stopping, so that's really important because we're going to talk about where should we use these things. One is clearly designed for 20 MPH and that 20 MPH means something; you see certain bikes that are limited to 20 MPH. You can buy a scooter that can probably go faster, but for companies that rent them, those are all 20 MPH scooters, some are even less, maybe 15 MPH. That does mean something for these recreational trails, as they really aren't designed with that kind of speed in mind. All of our trails are 8 feet wide; in the memo, he talked a little bit about if we can stripe the trails, but they have to be at least 10 feet wide to do that. Some very high-use trails, not those that we typically have in Cottage Grove, are actually 15 feet wide, a 10-foot section that's striped two ways for bike traffic, and then they'll have a separate 5-foot section for walking. That's very expensive, and that's really for regional corridors, not something we'd typically have here.

Director Burfeind displayed a map for a visual. He noted all the red on that is our transportation trails, and they're generally straight lines, they're following our main roads; all the yellow are the recreational trails. So, we have a lot in town, which is a great resource, but it's a lot to manage when we're talking about trying to prohibit use on some of them.

Another topic is can we really do trail signage on how we use the trails. Let's say the commission, as we talk about this topic over time, decides certain things are prohibited; how do you do that? On every single trail, are we posting this is prohibited? Or is it just an ordinance, and is that really enforceable? In the past, there was discussion on speed limits. He's seen very rarely where they actually paint the speed limit on the trail, 10 or 15 MPH; that's very hard to enforce. First of all, there aren't speedometers on a bike, are you going 12 or are you going 16? And if there is an issue, if you call the cops, that person is going to be long gone. So, sometimes those can generate a lot more calls because people see the 10 MPH and a bike flies by them; they get frustrated by it, so, the cops get called. That's why we really haven't done that; sometimes you'll see speed limits on regional trails and such.

Director Burfeind stated why we're here tonight is to acknowledge that this is a trending thing; more and more people have electric scooters or electric bikes, so, it's going to become more

commonplace. That's one of the major talking points; he doesn't know if we want ATVs and things like that on our trails. They never have been, and nothing's changed. Golf carts can be driven on a road if they follow certain rules, speed limit is 35 or under. Our trails here really aren't designed for that width in mind, but because it is an evolving topic, what are the challenges that we have seen or could be experiencing because there are more and more of these items on our streets and trails. There's some industry drivers to this discussion, but we kind of see this as a multistep process; it's not something that we're going to answer tonight, but we would like to get the commissions' feedback, and if there's more information that you need from us to make informed decisions on this. So, this is probably multiple meetings, not necessarily always joint meetings; it might be separate discussions on different topics of the roads and trails. Tonight is a chance to gather information and for us to provide more information to you. Director Burfeind stated he'll open it up for questions and discussion.

- Have we had any accidents or serious complaints, or is this just kind of preemptive? Director Dockter stated there are complaints on the Parks side. He doesn't know of any serious accidents, but Captain Rinzel mentioned one that was because of speed. Captain Rinzel said that was with a bicycle at Hamlet Park; we were talking about speeds, and he remembered he had a fatal accident with a bike. A bicycle went around a corner too fast, and he put the pedal down; if you're not wearing a helmet, you can hit your head. So, we kind of had a huge discussion on speed, but basically dangerous is dangerous, disorderly is disorderly; it doesn't matter what it is.

Director Burfeind said he would say this discussion is mostly preemptive. It's to try to get feedback or should we treat any of these vehicles differently; bikes are definitely the most regulated, you can tell because they have different classifications. Then you've got the one wheels and the electric skateboards; there are a lot of different things out there.

- A commissioner stated she bikes our trails, as well as the regional trails, and she thinks for the most part we can coexist pretty well with any bike. Most people seem pretty responsible; stereotypically, it seems the older group that wouldn't be able to bike and now they're getting into Ebikes. She doesn't see a huge issue; if anything, it kind of opens up the space and allows them to use it, as it's generally a positive thing for anyone to bike. Maybe as she gets older, she will have one. She doesn't think we should make it too restrictive because she thinks there's a lot of value in allowing those, too, if it's not a problem.

Council Member Khambata stated he thinks where interactions might be problematic is where you've got shared-use trails, where you've got walking and you've got especially Ebikes; because 20 MPH is cruising on a pedal bike. There's not a lot of people biking that are maintaining 20 MPH, whereas 20 MPH on an Ebike is a fun cruise. He thinks proper etiquette is a big determining factor on whether those interactions are impactful or not. He has a friend whose teenage son has an Ebike, and he told him that's cool, I enjoy riding Ebikes, I ride one every chance I get; the teen said yeah, there's some app that will make this thing go 30. So, it's like we're going to have probably isolated incidents where people are trying to reach the limit of what the Ebikes can do, but maybe just communicating some proper trail etiquette will probably mitigate a lot of adverse interactions with people riding these types of vehicles.

- She asked if there were Park Police in Minneapolis; the male commissioner replied yes, but Minneapolis has a separate Park Police, which is like a precinct out of the Minneapolis Police. She asked if we have anything like that. Council Member Olsen replied no, at one

point in time, we had bicycle cops during the summer months who were out on the trails quite a bit. As things have evolved, we've gotten away from that he thinks to a large degree and moved more towards the ATVs, etc. When it comes to parks, primarily it's the patrol officers who are patrolling the parks, or sometimes there are C.S.O.s who also drive through there. Having just that vehicle in the vicinity, driving through, is oftentimes a pretty good deterrent, but we don't have police officers who are specifically assigned to parks. Captain Rinzel stated we do park checks that are documented, and our parks are patrolled a lot, so, we don't have any dedicated position; we only have 44 officers, so. She stated she was just wondering because she feels like that's one of our concerns. With the parks and the marijuana and with the biking trails, she's just wondering if those can be monitored so that we can deal with that rather than waiting for issues. Captain Rinzel stated we have to identify whether it's illegal, then what action we want to take. The last thing you want is police officers getting involved in Use of Force incidents related to smoking on a trail, or failure to identify, or something where a non-criminal becomes a criminal event and somebody goes to jail. Then the headline reads, "Cottage Grove Police Use Force on Someone for Smoking in a Park." That's not intending to be a good headline that we want to embrace, if at all possible, but you're right. That's why he thinks it's important that we have these discussions; what is the penalty, is it a penalty, and how do you want your Police Department to interact with those types of behaviors? He thinks that's why with the statute there is no penalty right now; the State of Minnesota doesn't want police departments doing anything with it. He thinks that's why they left it that way.

Council Member Khambata stated he thinks, especially on the Ebikes, he's not so sure on the scooters, but as somebody who just spent a good amount of time bike shopping, electric bikes are not easily identifiable anymore. A lot of them look like normal bikes, so, any sort of prohibition on that is going to be pretty ambiguous and difficult to enforce.

- A commissioner stated he thinks at some point you're going to have to do something; you can't allow a vehicle going, because it's only going to get faster. People are going to work on this, not 20 MPH, it's 30. His perspective is he had an ATV and he sold it now. Sometimes on a trail, we were both on the same trail, depending on the season, but then they are segregated at a lot of times because that trail was meant for an ATV because of the speed, compared to a snowmobile. So, he doesn't see why it would be inappropriate with our trail system to say hey, not more of a speed; a vehicle that goes X amount of speed should not be allowed on this trail vs. another one. He doesn't know if you can do that through any type of signage like that. Another commissioner asked but how much is that going to cost? He replied to him, it's not about riding. If somebody goes down an ATV trail with a snowmobile, personally, it would be pretty hard to get caught. In this situation here, he thinks it's more for the citizens not to get hit by a bike going so fast, and keeping that vehicle off that route. She stated she agrees; she thinks that we probably do need that signage. So, if we want to put a sign up, what did you say it was, \$3,000? If we want to put a sign up for what can be done there, she was just wondering is that going to go into our budget. She's not saying that's a wrong thing, but she just wants to know if that's something that could stop us from making sure that people are safe on the right trails. Director Burfeind stated a standard sign, with a sign post, is like \$300; he thinks the hard part is where do you put them? Because when you look at this map, our trail system, which is great, is so extensive and there's so many entry points, that's what could be very challenging. But if we don't do that, no one's going to go into our ordinance and read our ordinance to say I can't use a Class 3 bike on 80th Street. He thinks it is important that none of our trails are designed to be safe over 20 MPH. Like

Council Member Khambata said, that's really moving on a bike. That was kind of designed that way because you're pushing hard on a bike if you're going 20 MPH, sustained, let alone 28 on a Class 3 Ebike.

