

MINUTES

COTTAGE GROVE CITY COUNCIL

August 16, 2023

**12800 RAVINE PARKWAY SOUTH
COTTAGE GROVE, MINNESOTA 55016**

REGULAR MEETING - 7:00 PM

COUNCIL CHAMBER

1 Call to Order

The City Council of the City of Cottage Grove, Washington County, Minnesota, held a regular meeting on August 16, 2023, at Cottage Grove City Hall, 12800 Ravine Parkway. Mayor Bailey called the meeting to order at 7:00 p.m.

2 Pledge of Allegiance

The audience, staff, and City Council Members stood and recited the Pledge of Allegiance.

3 Roll Call

City Clerk Tammy Anderson called the roll: Mayor Bailey - Here; Council Member Dennis - Here; Council Member Khambata - Here; Council Member Olsen - Here; Council Member Thiede - Here.

Also present: Jennifer Levitt, City Administrator; Amanda Johnson, Assistant City Attorney-LeVander, Gillen & Miller, PA; Tammy Anderson, City Clerk; Ryan Burfeind, Public Works Director; Gretchen Larson, Economic Development Director/Acting Communications Director; Zac Dockter, Parks and Rec Director; Pete Koerner, Public Safety Director; Brenda Malinowski, Finance Director; Amanda Meyer, City Engineer; Mike Mrosla, Senior Planner; Conner Jakes, Associate Planner; Emily Schmitz, Community Development Director; Jon Pritchard, Deputy Fire Chief.

4 Open Forum

Mayor Bailey opened the Open Forum. As no one wished to address the Council, Mayor Bailey closed the Open Forum.

5 Adoption of Agenda

Council Member Dennis made a motion to approve the agenda; second by Council Member Thiede. Motion carried: 5-0.

6 Presentations

None.

7 Consent Agenda

- A. Approve the July 19, 2023 City Council Closed Meeting minutes.
- B. Approve the Tobacco License Application for Anthony Vincent Metzger of Wine, Bourbon & More, located at 7155 Jorgensen Lane South, Cottage Grove, Minnesota, pending proof of lease agreement.
- C. Approve the Off-Sale Liquor application for Anthony Vincent Metzger of Wine, Bourbon & More, located at 7155 Jorgensen Lane South, Cottage Grove, Minnesota, pending proof of lease agreement.
- D. Adopt Resolution 2023-102 reestablishing election precincts and adding an 8th polling location at Cottage Grove Elementary, 7447 65th Street South, for the City of Cottage Grove, Minnesota, pursuant to Minnesota Statute 204B.14, Subd. 1.
- E. Accept the Lease Agreement with the Armory for the November 7, 2023 School District Elections.
- F. Approve the issuance of rental licenses to the properties in the attached table.
- G. Accept and approve the Marathon Community Investment Grant in the amount of \$15,960.00.
- H. Authorize Public Safety to accept a FEMA AFG FPS grant award for \$124,022.00 with a match of \$6,528.00 to create, design, and implement a home fire safety grant for the Cottage Grove community.
- I. Authorize executing an agreement for professional services with Dr. Amy Schweigert of True North Psychology & Consulting.
- J. Adopt Resolution 2023-110 authorizing the EDA to levy a tax upon all taxable property within the City. The resolution shall also state the amount of the levy approved by the City Council is not to exceed 0.0185% of the previous year's estimated market value of all property in the City.
- K. Approve the Stipulation of Settlement for Parcel 11 by and between Cub Stores, LLC, and the City for the East Point Douglas Road and Jamaica Avenue Reconstruction and Signal Project and authorize payment of the balance of the settlement amount, \$181,000.00.
- L. Adopt Resolution 2023-107 rescinding and terminating the Development Agreement for the O2B Kids Child Care Facility to be located at 7781 Hardwood Avenue approved on February 15, 2023, and approving a new Development Agreement.
- M. Adopt Resolution 2023-108 authorizing the City Staff to submit 2040 Comprehensive Plan map and text amendment to Chapter 7, Water Resources, subject to modifications as requested by the Metropolitan Council.
- N. It is recommended that the City Council approve Change Order #3 in the amount of \$32,500 to install a new tank mixer in the West Draw Water Tower.
- O. Approve Change Order #4, to increase the contract amount for the South District Street & Utilities Improvement Project by \$110,851.00 to a total contract amount of \$7,413,317.20.
- P. Adopt Resolution 2023-106 supporting the City's Rural Surface Transportation Grant application for the County Road 19A/100th Street Realignment Project.
- Q. Approve the Stormwater Management Facilities Agreement with Dodge Nature Center.

Council Member Olsen wished to pull Item H, Grant-FY2022 Assistance to Firefighters Fire Prevention and Safety, for further comment and/or discussion. Mayor Bailey noted Items B and C would be pulled for a separate vote.

Council Member Olsen mentioned the City of Cottage Grove received a grant from FEMA in the amount of \$124,022, which will go toward good use. He asked Public Safety Director Pete Koerner to explain how we got this grant and what it might be used for, as there are also several members of the Fire Department here tonight. Director Koerner asked Deputy Fire Chief Jon Pritchard to speak about that.

Deputy Chief Pritchard stated they're very proud of the FEMA grant that was awarded this past week for over \$124K. We learned that it's only 1 of 100 grants awarded nationwide, so we're incredibly privileged to be able to use this. The money will be used for a very common request from the community, which is for smoke alarm and carbon monoxide alarm installations. It will also allow us to use staff off shift and pay those labor hours, which will take that burden off our on-shift staff to do some fire prevention intervention and education. He thanked Council for allowing us to apply for this grant earlier this year. He also thanked State Representative Angie Craig, Senator Tina Smith, and Senator Amy Klobuchar, as they're all part of the Congressional Fire Service Caucus; they all work very hard to assure that we continue to get these opportunities.

Council Member Olsen stated it's his understanding that the Cottage Grove Fire Department is going to be participating in an event for Teddy's Heart on August 31 at the Park High School vs. East Ridge High School football game. He asked Deputy Chief Pritchard to also speak about that.

Deputy Chief Pritchard stated that will actually be the football season opener for Park vs. East Ridge. We'll be joining Teddy's Heart at the Twin Cities Orthopedic Center, the site of the Vikings training facility, for this football game where we'll teach CPR to people in attendance and will also promote AED placement, to learn lifesaving skills for people who might have a sudden cardiac arrest.

Council Member Olsen stated that's quite an honor to be invited out to the Vikings' facility to attend that event. He knows they'll be doing quite a bit of training, and thanked them for participating in that, as the Council is a big supporter of Teddy's Heart. He knows they're working very hard on their fundraising and making sure they get AEDs out and are teaching those lifesaving skills.

Mayor Bailey stated he learned the reason they're having that event at the Vikings' training facility is because East Ridge's new field is not ready yet. East Ridge didn't want to play at Park, so they picked an offsite premise.

Council Member Olsen made a motion to approve the Consent Agenda except for Items B and C; second by Council Member Khambata. Motion carried: 5-0.

Mayor Bailey stated Item B is a tobacco license and Item C is a liquor license for what could be a new business, Wine, Bourbon & More; the reason he's pulling this for a separate vote is

because Council Member Dennis operated a business in that location at one point, and there's a new business looking to go into that site. He will be recusing himself from this vote, as a matter of transparency, so the rest of Council can vote on it.

Council Member Dennis stated he's still legally the owner, but to avoid any potential concerns, he'll do the right thing and recuse himself with Mayor Bailey's permission; Mayor Bailey agreed.

Motion by Council Member Olsen to approve Item B and Item C on the Consent Agenda, the tobacco license and the liquor license pending proof of lease agreement for a potential business named Wine, Bourbon & More; second by Council Member Khambata.

Council Member Thiede stated he was just wondering about the lease agreement, so if they don't get a lease, then they won't get the licenses.

Mayor Bailey stated we won't have another meeting until September 6, and the lease might start September 1; so, they would not be able to operate their business without these two licenses, which is contingent on their ability to get the lease on that site.

Council Member Khambata stated as somebody wanting to go in there, those two things are contingent on each other; they wouldn't want to sign a lease without having City approval, which is why these things have to run concurrently.

Motion carried: 4-0 (Council Member Dennis recused himself).