Captain Rinzel stated he thinks we would have to classify the speed, not the Class of the bike; if I drive a Ferrari, it can go 200 MPH, and I can still drive it even though the speed limit is 65. So, we'd have to set a speed; we wouldn't say no Class 3 bikes on this trail. If they're driving it with due care and they're driving the same speed as a Class 1 or 2, why are they not being allowed to operate this; it's not related to what it can do, it's what it is doing.

Director Burfeind stated yes, it's still the same vehicle, it's still a two-wheel bike, that's just the same size as any other bike.

Captain Rinzel stated there was a Tour de France racer at Hamlet Park, a guy riding on a Schwinn 10-speed bike, that died in the accident. And it didn't matter if he was on an Ebike or a scooter, the fact that he had an accident was because he was going too fast around the corner, regardless of what it was.

- Our current signage restricts motorized vehicles, so we'll see signs that say, "Motorized Vehicles Are Not Allowed on this Trail," and then there are people going by on their assisted bikes or on their motorized scooters. She wonders if it might be helpful, rather than saying "No Motorized Vehicles," but either having a speed or defining a motor. She loves seeing more people on the trails, she thinks assisted devices really open up to a wider population, whether it's seniors or differently abled people, but she doesn't want to discourage people from using them. She thought our signs need to be consistent with what we accept for use and to kind of help people also know what to expect when on the trail. Because if you've got your toddlers wandering around, looking at every stick and bug, and you've got somebody else coming by faster, it's helpful to know that that's a possibility; that that can come along and you might not expect it.

Director Burfeind said for those "No Motorized Vehicles" those came from a different era; the biggest thing is those really focused on cars. He knows there's one that's an easy cut through, up by Timber Ridge, there's a short trail that connects Granada Avenue to Timber Ridge, and it's so easy to cut through there. So, he thought they preemptively put those in, and they've been there as long as he's been here. Nowadays, only with the car issues, we generally put in what's called bike dates or that the trail is only about four-feet wide, and we can still unlock and open it for maintenance, but it physically prevents the cars. But you're right, we have those two areas of town where it says, "No Motorized Vehicles."

Captain Rinzel stated the definition of a bicycle includes motorized bicycles, electric Ebikes, not the old school where you put a motor on the back and started it up; they're still illegal, but bicycle by definition includes Class 1, 2, and 3 bikes, which are allowed by statute now on State trails.

- Which set of trails on the yellow are wooded, are they all? Director Burfeind replied, largely, yes. So, could we look at getting, with a snowmobile and ATV analogy, tons of volunteers out there. The signage isn't on a stick, it's on a tree, along with the caution signs, curve coming, those type of things. So, if you were to allow it, you could help prevent any accidents with where the blind spots are or the approaches. He thinks maybe that's an opportunity for somebody to look at, too. Again, he just remembers when the Bike Park came into fruition, that was volunteers that brought that in; could that be some of the solution? Director Burfeind replied that's something we could look at.

- She thought it might help, too, because from a user perspective, she doesn't necessarily know if she's on a red trail or a yellow trail, because the asphalt trails all kind of look the same. Director Burfeind agreed. Captain Rinzel stated that's to differentiate and we could make an ordinance that says you can't be on a recreation trail, but you can be on a transportation trail; he didn't know the difference. Director Burfeind stated he didn't think that would be enforceable, but. He didn't know there was a difference until Director Burfeind defined it, so, he thanked him for that. Director Burfeind stated most of these trails are because they are designed differently, but there's a coverage; someone can't say this trail was designed improperly with the recreation ones. So, it's understanding you're on this recreational trail that's been provided, and just standard practice, they wind through the woods, they do different things, it's very normal.
- A commissioner asked Captain Rinzel if he thinks it should be like a set speed for all the trails; she asked if she understood him correctly, like the red trails vs. the yellow trails? Captain Rinzel replied he's sure he didn't say anything, honestly, other than due care; he didn't articulate what that was, the due care. If you go on some of those trail systems, in the power easement, and there's a sight line for a mile. If you feel like it and you crack that thing open and you're going 28 MPH and no one's around, does it really matter? He just struggles with passing ordinances or laws that are almost impossible, just because they think they should do something. It's not the right approach.
- Another commissioner stated let alone like some of those red trails, like you can see all the sights, and many of those people are going 20 MPH or more; like today, we saw a whole peloton at the County Fair, so it's like we stayed home.

Council Member Khambata stated so in downhill skiing, they will place ski patrol to enforce and you have to ski in control, and you have to yield to the person in front of you always. So, if you're a Master Skier, you can ski 60 MPH down the trail and bear it down the hill if there's no one in front of you. But if there's somebody in front of you and you hit them, you're liable because you are supposed to ski in control at all times, and you must always yield to the person in front of you. Would it be more practical to just set like a base value, you said ride with due care, and yield to the person in front of you; can we do something like that? A commissioner said but they're all going in the same direction, downhill. Council Member Khambata said he thinks that's how they mitigated that. No, they're not riding in any lines, people are going in all different directions, but those two simple rules allow people or instruct people to self regulate.

- We don't pull people over and ticket them for biking on the sidewalks now, right? We're not a very big bikeable city, so when you look at the trails, if he were to send his kid out to bike somewhere, they're likely to be on the sidewalk where they'd be along the pavement or road or something. Even our Bike Park, to get to a Bike Park, you wouldn't be able to bike without going on sidewalks and things like that to get there. Captain Rinzel replied they're all legal to ride on the sidewalks; there's nothing illegal about that. Attorney Law stated the electric ones are not, under State law, they are not legal on the sidewalks but are legal on biking paths.

Council Member Khambata stated he will say riding on the roads in Minneapolis is really unnerving, especially when you're sharing that space with cars. So, he thinks most people would gravitate towards riding as far away from the cars as possible.

Council Member Olsen asked Director Burfeind to clearly define the difference between a “sidewalk” vs. a City trail so that people understand the differences, because they’re pretty important.

Director Burfeind stated a lot of times it comes down to the width. You think of sidewalks as being concrete in general in our town; of course, sidewalks are all 5- and 6-feet wide, and our trails are all 8-feet wide. And we actually have some areas where we have issues with what’s under the ground, and it’s actually a concrete trail. For us, the sidewalk would be those narrower facilities, which you can really see in our commercial area, because that’s where we have the gaps. It’s easy installing it to most places we want on the trail, but not directly. On 80th Street, there’s a sidewalk across the bridge; there’s no way to get across the bridge without a sidewalk.

- So, technically an Ebike is not allowed to ride across the bridge because it’s a concrete sidewalk? Is that what the State law says? Captain Rinzel said he and Director Burfeind had this discussion, and he and Attorney Land are having a debate over the Statute and our City Ordinance. Director Burfeind stated eventually he thinks we have to be clearer in our ordinance, as he doesn’t know that our ordinance is very clear on what is a sidewalk and what is a trail. As an engineer, our trails are 8-feet and bigger, our sidewalks are 6-feet and smaller. If we were to regulate between the two, we’d have to have a clearer ordinance that states that.
- A commissioner stated it might be easier to just go around the room and people say if they’re comfortable with Ebikes and scooters sharing the recreational trail system. He thinks that’s kind of what, we’re trying to give some direction; so, should be regulating this, or are we okay the way it is today, which is they’re pretty much allowed.
- Attorney Land stated we totally allow Ebikes and scooters. She stated you could just say we’re going to have non-motorized trails, you could do that, and then nobody gets to ride Ebikes or scooters, and then you’d have to put a sign up. Director Dockter stated he thinks that’s the big thing; do you want motorized vehicles on those systems, do you want a speed limit, or are you okay with the way it is and that’s self regulation with public education?
- A commissioner stated she’s fine with the speed limit, if that’s the recommendation, and she wouldn’t want to try to prohibit it at this time. Another commissioner asked do we have a consensus? He doesn’t think we do. He thinks we’re running down a very convoluted trail if you’re going to try to regulate.

Council Member Khambata stated he was recently in North Carolina, and we did Ebikes, and their trail systems were quite extensive and they allowed everything on them. He thinks it’s a matter of educating and having some signage, common courtesies, things like that.