- A Minutes - City Council Closed Meeting (2023-07-19)
- B Tobacco License - Wine, Bourbon & More
- C Liquor License - Wine, Bourbon & More
- D Voting Precincts and Polling Places
- E Election Lease Agreement - Armory
- F Approval of Rental Licenses
- G Marathon Community Investment Grant Acceptance
- H Grant - FY2022 Assistance to Firefighters Fire Prevention and Safety
- I Agreement - Professional Services from True North
- J Enacting a Housing and Redevelopment Authority (HRA)
- K Easement Acquisition - East Point Douglas Road and Jamaica Reconstruction and Signal Project
- L Facility Development Agreement - O2B Kids Child Care
- M 2040 Comprehensive Plan Water Resources Chapter Amendment

- N West Draw Water Tower Warranty Contract - Change Order #3
- O South District Street & Utility Improvements – Change Order #4
- P Grant Application - Rural Surface Transportation
- Q Stormwater Management Facilities Agreement - Dodge Nature Center for Shepard Farm Site

8 Approve Disbursements

1. Approve payments for the period of 7-29-2023 through 8-16-2023 in the amount of \$2,517,310.57

Motion by Council Member Dennis to approve disbursements; second by Council Member Olsen. Motion carried: 5-0.

- A Approve payments for the period of 07-29-2023 through 08-16-2023.

9 Public Hearings

1. Adult Use Cannabis Regulations - Moratorium

Staff Recommendation: Hold a Public Hearing on the Interim Ordinance and adopt an Interim Ordinance prohibiting the establishment of Adult Use Cannabis Businesses and the establishment of unlicensed CBD Businesses.

Mayor Bailey stated Kori Land, City Attorney, will walk us through this; we had a workshop last week, and we're following suit with most other cities in the State.

Attorney Land stated the legislature passed a 320-page approving adult use cannabis, and there are many regulations in that. There are a lot of opportunities for the City and some things that will not occur immediately. Many cities are adopting an Interim Ordinance, which is called a moratorium, on new cannabis businesses. Also, the legislation has some authority to adopt a penalty for public use, and there's an open-ended question on a penalty for underage use. So, those are the three topics she'd like to cover briefly.

Attorney Land stated a year ago, the legislature approved the CBD version, the hemp-related cannabis. It's a hemp-derived product so no more 0.3% THC, and it's called low dose or low potency; there were many restrictions on its packaging, it can contain 5 mg. per serving, 50 mg. per package. That was slightly amended in the new legislation, but based on the 2022 law, the City adopted some ordinances around that, authorizing the sales, both licensing and zoning. So, we adopted certain zoning restrictions on locations where these products can be sold, as well as some licensing requirements. We do license any hemp-derived products, and they must contain less than 0.3% THC. They cannot be sold at on-sale or off-sale liquor establishments; so, no liquor stores and no bars or restaurants that have an on-sale liquor

license. They can't be sold by transient merchants or peddlers, so, they can't be sold at the City's special events, out of a booth, and they're allowed in the B3, the PB, and the MU Zoning Districts. They are permitted uses, so, they don't require any additional approvals, but they can only be in those Zoning Districts. The City has had one business come forward and apply for a license, which they obtained, and they are in the MU (Mixed Use) Zoning District.

Attorney Land stated in this last legislative session, in 2023, they enacted adult use cannabis, and instead of just the hemp-derived products, they came up with 16 types of business uses. In our ordinance, we only cover the hemp-derived products; so, there's a bunch of other businesses out there that could be operating. The hook that the legislature put on it is any products with more than 0.3% THC have to be licensed by the State, and the State will not be ready to issue any licenses until they have their Office of Cannabis Management up and running, which will not occur until approximately January 2025. So, even though they have all of these different kinds of businesses that can operate, they technically can't until the State issues licenses for them. However, there are some of the hemp-related products that can be operating today, and there are other cannabis-related uses, such as products that contain probably less than .3% THC but are not products yet, such as the seeds and the plants, that are completely unregulated under our ordinance. So, there's all of this gray area on who can do what, when, and where. So, that's why a lot of cities are adopting these moratoriums to try to call a timeout if you will on any new businesses trying to establish under this gray area and fit within maybe some kind of a black hole that we don't have in our ordinance. Our ordinance is still in effect; it has not been preempted by the State because the State isn't ready to issue any licenses. So, our CBD hemp-related products are still restricted in this City on how and where they can be sold. So, tonight, we're recommending that you hold a public hearing and adopt a moratorium on businesses other than those that are covered by our CBD ordinance. So, anybody who wants to apply for a CBD license still can, and they must do so pursuant to our ordinances, in the Zoning Districts where they're allowed, and under all of the conditions and restrictions that we have until the Council decides to change those rules. We are recommending a moratorium through what the legislation authorized, which is January 1, 2025, or until Council adopts ordinances that are compliant with the law or you decide that you don't need to change anything in your ordinance and we will simply slide into letting the State preempt all of this jurisdiction when they get their Office of Cannabis Management up and running, so whichever occurs first. So, that's the first item for you tonight.

There's a lot of question about where people can be using adult use cannabis, and the law is very, very clear on this. There are only three locations where adult use cannabis is authorized: Private homes, private property with the permission of the owner, or anyplace that has a license for on-site consumption, which we know will not happen until 2025. So, we're really in the first two categories. There are also some very serious exceptions to where they can be used: You can't use it in the presence of children, and you can't use it where the Clean Indoor Air Act prohibits it. So, there are very strict rules about where it can be used, but there are no penalties for using it anywhere. So, the State authorized cities to adopt a penalty, but before we do that, we are recommending that this go to a joint meeting of the Public Safety Commission and the Parks Commission and let them sort of make a recommendation to

you on where they think it's appropriate, whether or not they think it's appropriate to specifically ban the use in public places and what that means. We've sort of defined what that can mean; public place is a property that's generally open to the public, open to or accessible by the public, including public property, and public property is property owned by the City. So, that can be anything from parks, City buildings, City parking lots, your Rights-of-Way, whether that be a trail, street, or sidewalk. That's kind of the general direction we'll be throwing at those two commissions at their meeting to let them decide what they think is a good recommendation for Council. That's nothing you need to decide today, but that meeting is scheduled for September 11.

Finally, the last gray area that the legislature left is adult use cannabis is prohibited if you are under the age of 21; so, no one can use it, buy it, or sell it if they are under the age of 21. But again there's no penalty in the law. So, this is something she would like to open up to the Council for some discussion. It's similar to Underage Consumption of Alcohol; however, in State law, there's a penalty for that whereas they didn't impose a penalty for this. So, this is just some language that I had seen another city draft and she felt it was appropriate: It would be a petty misdemeanor, similar to adult use cannabis if someone uses it in public places, the penalty is a petty misdemeanor. Council would need to determine what's the appropriate fine for that petty misdemeanor, and it can be up to \$300. She felt it might be something less than that, as it's more trying to deter people from using it underage as opposed to seriously financially penalizing them. So, that's a discussion item tonight; she'd like to gauge the Council's interest on whether or not they'd like her to draft this ordinance. She could bring it forward after the joint meeting of the Parks Commission and Public Safety Commission, when they make their recommendation to you.

Recommendations:

- Public Use Ordinance: Wait for recommendation from the Joint Meeting with Parks and Public Safety Commissions and discuss that on September 20.
- Underage Use Ordinance: Discuss imposing petty misdemeanor penalty for underage use.
- Discuss what an appropriate fine would be for Underage Use.
- Hold the public hearing.
- Adopt an Interim Ordinance Prohibiting the Establishment of Cannabis Businesses until City Ordinances are adopted or January 1, 2025, whichever comes first.

Attorney Land told Mayor Bailey she'd like to ask for Council discussion on these items, and Mayor Bailey asked the Council for their thoughts:

Council Member Olsen stated he appreciated the consideration given to the Public Services Commission and to the Parks Commission. When you look at their purview and the role that they play as advisory commissions in the City, this is exactly the sort of topic where we as a Council would very much appreciate their input and their advice. He would prefer to hear from

the two commissions as to their thoughts on this, as he has a hard time reconciling the differences between alcohol, tobacco, and now this new legislation. Tobacco use and alcohol use are both permitted at age 21, so there's consistency there. The idea presented about the petty misdemeanor as a deterrent is logical, rational, and reasonable, but he'd first like the buyin from the commissions.

Council Member Thiede stated he agreed with Council Member Olsen.

Council Member Dennis stated he agreed with the recommendation from Attorney Land to enact the moratorium so facts can be determined and do it in a reasonable way. He thought the penalty should be consistent with alcohol because it's also an altering substance. As far as an appropriate fine, we can take that under advisement and look at what some other cities are doing. He thought it was reasonable at this point to try to be in line with what other cities are doing. We often like to be cutting edge but not bleeding edge, so he thought it would be wise to follow in the steps of what most other cities are doing.

Council Member Khambata stated he's in favor of implementing the moratorium. He asked if we implement the moratorium, can we still implement the underage age use ordinance.

Attorney Land stated they are completely separate issues, so the moratorium is strictly on licenses and businesses and whether they can operate. The underage use is really targeting people who are using the product however they obtained it because they can grow it, but they can't buy it.