- A commissioner said she thinks if we’re getting to a place of having accidents, it would be proper to have signage, but they should be allowed. Especially for those who maybe aren’t from the City or they just moved here. She also feels like if we’re not really having any issues, we can probably come back to it; if we are seeing more issues, let’s deal with it then.
- Another commissioner stated he thinks they should be there. He just thinks there’s an opportunity with signage. We’re not talking big signs, we’re talking little signs.
- Another said she agrees with the signage and a speed limit, and not restricting it.
- She has her traffic safety hat on and agrees that they have a place on our trail system, but agrees 20 MPH or faster is the potential of really serious damage to a person and/or somebody else. If there’s a way to sign that or a way to put speed limits, she doesn’t know if that’s only true on the Ebikes. So, to invest in that, she’s not so sure is the right answer,

but she thinks we have to do some sort of education if we're going to allow them to be on the trail system with other people.

- Another stated she thinks we need clarification as to what the current ordinance or whatever the rule is because if we don't know, it's pretty reasonable to expect that others in our community don't know. So, having some clarification and education, but not fines or anything like that.

Director Dockter stated just to be clear, that's kind of what we're trying to do today; whether it's this meeting plus another meeting, at some point we would come back with an ordinance or some policy changes that clarify everything so we can get rid of some of the nonsense that's in there.

- Some parks have those bigger signs with information on them. She asked how much does something like that cost, if we were to just put those at like major entrance points. Director Dockter replied those are \$800-\$1,000. She stated they're meant for people to read. Director Dockter stated we'd be better off with the steel sign posts; they'd be much more efficient. She stated it doesn't have to be like every 30 feet, or nailed on trees every 10 feet, because no one's reading those as they're zooming by. Director Dockter stated we have No Motorized Vehicle signs on the trails.
- Another commissioner stated he feels like we should allow these vehicles on our trails. He's troubled by the safety issues; although he's encouraged to hear that we're not having a rash of accidents, he thinks there's a lot of them out there. He also thinks there's tons of reckless bike riders. So, he struggles with giving our law enforcement an unattainable goal with some sort of a regulation; a speed limit sounds pretty good, but really, we're going to put up traffic control on our park system? He thinks it sounds kind of nice, but I don't think we're going to do it. Maybe it's recommended speeds, and the signage and everything, he kind of like those ideas, but he's also worried about us executing on that. It seems like a lot of stuff to try to accomplish. So, he's really torn, although he clearly feels like we need to allow these, at least the Ebikes that are apparently being defined by the State as bicycles. He thinks we're going to have to allow them on our trails.
- He wouldn't change anything right now. He understood the speed limit, but agrees we're not going to be able to regulate it. We should encourage people to get out and use the trails and use the bikes, and he's been walking out there all the time, too, and he doesn't feel in any danger of getting hit.
- With little kids, she feels a little bit different. In the past, before being on the commission, half the things we discussed she had no idea about them, and she's lived here for like 12 years. So, how many other people know about these things? She definitely thinks Ebikes should be allowed, but she wonders if there could be a recommendation; it sounds like it's not safe to go over 20 MPH on the trail system. She'll see people out with their headsets on, and they're not really signaling that they're behind you, and if you have small kids, to her, it's still a little bit unsafe. She thinks it's great because there are older people or different abled people being able to enjoy our park system, and that's great. Her only concern is over 20 MPH.
- He would also agree to allow their use; to him, it boils down to their behavior, operating safely under the conditions present. It's hard for him to think about how we would regulate to a speed when these bikes don't have a speedometer. For a police officer to manage that, are you going to sit there with your radar gun and watch people come down the trails? How do we go down this behavioral path, how do we get people to understand the speed limits and how to operate them; that's what it boils down to.

- He thought educating the youth would be a good investment because he knows a lot of kids in his school will use those as transportation to school; he thinks they'll be the ones on the trail that will choose to max out the speed rather than others in town. He knows his teacher last year mentioned that she rode an Ebike to school, so he assumes that she's not going to go 28 MPH. He thinks it's more the kids that will be careless, so, for him, education would be a good investment.

Council Member Khambata stated that Captain Rinzel is not the only one here who's thought about putting a gas engine on a bicycle; he is also guilty of that. He worries as a Council Member about creating interactions with police that are opportunities for Use of Force complaints and opportunities for adverse interactions with law enforcement. The same with the THC laws, as a citizen, he doesn't want people bothering him if he's not doing anything wrong. He thinks the useful intent of any sort of ordinance would be to be able to have some level of recourse for a complaint-driven interaction. If somebody is speeding around my neighborhood and they almost hit my kid or somebody's coming around a corner and they're messing up the trail; he sees whatever type of corrective actions in which City personnel would be involved would need to be corrective or complaint driven. Basically, just giving City staff or police officers something to say hey, this is the limit to what you're doing, not to proactively go out and try to write speeding tickets for kids on bikes. With that in mind, every bike he's ever ridden didn't have a speedometer; he's a nerd, so all of his bikes have speedometers on them even though they don't have any motors. If they try to give me a ticket, I could say no, I was only going 18 MPH. The fact that we already don't have an epidemic of people getting hurt or don't have an epidemic of complaints, we don't want to create a situation where there are people who are going to complain have leverage to complain with. We also want to protect people and their kids, and he thinks it's about creating some more parity between people who are using the trails, so the people who are walking don't feel intimidated or scared by people cruising by, so no one's going to get hit, that sort of thing. Whatever moves forward should be with that in mind, not to proactively pester people, but just correct the behavior. Again, there's no real bad behavior to speak of that we'd have to mitigate. We just have to make sure that we don't have people speeding down the trails or hurting each other or themselves.

Council Member Olsen stated when Captain Rinzel started the conversation, he made a point about it's going to be really hard to identify a certain speed; instead, we should define it differently. Captain Rinzel stated it should include due care, reasonable behavior. Council Member Olsen stated he also talked about disorderly; hopefully, if they're on an Ebike, that's probably something that we need to avoid. Everybody who spoke about it's going to be tough to determine whether somebody is at or over the speed limit, that's a very valid point, it's going to be difficult to do. So, is there a happy medium in there someplace? He's not sure, but that's the point of the dialogue was to try to figure this out. As the proliferation of these type of vehicles continues, are people going to actually evolve into a state of respecting the other people who are on the trails, who might not be using those vehicles, or is that something that needs to be enforced. That's the challenge.

- Stated if we use like due care, would that be too subjective for enforcement? Captain Rinzel replied that's a Basic Speed law; it doesn't say anything but just too fast for existing conditions. Essentially, this could mirror the Basic Speed law from the Statute if you want to keep it simple; it's just too fast for the existing conditions. So, if you're going around a corner and you're going sideways, and there are kids walking along the trail, it's too fast for the existing conditions; it's not reasonable and it's not prudent and it's

unsafe. How do we prove that? That's a whole other field: There might be videos, or other things that are going on, like two Ebikes racing up the trails since they'll want a blind intersection and try to catch air. That's not reasonable or prudent, so, it's outside of the due care part. There is already language on that, but it's very hard to prove. We will educate, but 98% of the time the education doesn't seem to be prohibitive the longer it's on the books. That's the way he looks at it.

- What are other cities doing? Do they have any rules, do we know? Captain Rinzel replied he has not heard from any agencies. Director Dockter stated he's reached out to some, but there's not a lot on trails. She asked is there a law out there? Attorney Land replied there's absolutely zero consistency. Director Dockter stated he thinks most cities are where we're at; they know they need to do something, but they don't know what. She stated other than larger cities, like Minneapolis, as that's something that has to be dealt with. Director Dockter stated those cities are the ones that typically have a lot more biking on city streets.

Captain Rinzel said he thought the other question was the foot scooters, electric; are they fine? We're kind of looking for that direction, too, what's the definition of a recreation vehicle? We all know what an ATV is, they shouldn't be on those. He thinks everyone kind of agrees on those. You have a foot scooter, you've got a skateboard with a motor, and all of those other electric-assisted devices. Is that just all what's good for the goose is good for the gander? Or anything is good as long as it's reasonable and prudent? Or do we start separating out, because what's the next fad, because there will be another. We'd hate to write an ordinance that's constantly changing, that's why this reasonable and prudent is kind of all encompassing. It doesn't matter what you're on, if you're driving like an idiot, we're going to address it. That's the way he looks at it, it's the most simplistic minded; with law enforcement, we like simplistic.