Council Member Khambata stated in terms of imposing the penalty, he thought keeping in step with the Underage Consumption of Alcohol is a good measure. As far as the fine, he would defer to whatever the monetary value of the fine for Underage Consumption of Alcohol is if we're considering these things to be similar in their severity. However, he would be curious to see what the input is from the commissions regarding the efficacy of the underage drinking fine and penalty, if that's been an effective deterrent or if the fine needs to be higher. If the fine is too high and it's causing an unnecessary burden to those who are being cited; if the fine is too high or too low and kind of bring everything into a consistent level of enforcement.

Council Member Olsen stated he appreciated Council Member Dennis' comment about cutting edge but not necessarily always leading edge; he thought that was a really wise way to pursue this, to ascertain and benchmark what other communities are doing. As part of that, he asked if there had been any clear direction by the League at this point on this legislation.

Attorney Land replied there's nothing clear about anything in this legislation other than there's going to be more discussion; however, the League pointed out this issue at the legislative update that she attended in June that there's no penalty for underage use, so they indicated that we should bring it up to our Councils, as policymakers, to ask whether or not this is something you want to impose. As she said with the use in public, keep in mind that all we can do is wag our finger at people and ask them to stop unless you have a penalty that you can actually impose. Whether or not we impose it obviously is discretionary on the officers, but it at least gives them something to impose as opposed to just saying please stop.

Council Member Olsen stated she's referring to this as a criminal act as opposed to civil,

and Attorney Land replied that's correct, it's a crime. Council Member Olsen stated he felt it was pretty illuminating that the legislature gave themselves some wiggle room until January 1, 2025. As with lots of legislation, sometimes there's that unintended consequence that people just don't see or don't anticipate; so, they gave themselves some time to make some adjustments in the next legislative session. He guessed the League was going to have something to say about that through their lobbying, as well as probably Metro Cities and several other organizations. He recommended as we move forward that we continue to engage with our legislative contingent at the State to make sure that they clearly understand what our hopes and dreams are as it relates to this particular piece of legislation, as it's already put us in a little bit of a weird space.

Attorney Land stated the legislation requires you hold a public hearing before you can adopt it, so it was published appropriately. She asked that you hold the public hearing, and recommended Council adopt the ordinance that we've included in the packet.

Mayor Bailey stated he concurred with what his colleagues were saying. He stated the intent of the two commissions getting together was to mainly deal with the parks and open spaces. We talked about a fine for underage consumption, which would be similar, and he agrees with this Council on that, also. He stated depending on what the commissions come back with as recommendations, like nothing in the parks or open spaces, if somebody is doing it, there would be a possible fine attached to that, too; he asked if that was correct. Attorney Land replied that is correct.

Attorney Land told Council Member Olsen she misspoke a little bit, as it's not a crime because it's a petty misdemeanor, but it's an offense; so, it goes to criminal court.

Mayor Bailey stated supposedly somewhere in the State's Constitution it states that if you are an individual and you decide you want to grow it and you want to sell it, according to the Constitution that's approved. He told Attorney Land he's sure at some point in time she will have to deal with that, but he found it interesting that that question was asked of the governor; the governor said in a press conference earlier today that probably for this year and maybe 25 years going forward, they're going to have to tweak it every single year. The belief is that it is not allowed, that you can grow and sell your own even though you're not a business without a license.

Mayor Bailey opened the public hearing.

Bonnie Matter, 6649 Inskip Avenue South, wanted to know what Washington County is doing, if they have any plans, because they have the park here; she thought whatever they would say, she would hope we're consistent. Secondly, she's concerned about making a kid be a criminal. If there is a way that they could do community service and it would not go on their long-term record, she thought that that might be the way to do it. That's just her opinion. She

thanked the Council.

Mayor Bailey stated regarding the fine, with underage situations, as part of the Youth Service Bureau, there is the opportunity for diversion, so it's both teaching them why it's not good to do that but also doing some type of community service. So, that's something we work with all of our local police departments and Washington County. Regarding Washington County, he spoke with County Commissioner Karla Bigham, and right now what the County is going to do is whatever the cities decide, even for the temporary situation, they will follow the lead of that particular city. So, with Ravine Park being in Cottage Grove, whatever we end up passing will be the rules for that park, as the County doesn't supersede us. We also spoke about Lake Elmo Park and County is going to do that with everyone, they'll follow the cities' leads.

As no one else wished to speak, Mayor Bailey closed the public hearing.

Motion by Council Member Thiede to Adopt an Interim Ordinance Prohibiting the Establishment of Adult Use Cannabis Businesses and the Establishment of Unlicensed CBD Businesses until City ordinances are adopted, or January 1, 2025, whichever comes first; second by Council Member Khambata. Motion carried: 5-0.

A Adult Use Cannabis Regulations - Moratorium

10 Bid Awards

None.

11 Regular Agenda

1. Zoning Definition Text Amendment & Keeping of Bees Ordinance

Staff Recommendation: 1) Adopt Ordinance No. 1068 amending the Agricultural Use definition in City Code Title 11-1-3. 2) Adopt Ordinance No. 1076 enacting City Code Title 5-4-14 allowing the Keeping of Bees on Agricultural (AG-1, AG-2) and Single-Family Residential (R-1, R-2, R-3, R-4) lots.

Conner Jakes, Associate Planner, stated before Council tonight are two Text Amendments: One is a Text Amendment to the Agricultural Use livestock definition, the other is a Text Amendment to allow for the keeping of bees on agricultural and residential properties.

Background: The City's 2040 Comprehensive Plan states that the City should investigate the policy and ordinance opportunities for residential animal keeping to promote healthy food at home. In 2022, Council adopted an ordinance that allowed for the keeping of chickens and ducks on both residential and agricultural properties throughout the community, which made great strides towards the achievement of this goal. Recently, you instructed staff to conduct additional research related to ordinance opportunities for the keeping of bees on both residential and agricultural properties to further meet this goal. That is why the two proposals

are before you tonight.

Agricultural Use Definition: Is found within Title 11, Zoning Regulations, in the City Code. Staff is proposing to delete both bees and honey from this definition so there's no contradictions with the proposed Keeping of Bees ordinance. That specific ordinance would then be placed within Title 5, more specifically, Section 4, which is the Animal Control section, which is where all the City's specific animal-related ordinances are placed, as well as that recent chicken and duck ordinance from 2022. Associate Planner Jakes displayed the proposed Agricultural Use definition on the screen; again, staff is just proposing to delete both bees and honey from this definition. He noted at the Planning Commission meeting they made a recommendation to also delete chickens from this current definition; however, with further discussion with the City Attorney, the recommendation is just to delete bees and honey as chickens should be an allowed Agricultural Use within Residential Districts. Proposed Ordinance for Keeping of Bees: If an individual were to apply to keep bees on their property, they'd be required to apply for a permit; that permit would be valid for a period of two years and it would be nontransferable between property owners and it does not run with the land. The City Clerk would be the issuing body of those permits, and they would be done administratively; they'd follow the same or similar process as the chicken and duck permits that are currently being issued by the City Clerk. An inspection would also be required with the initial permit application; if a property owner receives an initial permit, that inspection will be conducted and approved. If they apply for a second, third, fourth, etc. permits, an inspection would not be required. However, the proposed ordinance would allow the City to conduct an inspection under any circumstances, including if there's a complaint regarding the keeping of bees. Sales of products are also allowed pursuant to City Code Title 11-4-3, which is the Home Occupation Section of the City Code. Location: The Keeping of Bees would be allowed on Agricultural lots and Single-Family Residential lots, R-1 through R-4. He noted the R-4 District is our new Transitional Zoning District, which allows for both townhomes as well as single-family lots; so, within this R-4 District, only the single-family lots would be permitted to keep bees. A good example of this would be the Hinton Woods development, currently under construction, which has both townhomes and single-family lots. Only the single-family lots within that development would be allowed to keep bees. Colony Density: Two (2) colonies for one-half acre lot of less would be permitted; one colony lives within one hive. Three (3) additional colonies are allowed per every additional one-half acre. If a lot is greater than 5 acres, more colonies than the allowable number would be permitted. Colony Location Requirements: Colony must be located in the rear yard, not adjacent to the street. It must be setback 10 feet from any property line and 25 feet from any residence both on the lot or any adjacent lots. Fencing around the hives is required to deter any unauthorized access; if the property has an existing perimeter fence that basically encloses the property, that would be sufficient. Maintenance Requirements: Colonies must be kept in hives with removable frames, and the hives must be kept in sound condition. A convenient source of water must be immediately available. All beekeeping equipment and other materials must be placed within a building or a vermin-proof container. Beekeeping equipment must be kept in good condition, and any unused equipment must be stored in an area that's secure from the weather.

Mayor Bailey told staff they did a good job on this, as there was one particular citizen who provided us with lots of data from other communities who are approving bees. He will be excited about this should it pass this evening.