- Stated she thinks we all agree, it's the safety of our community; the increase in crashes and injuries to toddlers was on the national news this morning. We want to encourage active living, we want to encourage people to go out, but we still don't want people to get hurt, so how do we do both safely?
- The whole part of the ordinance is to make sure that everybody's safe. If we're going to try to buckle down on marijuana or we don't want this, is that more of a personal thing or is that more of a safety thing? If we're sticking the safety part of it in the conversation of the Ebikes and these trails, we just had death come up, and that didn't once come up in the marijuana conversation. She thinks that this shouldn't be taken lightly just because we want people biking around, too; maybe we should give consideration that we've had death in this conversation. If the education piece is allowing signs, then we did our part in letting the community know.

Council Member Olsen stated one of the most challenging things we deal with on the City Council, and he thinks it's the same for staff, is getting our message out and truly connecting with the people we need to connect with relative to a given issue. It is a monumental task, and it requires constant vigilance on our behalf with respect to what media are we using, where do we go, when do we go there. The young man, Justin, spoke about us coming to the schools to educate people; that's a really good piece of feedback because we've got to meet people where they are, as not everybody's on Facebook, Instagram, or Twitter. We have public meetings regularly with everybody here, but this is an ongoing challenge for us. We issue the *Cottage Grove Reports* and sometimes through SWCTC we'll do educational videos about certain things; but we're always going to hear, "I didn't know, you never communicated that to me," when we communicated it many different ways to try

to get it to them. So, if we're going to go down that path of education, which isn't a bad path to go down, one of the things we're going to have to work on is how do we make that real for people. That's going to be the challenge.

Director Dockter stated we've been getting good conversation, and we got really good direction on the topics. So, it's our job to go back and take this in, digest it, and come back to you guys with something. If there are no other comments, we'll look for the Public Service Commission to adjourn.

C. Mississippi Dunes Park Naming

Director Dockter stated the commissioners don't need to make a formal recommendation tonight, but you can either add to the names, delete them, or ask him to provide some additional information; otherwise, we'll bring it to the next meeting, and you can make an official recommendation to the City Council.

It was asked if they could choose to move forward with both of these names and make a recommendation at the November meeting; Director Dockter replied yes. He asked if they were thinking Mississippi Dunes Landing was one name. Commissioner Olson stated they'd talked about that, but maybe he was mistaken; Director Dockter stated we can add anything we want to the list tonight.

It was asked if we added it tonight, and we decided we wanted to keep that, then we could make a formal recommendation at this meeting. Director Dockter replied he would rather have them add any potential names tonight because you can always not vote for them next time.

Chair Brown stated we currently have Mississippi Dunes Park Reserve, Mississippi Landing Park Reserve, and let's add the additional Mississippi Dunes Landing Park Reserve. A male commissioner stated he thought they had left off the Park Reserve on that one, just Mississippi Dunes Landing.

Why was Mississippi Landing even under consideration? Director Dockter replied that came from the original developer, that was the name of their neighborhood. A male commissioner stated he thought Landing was the name of the bar; he was told no, that was Doc's Landing, which maybe had something to do with it. He thought maybe there was going to be a boat launch there; another stated yes, that was part of the conversation.

Commissioner Crabtree stated so, Mississippi Dunes Landing is another option; Director Dockter replied he's adding that option now. Her neighbor had suggested Grey Cloud Channel Park because that's the channel way and it's Grey Cloud Island. Director Dockter asked for someone to make a motion to add Grey Cloud Channel Park and Mississippi Dunes Landing to the list of names. Commissioner Crabtree made a motion to add Grey Cloud Channel Park and Mississippi Dunes Landing to the list of potential park names; Commissioner Larson seconded. Motion passed.

Director Dockter stated there should be discussion, then we'll call a vote. Lengthy discussion ensued: Isn't that lake called Mooers? We have Hazen P. Mooers Park. Is that lake out from the park? Director Dockter stated it's most often associated with the lake on the other side of the bridge, but some people do refer to that water, but most often it's referring to the lake on the other side of the culvert. With this Mississippi Dunes would it be better to be consistent with what people already kind of refer to that property as, or do we want to start something different to move away from the legacy of the golf course? We brought that up last time, and we were kind of told it goes beyond the golf course, the legacy of that name, the Dunes. Director Dockter stated dunes is more scientific than historical; that's largely why the SNA is there. With Mississippi Dunes, are they talking about sand or are they talking about the golf course. One said the golf course, another said the sand; he doesn't know about others, he can't speak for them. Another said they're talking about the special

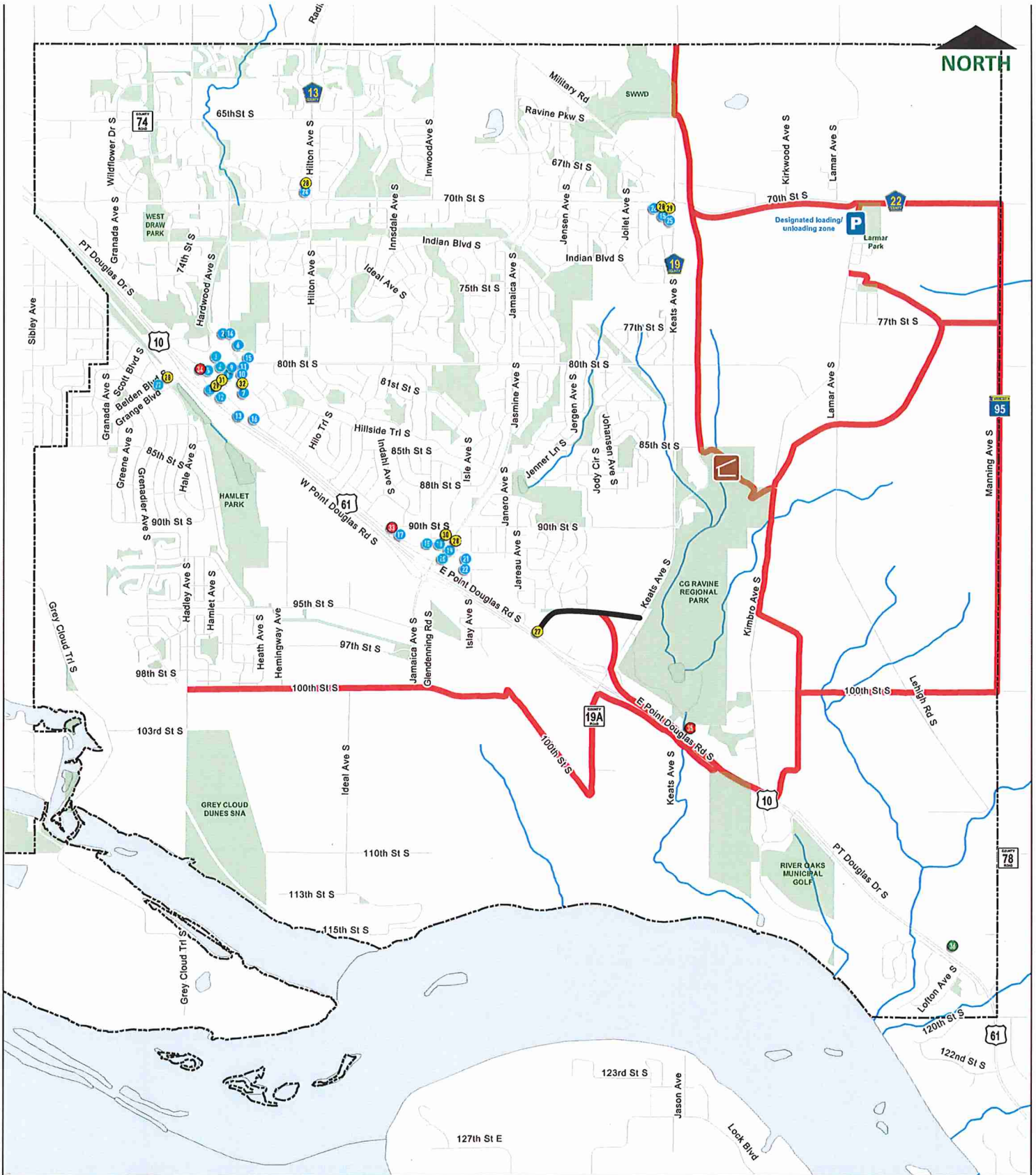
attributes of the golf course, that was previously discussed. Director Dockter stated those dunes are very significant in terms of that name. Cottage Grove Dunes was suggested; stated that would be totally unique. Maybe we should just go with the four that we have on the list so far.

6. Adjournment

Commissioner Crabtree made a motion to adjourn the meeting; Commissioner D. Olson seconded. Motion carried: 8-0. The meeting was adjourned at 9:18 p.m.