Council Member Thiede asked in terms of administering this, if we start getting a lot of calls about problems with bees, who will be taking care of that.

Administrator Levitt replied the City Clerk is the licensing authority on that, so she will be collecting any nuisance complaints and working with Code Enforcement on those to investigate them.

Council Member Thiede stated he was trying to remember from other cities if they had complaints from adjacent homeowners and neighbors. Mayor Bailey stated he thought Stillwater had two complaints but it was over a two-year period.

Associate Planner Jakes stated he believed Mayor Bailey was correct, and staff had contacted the Stillwater planners and their staff; both of those complaints related to them not obtaining a permit, and those property owners subsequently got the permits.

Council Member Khambata asked if the Stillwater planners and their city staff if they had given any indication of approximately how many permits they issued for this type of activity.

Associate Planner Jakes replied yes, he believed Stillwater had issued 12 permits over the last 13 years since they adopted their ordinance.

Motion by Council Member Olsen to Adopt Ordinance No. 1068 amending the Agricultural Use definition in City Code Title 11-1-3; second by Council Member Khambata. Motion carried: 5-0.

Motion by Council Member Khambata to Adopt Ordinance No. 1076 enacting City Code Title 5-4-14 allowing the Keeping of Bees on Agricultural (AG-1, AG-2) and Single-Family Residential (R-1, R-2, R-3, R-4) lots; second by Council Member Olsen.

Council Member Dennis stated he certainly doesn't want to impinge upon anybody's rights to use their property in a fashion they would like, but he's also had a number of individuals reach out to him with concerns, especially people with allergies to bees. He's going to choose not to support this by virtue of the fact that putting up a fence isn't going to keep bees from flying across a property line or from stinging someone and having that person potentially go into shock and perish. He knows it can happen just being outside in the yard anyhow, but he thinks there needs to be a voice for those people who are concerned about that issue as well.

Council Member Thiede stated he has a little bit of a concern, too, on smaller lots. He stated with 25' from a residence and 10' from a property line, he knows how small a lot could actually be that would have bees on it. He thinks it should be more footage than that; usually, when you see bees, they're kind of in a big open space. So, he's also real hesitant.

Mayor Bailey mentioned two things: 1) We went through this same process when we talked about chickens and ducks, property lines and size of the lots. He asked how many chicken or duck permits have actually been requested within the City; it would be interesting to know.

He's not aware of any complaints at this point. 2) He totally understands the concerns some people may have regarding bees, but he also knows that there are people allergic to ducks, cats, and dogs, too. You have to look at what's best for the majority, so that's how he's looking at it in this case. No, he's not going to put bees or chickens or ducks in his back yard, but in this particular case, he thinks there's a similarity between the two.

Council Member Thiede asked if we go ahead and approve this and find that we're having issues with small lots or certain types of lots, we can certainly revisit it and change it to larger lots; that was confirmed for him.

Council Member Khambata stated in keeping with Council Member Thiede's question, the way he interpreted the ordinance is anything less than a half acre would be ineligible; he asked if that was accurate. Associate Planner Jakes replied no, it's a half acre lot or less. Motion carried: 4-1 (Nay vote by Council Member Dennis).

A Zoning Definition Text Amendment & Keeping of Bees Ordinance

12 Council Comments and Requests

Council Member Dennis stated that he will not be attending the workshop tonight. However, he wanted to make sure that his 20% of the vote is represented, and he'll do it as follows: Earlier this year, we certified through a multi-step process a FMP. The FMP was something that was absolutely instrumental in us achieving our AAA bond rating; therefore, it carries a lot of weight and is a very important consideration relative to how we run our finances. He has no issues relative to anything that's being asked for or sought by the staff, including tools, staff members, etc. that are necessary to effectively run a high quality level of business for people and do it in a way that people are happy getting that service. As for his 20%, he supports what's being asked for, but unfortunately, he will not be able to be in the room tonight.

Council Member Thiede mentioned that on August 22, from 4:00 to 8:00 p.m., the SWCTC is having a 40th Anniversary party; they'll be reviewing their history and showing off some of their equipment, etc. at their office, 6939 Pine Arbor Drive, right next to Junction 70. He thought people should be there.

Mayor Bailey stated he will not be able to be at the SWCTC Anniversary party, as he will be out of town, but we appreciate that group, obviously they televise our meetings, so we appreciate all of the work that they're doing for us. He congratulated them on their 40th Anniversary.