Minutes transcribed by J. Graf and reviewed by Kari Reubish.

NORTH



RESTAURANTS

- 1. Las Margaritas (sit-down)
- 2. Jimmy Johns
- 3. Culver's
- 4. Dairy Queen
- 5. Bella Pizza
- 6. Muddy Cow (sit-down)
- 7. Wahlburgers @ HyVee
- 8. Lisu's Thai Taste
- 9. Domino's Pizza
- 10. Chipotle
- 11. Noodles and Company
- 12. Arby's
- 13. McDonald's

CONVENIENCE STORES

- 14. Sushi Cafe
- 15. Subway
- 16. Rocco's Pizza
- 17. Applebee's (sit-down)
- 18. Burger King
- 19. Taco Bell
- 20. Wendy's
- 21. Cassini's
- 22. Ho King
- 23. Pizza Hut
- 24. Junction 70 Grill (sit-down)
- 25. Carbone's (sit-down)
- 26. Bonngard's Family Meats
- 27. VFW Post 8752

LODGING

- 28. Holiday
- 29. Super America
- 30. Cottage Grove BP
- 31. Speedway
- 32. Hy-Vee C-Store
- 33. Country Inn & Suites
- 34. Wakota Inn
- 35. Hope Glen Farm Tree House and Corn Crib Cottage

RETAIL SALES/REPAIR

- 36. 61 Marine & Sports

— Star Trail
— Local Trail
 Parking
 Shelter

Cottage Grove Convention & Visitor's Bureau

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Snowmobile Trails in Washington County

The Washington County Star Trail marks, maintains and grooms over 140 miles of snowmobile trails in Washington County. Area specialists in the network maintain and mark specific sections of the trail network.

Below is the most current trail map and location of our sponsors. Printed trail maps are available at many of our sponsors locations.

2022 - 2023 Washington Co. Trail Map

- Stay On Trails - The trails are established for safe riding. Many trails are on private property and will be closed if there are problems for land owners

We thank our local sponsors for their support which makes our trail maps possible.

The Stars on the map match with each sponsor's ad on the 'Sponsors' tab.

Please thank our sponsors by patronizing their establishments at every opportunity. Thank You!

DON'T DRINK AND RIDE!

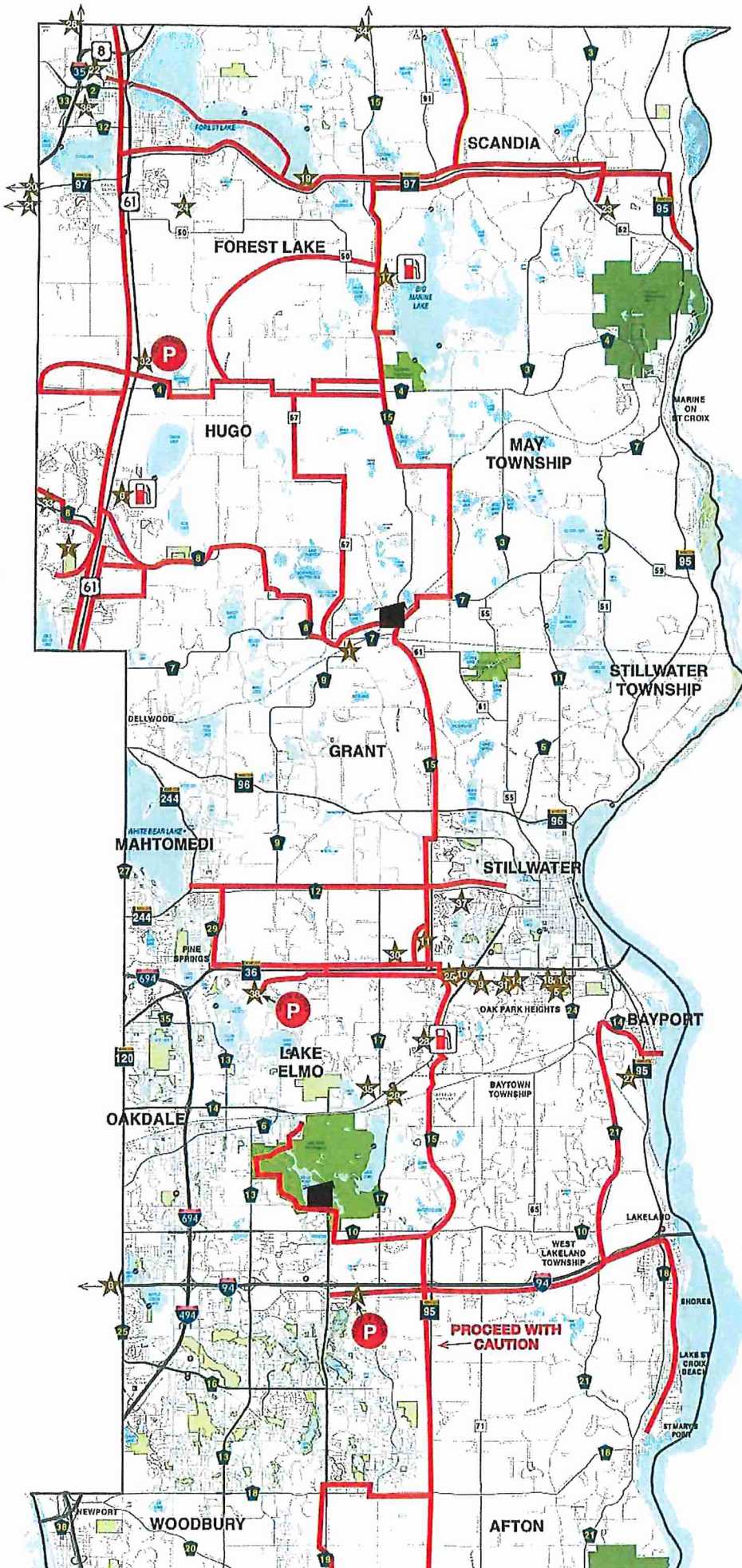
	SHELTERS		ASPHALT TRAIL
	PARKING		NO STUDED TRACKS
	STAR TRAIL		
	FEEDER TRAIL		
	NO STUDES		



Park and Ride Sights:

- Blacksmith Lounge, Hugo on Hwy 61

- Lamar Park, Cottage Grove





- Green Acres
Tubing and
Recreation - Lake
Elmo (Park in Back)



-  SHELTER
-  PARKING
-  TRAIL
-  GAS





651-770-6060
8989 - 55th Street North
Lake Elmo

Thanks to Green Acres for providing parking.

CITY OF COTTAGE GROVE, MINNESOTA
ORDINANCE NO. 1074

**AN ORDINANCE AMENDING COTTAGE GROVE CITY CODE BY ENACTING
TITLE 5, CHAPTER 1, SECTION 6, PROHIBITING CANNABIS USE ON PUBLIC
PROPERTY AND IN PUBLIC PLACES**

The City Council of the City of Cottage Grove, Washington County, Minnesota, does hereby ordain as follows:

SECTION 1. ENACTMENT. The Code of the City of Cottage Grove, County of Washington, State of Minnesota, Title 5, Chapter 1, Section 6 is hereby enacted as follows:

§5-1-6 – CANNABIS USE ON PUBLIC PROPERTY AND IN PUBLIC PLACES

- A. Definitions. The following words, terms, and phrases when used in this Chapter have the meaning ascribed to them in this Section except where the context clearly indicates a different meaning:

PUBLIC PLACE: Property that is generally open to or accessible by the public, and includes public property, but does not include those premises licensed by the State of Minnesota to permit on-site consumption.

PUBLIC PROPERTY: Property, real and personal, that is owned, managed, or controlled by the City, including, but not limited to: City buildings and all the land thereon, parking lots, parks, pathways and trails, and city rights-of-way consisting of both the traveled portion and the abutting boulevard, sidewalks and trails, and any City personal property, such as motor vehicles and city equipment.

CANNABIS FLOWER, CANNABIS PRODUCTS, LOWER-POTENCY HEMP EDIBLES, AND HEMP DERIVED CONSUMER PRODUCTS shall have the same meanings as defined in Minn. Stat. §342.01.

- B. Prohibition. No person shall vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products on public property or in a public place.
- C. Penalty. A violation of this Section is a petty misdemeanor.

SECTION 2. FINE. The fine for a violation of this section shall be \$100.


SECTION 3. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

The City prohibits the smoking or vaping of cannabis products or lower-potency hemp derived consumer products on public property or in a public place. The penalty is a petty misdemeanor with a fine of \$100.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication according to law.


CITY OF COTTAGE GROVE, MINNESOTA
ORDINANCE NO. 1074

Passed this 18 day of OCTOBER, 2023.



Myron Bailey, Mayor

Attest:



Tamara Anderson, City Clerk

Published in the *St. Paul Pioneer Press* on [Date].

CITY OF COTTAGE GROVE, MINNESOTA
ORDINANCE NO. 1078

**AN ORDINANCE AMENDING COTTAGE GROVE CITY CODE BY ENACTING
TITLE 5, CHAPTER 1, SECTION 7, UNDERAGE POSSESSION AND USE OF
CANNABIS PRODUCTS**

The City Council of the City of Cottage Grove, Washington County, Minnesota, does hereby ordain as follows:

SECTION 1. AMENDMENT. The Code of the City of Cottage Grove, County of Washington, State of Minnesota, Title 5, Chapter 1, Section 7 is hereby enacted as follows:

§5-1-7 UNDERAGE POSSESSION, USE OR CONSUMPTION OF CANNABIS PRODUCTS:

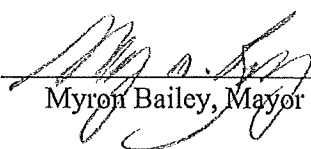
It shall be unlawful for anyone under 21 years of age to possess, use or consume a cannabis flower, cannabis product, lower potency hemp edible and hemp-derived consumer products. The penalty shall be a misdemeanor with a mandatory minimum fine of \$100.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

The City prohibits the use, possession or consumption of cannabis products by anyone under the age of 21. The penalty is a misdemeanor with a fine of \$100.

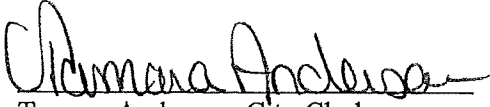
SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 18 day of OCTOBER, 2023.



Myron Bailey, Mayor

Attest:



Tamara Anderson, City Clerk

Published in the *St. Paul Pioneer Press* on [Date].

CITY OF COTTAGE GROVE, MINNESOTA
ORDINANCE NO. 1077

**AN ORDINANCE AMENDING COTTAGE GROVE CITY CODE BY AMENDING
TITLE 7, CHAPTER 3, SECTION 4, PROHIBITING SMOKING AND VAPING
TOBACCO PRODUCTS IN PUBLIC PARKS**

The City Council of the City of Cottage Grove, Washington County, Minnesota, does hereby ordain as follows:

SECTION 1. AMENDMENT. The Code of the City of Cottage Grove, County of Washington, State of Minnesota, Title 7, Chapter 3, Section 4 is hereby amended as follows:

§7-3-4 PROHIBITED ACTS:


J. Smoking and Vaping of Tobacco Products: It shall be unlawful to vaporize or smoke tobacco products in a public park. For purposes of this section, River Oaks Golf Course shall not be considered a public park. A violation of this provision shall be a petty misdemeanor with a fine of \$100.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

The City prohibits the smoking or vaping of tobacco products in a public park, except River Oaks Golf Course. The penalty is a petty misdemeanor with a fine of \$100.


SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 18 day of OCTOBER, 2023.



Myron Bailey, Mayor

Attest:



Tamara Anderson, City Clerk

Published in the *St. Paul Pioneer Press* on _____.



COTTAGE GROVE CITY COUNCIL

September 6, 2023

12800 RAVINE PARKWAY SOUTH
COTTAGE GROVE, MINNESOTA 55016
COUNCIL CHAMBER - 7:00 PM

- 1 Call to Order
- 2 Pledge of Allegiance
- 3 Roll Call
- 4 Open Forum
- 5 Adoption of Agenda
- 6 Presentations
 - A Eagle Scout Presentation
Staff Recommendation: Present Ryley Symicek from Troop 9005 with the Eagle Scout Award.
 - B Public Safety Board Donation and Presentation
Staff Recommendation: Accept and approve the donation in the amount of \$15,000.00 for fitness equipment and K9 equipment in the amount of \$1,405.56.
- 7 Consent Agenda
 - A Special Meeting Minutes - July 26, 2023
Staff Recommendation: Approve the July 26, 2023, Special Meeting Minutes.
 - B Regular Meeting Minutes - August 2, 2023
Staff Recommendation: Approve the August 2, 2023, Regular Meeting Minutes.
 - C Massage Therapy License - Stephanie Jarrett
Staff Recommendation: Authorize issuance of a Massage Therapist license to Ms. Stephanie Jarret for use at Whole Health Massage.
 - D Massage Business License - Summer Spa, LLC
Staff Recommendation: Authorize issuance of a Massage Business License to Summer Spa, LLC located at 8471 East Point Douglas Rd. So., Cottage Grove MN 55016.
 - E Massage Therapy License - Xiaomei Li
Staff Recommendation: Authorize issuance of a Massage Therapist License to Xiaomei Li for work at Summer Spa, located at 8471 East Point Douglas Road South.
 - F Rental License Approvals
Staff Recommendation: Approve the issuance of rental licenses to the properties in the attached table.
 - G Planning Commission Appointment
Staff Recommendation: Appoint Pradeep Bhat to fill an unexpired term on the Planning Commission ending on February 28, 2025.

- H Agreement for Professional Services from LE-AST Services
Staff Recommendation: Authorize executing the agreement for professional services with LE-AST Services.
- I Authorization to Order 2024 Squads
Staff Recommendation: Authorize Public Safety to order two 2024 Dodge Durango's now, and four 2024 Ford Explorer's in 2023 during the state contract pricing vehicle ordering windows.
- J Resolution 2023-116 Opting to Cease Participation in the Statewide Volunteer Firefighter Plan
Staff Recommendation: Adopt Resolution 2023-116, terminating participation in the Statewide Volunteer Firefighter Plan effective Dec. 31, 2023 and affirming the administrative dissolution of the Cottage Grove Firefighter Relief Association.
- K Ice Arena Solar Power Service Agreement
Staff Recommendation: Authorize service agreement with Solar Connection for the installation of a roof-top solar array at the Cottage Grove Ice Arena.
- L Pine Tree Valley Park Sports Lighting Service Agreement
Staff Recommendation: Authorize service agreement with Musco Sports Lighting, LLC for the installation of a sports lighting system at Pine Tree Valley Park for the amount of \$ 55,561.00
- M Kingston Park Architect Services
Staff Recommendation: Approve agreement with Oertel Architects for building, planning and concept design services for the Kingston Park Pavillion project.
- N 100th Street Trail Easement
Staff Recommendation: Approve Trail Easement with Renewal by Andersen LLC.
- O Kwik Trip Development – Escrow Agreement
Staff Recommendation: Approve the Escrow Agreement between the City and Kwik Trip Inc. for the preparation of the Public Improvement Plans necessary for development of Lot 1, Block 2 of the Lake Flora 2nd Addition plat with minor modifications by the City Attorney.
- P DNR ReLeaf Community Forestry Grant Program
Staff Recommendation: Authorize staff to apply for the Releaf Community Forestry Grants program in the amount of \$210,000.
- Q 2024 State Bonding Request - County Rd 19A & 100th St
Staff Recommendation: Adopt resolution 2023-115 authorizing the City's application for \$12,500,000 in Capital Budget Bonding Funds for the County Road 19A/100th Street Realignment Project.
- R Thai Garden Approvals Extension
Staff Recommendation: Adopt Resolution 2023-114 approving a one-year extension of the Site Plan Review and Planned Unit Development for Thai Garden until September 7, 2024.
- S Lake Flora 2nd Addition - Amended Preliminary Plat, Regional Pond Purchase Agreement, and Dirt Agreement
Staff Recommendation: 1) Adopt Resolution 2023-112 approving the preliminary plat to be called Lake Flora Second Addition. 2) Adopt Resolution 2023-113 approving the termination of the pond purchase agreement between the City and WAG Farms Inc. and approving the new purchase agreement between WAG Farms Inc. and the City for Outlot C, Lake Flora Second Addition. 3) Approve the Dirt Agreement between EDA and the City.

8 Approve Disbursements

- A Approve payments for the period of 07/27/2023 through 08/30/2023 in the amount of \$3,953,916.74.

9 Public Hearings

10 Bid Awards

11 Regular Agenda

A Certifying Preliminary Property Tax Levy

Staff Recommendation: Adopt Resolution 2023-111, Adopting the Proposed Preliminary 2023 Property Tax Levy Collectible in 2024.

12 Council Comments and Requests

13 Workshops - Open to Public

A THC Beverages at Off-Sale Liquor Establishments

Staff Recommendation: Discuss and provide direction.

B Street Reconstruction Plan

Staff Recommendation: Review, discuss, and provide input regarding the Street Reconstruction and Overlay Plan

14 Workshops - Closed to Public

15 Adjournment



COTTAGE GROVE CITY COUNCIL

September 20, 2023

12800 RAVINE PARKWAY SOUTH
COTTAGE GROVE, MINNESOTA 55016
COUNCIL CHAMBER- 7:00 PM

- 1 Call to Order
- 2 Pledge of Allegiance
- 3 Roll Call
- 4 Open Forum
- 5 Adoption of Agenda
- 6 Presentations
 - A South Washington County School Districts Informational Presentation
Staff Recommendation: Receive South Washington County School Districts presentation.
 - B Public Works & Parks Open House Overview
Staff Recommendation: Receive information about the Public Works & Parks Open House.
 - C HERO Center Open House Overview
Staff Recommendation: Receive HERO Center Open House Overview.
- 7 Consent Agenda
 - A August 16, 2023, Regular Meeting Minutes.
Staff Recommendation: Approve the August 16, 2023, Regular Meeting Minutes.
 - B Massage Therapist License - Sarah Crandall (The New Art of Chiropractic)
Staff Recommendation: Authorize issuance of a massage therapist license to Sarah Joy Crandall.
 - C Gambling Premises License - Permanent Pull Tabs
Staff Recommendation: Approve the Gambling Premises Permit application for the Saint Thomas Academy Alumni Association to conduct gambling at Applebee's Grill & Bar at 8380 East Point Douglas Road.
 - D Rental License Approvals
Staff Recommendation: Approve the issuance of rental licenses to the properties in the attached table.
 - E Voting Precincts and Polling Places
Staff Recommendation: Adopt Resolution 2023-126 reestablishing election precincts and adding an 8th polling location at Cottage Grove Elementary (7447 65th Street So.) for the City of Cottage Grove, Minnesota, pursuant to Minnesota Statute Section 204B.14, subd. 1. with a legally active date of December 1, 2023.
 - F Personnel Policy
Staff Recommendation: Adopt Resolution 2023-117, updating the Personnel Policy.

- G Historic Preservation Grant
Staff Recommendation: Accept the Certified Local Government Scholarship Grant in the amount of \$460.00 from the Minnesota Department of Administration State Historic Preservation Office.
- H Agreement for Professional Services with Keith Streff
Staff Recommendation: Authorize executing agreement for professional services with Keith Streff as the Animal Appeal Hearing Officer.
- I Assessment of Removal of Weeds on Private Property
Staff Recommendation: Hold the Public Hearing and adopt the assessment for the removal of weeds on private property.
- J 2023 Pickup Truck Order Budget Revision
Staff Recommendation: Approve revised budget amounts to purchase pickups approved with the 2023 City budget.
- K Sale of Surplus Property
Staff Recommendation: Authorize Public Works to advertise and sell surplus property on Cranky Ape and Muncibid.
- L Approval to purchase 2024 Equipment
Staff Recommendation: Authorize staff to place the order for certain equipment in the 2024 Equipment Replacement, Water, and River Oaks budgets.
- M Hillside Trail Parking Restriction
Staff Recommendation: Adopt Resolution 2023-120 restricting parking on the south side of Hillside Trail from the crosswalk pavement markings at the intersection of Hillside Trail and 83rd Street to a point 50 feet west on Hillside Trail.
- N Call for Public Hearing regarding the establishment of a Street Reconstruction and Overlay Plan
Staff Recommendation: Approve Resolution 2013-118, Calling for a Public Hearing regarding the Establishment of a Street Reconstruction and Overlay Plan.
- O 2023 Pavement Management Project – Declare Costs to be Assessed and Call for Public Hearing
Staff Recommendation: 1) Adopt Resolution 2023-121 declaring the costs to be assessed for the 2023 Pavement Management Project. 2) Adopt Resolution 2023-124 calling for a public hearing to be held on October 18, 2023 for the 2023 Pavement Management Project.
- P Kwik Trip Development - Escrow Agreement
Staff Recommendation: Approve the Escrow Agreement between the City and Kwik Trip Inc., for the preparation of the Public Improvement Plans necessary for development of Lot 1, Block 2 of Lake Flora 2nd Addition Plat with minor modifications by the City Attorney.

8 Approve Disbursements

A Approve Disbursements

9 Public Hearings

10 Bid Awards

11 Regular Agenda

12 Council Comments and Requests

13 Workshops - Open to Public

14 Workshops - Closed to Public

15 Adjournment



COTTAGE GROVE CITY COUNCIL

October 4, 2023

12800 RAVINE PARKWAY SOUTH
COTTAGE GROVE, MINNESOTA 55016
COUNCIL CHAMBER- 7:00 PM

- 1 Call to Order
- 2 Pledge of Allegiance
- 3 Roll Call
- 4 Open Forum
- 5 Adoption of Agenda
- 6 Presentations
 - A Proclamation Honoring Hispanic Heritage Month
Staff Recommendation: Proclaim September 15 through October 15, 2023 Hispanic Heritage Month.
 - B Recognition of Rigo Aguirre - National Latino Police Officer's Association's 2023 Lifetime Award
Staff Recommendation: Recognize Commander Rigo Aguirre's accomplishment of the NLPOA Lifetime Award.
 - C Fire Prevention Week Proclamation and Fire Department Open House Overview
Staff Recommendation: Proclaim the week of October 8 to 14, 2023, as Fire Prevention Week and receive a brief presentation about the Fire Department Open House.
- 7 Consent Agenda
 - A September 6, 2023, Special Meeting Minutes
Staff Recommendation: Approve the September 6, 2023, Special Meeting Minutes.
 - B September 6, 2023, Regular Meeting Minutes.
Staff Recommendation: Approve the September 6, 2023, Regular Meeting Minutes.
 - C Liquor License - Bills Liquor, LLC
Staff Recommendation: Approve the Off- Sale Liquor application for Bills Liquor, LLC, located at 7155 Jorgensen Lane South #150, Cottage Grove, Minnesota.
 - D Tobacco License - Bills Liquor, LLC
Staff Recommendation: Approve the Tobacco application for Bills Liquor, LLC, located at 7155 Jorgensen Lane South #150, Cottage Grove, Minnesota.
 - E Wahington County Election Joint Powers Agreement
Staff Recommendation: Approve the Joint Powers Agreement with Washington County for elections administration.
 - F Approval of Rental Licenses
Staff Recommendation: Approve the issuance of rental licenses to the properties listed in the attached table.

- G Authorization to Apply for Firehouse Subs Public Safety Foundation Grant
Staff Recommendation: Authorize the Fire Department to apply to the Firehouse Subs Public Safety Foundation for a grant up to \$35,000.00.
- H Appointment of Brad Petersen to Deputy Director of Public Safety- Police Captain
Staff Recommendation: Approve the appointment of Brad Petersen to the position of Deputy Director of Public Safety – Police Captain, effective Monday, January 1, 2024.
- I Shoppes CPF Grant Approval
Staff Recommendation: Approve the Community Project Funding Grant Agreement B-22-CP-MN-0496 with the Department of Housing and Urban Development for the Shoppes at Cottage View Project.
- J MN Highway Freight Grant
Staff Recommendation: Adopt Resolution 2023-129 supporting the City's Minnesota Highway Freight Program application for the County Road 19A/100th Street Realignment Project.
- K State of Minnesota's 50 Acre Acquisition of Property
Staff Recommendation: Authorize Resolution 2023-119 supporting the acquisition of a 50-acre portion of the Gustafson property by the Minnesota Department of Natural Resources and inclusion in the Grey Cloud Dunes Scientific and Natural Area.
- L Hamlet Park Phase 3 Project - Final Payment
Staff Recommendation: Adopt Resolution 2023-127, approving the final payment for the Hamlet Park Phase 3 Project to Miller Excavating Inc. in the amount of \$81,769.11.
- M 2023 Mill & Overlay Project - Final Payment
Staff Recommendation: Adopt Resolution 2023-128 approving the final payment for the 2023 Mill and Overlay Project to Bituminous Roadways Inc. in the amount of \$27,322.28.

8 Approve Disbursements

- A Approve Disbursements

9 Public Hearings

10 Bid Awards

11 Regular Agenda

- A Declare Vacancy - Councilmember Dennis
Staff Recommendation: Adopt Resolution 2023-130 accepting Councilmember Dennis' resignation and declaring a vacancy. Approve the appointment process outlined in the memo.

12 Council Comments and Requests

13 Workshops - Open to Public

14 Workshops - Closed to Public

15 Adjournment



COTTAGE GROVE CITY COUNCIL

October 18, 2023

12800 RAVINE PARKWAY SOUTH
COTTAGE GROVE, MINNESOTA 55016
COUNCIL CHAMBER- 7:00 PM

In accordance with the requirements of Minn. Stat. Section 13D.02, Councilmember Tony Khambata will appear remotely via interactive technology from the following public location:

Hilton Garden Inn Conference Room
101 East Hiawatha Drive
Wisconsin Dells, WI
53965

- 1 Call to Order
- 2 Pledge of Allegiance
- 3 Roll Call
- 4 Open Forum
- 5 Adoption of Agenda
- 6 Presentations
 - A Washington County Food Scrap Program
Staff Recommendation: Receive the Washington County Food Scrap Presentation.
- 7 Consent Agenda
 - A September 20, 2023, Special Meeting Minutes.
Staff Recommendation: Approve the September 20, 2023, Special Meeting Minutes.
 - B September 20, 2023, Regular Meeting Minutes.
Staff Recommendation: Approve the September 20, 2023, Regular Meeting Minutes.
 - C Rental License Approval
Staff Recommendation: Approve the issuance of rental licenses to the properties in the attached table.
 - D Commission Appointments
Staff Recommendation: Approve the Mayors Commission Appointments as follows: Mayor Pro Tem & Economic Development Authority - Tony Khambata, Investment Committee - Dave Thiede, and Cottage Grove Convention and Visitors Bureau Chair - Justin Olsen.
 - E Appointments to the Convention and Visitors Bureau (CVB)
Staff Recommendation: Appoint Councilmember Olsen as Chairman of the CVB. Appoint Erik Olson and Sarah Grecula to fill the two vacant positions on the CVB board.
 - F Sergeant Positions
Staff Recommendation: Approve two additional Sergeant positions for the 2024 budget.

- G Sale of Surplus Property
Staff Recommendation: Authorize Public Safety to trade in surplus equipment to Guardian Fleet Safety.
- H Dunkin'/Baskin Robbins – Usage of SAC Credits
Staff Recommendation: Adopt Resolution 2023-135 authorizing the use of seven of the City's SAC credits for Dunkin'/Baskin Robbins that will be located at 7584 80th Street South.
- I Utilities and Engineering Division Building – Approve Plans and Specifications and Establish a Bid Date
Staff Recommendation: Adopt resolution 2023-134 approving the plans and specifications and establishing a November 21, 2023 bid date for the Utilities and Engineering Division Building Project.
- J Glacial Valley Park - Change Order #2
Staff Recommendation: Approve Change Order #2, thereby increasing the contract amount by \$52,244.50 for a total contract amount of \$2,595,136.44.
- 8 Approve Disbursements
 - A Approve Disbursements
- 9 Public Hearings
 - A 2023 Pavement Management Assessment Hearing
Staff Recommendation: 1) Conduct the Public Hearing for the 2023 Pavement Management Project. 2) Adopt Resolution 2023-131 adopting the assessment roll for the 2023 Pavement Management Project.
 - B Tall Weeds Assessment Hearing
Staff Recommendation: 1. Hold Public Hearing. 2. Adopt resolution 2023-132, Adopting service charges for the removal of noxious weeds and plants from private property.
 - C Street Reconstruction and Overlay Plan Public Hearing
Staff Recommendation: 1. Conduct the Public Hearing for the Street Reconstruction and Overlay Plan. 2. Adopt Resolution 2023-133 Adopting a Street Reconstruction and Overlay Plan and approving the issuance of General Obligation Street Reconstruction Bonds.
- 10 Bid Awards
- 11 Regular Agenda
 - A Cannabis and Tobacco Use on Public Property & Public Places
Staff Recommendation: Discuss the ordinances and, if acceptable, move each ordinance separately for approval. 1. Motion to approve an Ordinance Amending Cottage Grove City Code by Enacting Title 5, Chapter 1, Section 6, Prohibiting Cannabis Use on Public Property and in Public Places. 2. Motion to approve an Ordinance Amending Cottage Grove City Code by Amending Title 7, Chapter 3, Section 4, Prohibiting Smoking and Vaping Tobacco Products in Public Parks. 3. Motion to approve an Ordinance Amending Cottage Grove City Code by Enacting Title 5, Chapter 1, Section 7, Underage Possession and Use of Cannabis Products
- 12 Council Comments and Requests
- 13 Workshops - Open to Public
- 14 License Revocation Hearing - Closed to Public
 - A Motion to close the meeting pursuant to Minnesota Statutes, Section 13D.05, subdivision 2(a)(2), to consider the tobacco license revocations of Cottage Grove Tobacco LLC and Cottage Grove 4G LLC, doing business as Smoke Leaf, which will involve the discussion of active investigative data as defined in Minnesota Statute, Section 13.82, subdivision 7.
- 15 Adjournment



COTTAGE GROVE CITY COUNCIL

November 1, 2023

12800 RAVINE PARKWAY SOUTH
COTTAGE GROVE, MINNESOTA 55016
COUNCIL CHAMBER- 7:00 PM

- 1 Call to Order
- 2 Pledge of Allegiance
- 3 Roll Call
- 4 Open Forum
- 5 Adoption of Agenda
- 6 Presentations
 - A Mayor for the Day
Staff Recommendation: Appoint Mia Nemshick as acting Mayor for the day on November 1, 2023.
 - B Cottage Grove Holiday Events
Staff Recommendation: Receive the presentation outlining the upcoming holiday events within the community.
- 7 Consent Agenda
 - A Regular Meeting Minutes - October 4, 2023
Staff Recommendation: Approve the October 4, 2023, Regular Meeting Minutes.
 - B Special Meeting Minutes - October 18, 2023
Staff Recommendation: Approve the October 18, 2023, Special Meeting Minutes.
 - C Regular Meeting Minutes - October 18, 2023
Staff Recommendation: Approve the October 18, 2023, Regular Meeting Minutes.
 - D Advisory Committee on Historic Preservation Minutes
Staff Recommendation: Accept and place on file the minutes of the Advisory Committee on Historic Preservation from March 14, 2023; April 11, 2023; and August 8, 2023.
 - E Planning Commission Minutes - July 24, 2023
Staff Recommendation: Accept and place on file the minutes of the July 24, 2023, Planning Commission meeting.
 - F Approval of Rental Licenses
Staff Recommendation: Approve the issuance of rental licenses to the properties in the attached table.
 - G Accept Donations for 3rd Quarter 2023
Staff Recommendation: Adopt Resolution 2023-137, accepting donations received in the 3rd Quarter 2023
 - H Sale of Surplus Property
Staff Recommendation: Authorize Public Works to advertise and sell surplus property on Municibid.

- I F150 Lease Agreement with MN Department of Administration
Staff Recommendation: Approve the lease agreement for the F150 with MN Department of Administration-Fleet Services for 5 years, 85,000 miles at an estimated rate of \$10,216.44 per year.
- J Glacial Valley Park Building - Change Order #1
Staff Recommendation: Approve Glacial Valley Park change order #1 in the amount of \$42,434.61.
- K Marathon Community Investment Grant Acceptance
Staff Recommendation: Accept and approve the Marathon Community Investment Grant in the amount of \$5,000.00.
- L Boundary Adjustment – 7560 Harkness Avenue & 7675 Hardwood Avenue
Staff Recommendation: Adopt Resolution 2023-138 approving the boundary adjustment between 7560 Harkness Avenue South and 7675 Hardwood Avenue South.
- M Washington County CIP 2024-2028 Response Letter
Staff Recommendation: Receive the Washington County Draft 2024-2028 Capital Improvements Plan response letter.

8 Approve Disbursements

- A Approve Disbursements

9 Public Hearings

10 Bid Awards

11 Regular Agenda

12 Council Comments and Requests

13 Workshops - Open to Public

- A Fire Chief Candidate Interviews - St. Croix Room

*Staff Recommendation: Conduct the Fire Chief Candidate Interviews - **This Agenda item will be conducted in the St. Croix Room.***

14 Workshops - Closed to Public

15 Adjournment