Mayor Bailey stated he received a letter today from the League of Minnesota Cities. He mentioned that they are recognizing our local Senator Matt Klein, who they named a Minnesota Cities Legislator of Distinction for 2023. The League Board of Directors recognized a total of 35 legislators this year, including 20 House members and 15 Senators; the purpose of recognizing them this way is for their actions and leadership on a wide variety of legislative issues of importance to cities across the State. They'll be sending out a press release, and our City will send a letter to Senator Matt Klein thanking him for his contributions and help with all the success we've had as a City. We look forward to continuing to work with him in the future.

Mayor Bailey stated there is a Workshop, Open to the Public, on our Capital Improvement Plan (CIP). We will be moving into the Training Room for that and will adjourn the meeting from there. If you're watching on TV, have a good evening.

13 Workshops - Open to Public

A. CIP Workshop

Staff Recommendation: Receive information and offer feedback.

Ryan Burfeind, Public Works Director, stated tonight we're going to do our annual review of our five-year CIP. Engineering, Public Works, Parks, and the Finance staff have been working hard on this, in line with the budget, to prepare this for you. He stated he'd start off with the Parks, and Jim is here, too, for more detailed questions on the Parks and facilities. Then he'll turn it over to Amanda Meyer, City Engineer, for the Road/Engineering projects, and then we'll wrap up with some Utility projects.

Director Burfeind noted for the 100th Street project, just because it's such a large project, spanning all four years, he has that in two slides towards the end. You won't see it as we walk through the year by year, but we'll discuss that more towards the end.

Public Facilities

2024: We have the Utility & Engineering building, \$13,250,000; we've talked a lot about \$14M for that building, and this difference is Council authorized the design work to be done, which is the difference, and that is in process right now. At the second meeting in October, we'll be bringing Final Plans and Specifications back to the Council for review; we'll be looking to set a Bid Date and get final approval at that time. Council Member Olsen asked Director Burfeind if that building is in the FMP, Director Burfeind confirmed that it was. Director Burfeind stated in 2024 are the solar panels, which is the majority of the cost on the screen, as well as _____ lights and part of the Water Treatment System.

2025: For Public Works, we show a shop and wash bay remodel for \$500K; this is proposed to try to make modifications, basically reduce the wash bay size by half, as now we really use that half for storage. With the Utility & Engineering building, we won't have to do that, then we could actually have room for another lift and hopefully space for another mechanic; we've maintained the staffing level of mechanics for 20 years, but that's a different discussion, so we show that wash bay remodel. Regardless of how staffing works, if we have two big trucks down during snowplowing, we only have one lift for those; so, having a second lift is very important. **2026:** Ice Arena locker rooms and furnace for \$10K. **2027:** Ice Arena Zamboni replacement, \$120K. **2028:** Ice Arena dehumidifier replacement, \$200K.

Mayor Bailey asked questions on the Ice Arena and on the radiant heat. On the radiant heat, is that all of it in the Ice Arena or is that one sheet. Director Burfeind stated for the radiant heater, he believed that was for one sheet at that price. He asked which rink was it, the original rink. Council Member Olsen stated we put in the new radiant heat in the second rink 10 years ago or so, and he thought it was supposed to have a 20-25 year lifespan, so he assumed this would be the first rink. Director Burfeind stated yes, this should be the original;

we can definitely let you know. Engineer Meyer stated it's for the west rink. Council Member Olsen wondered if the system we put in back then has any kind of a warranty; Director Burfeind stated Director Dockter would know that. Mayor Bailey stated the only reason he's asking is he doesn't hear complaints on what he called the East Ridge rink, but he hears complaints on the main rink. So, it might be something we want to take a look at; Director Burfeind stated we'll talk to Jordan about that. Mayor Bailey asked if the dollars for these things that are tied to the Ice Arena part of the naming rights; Director Burfeind confirmed that.

Parks

2024: NorthPoint Neighborhood Park, a park plan dedicated by NorthPoint along Hadley Avenue once that's constructed next year, \$700K. We need to begin development of that because the Graymont Village development also starting with homes going in there with kids in that area. There really is no other park in that area, especially after you cross 100th Street to go up to Pine Glen. We want to get into the development process a little bit early on that, as it's not like some other areas of town where you can use other parks. The Military Trailhead, \$200K, is development driven, that's on the McHattie parcel, the original farm on the east side of Jamaica Avenue, just north of Ravine Parkway; that's the trailhead for that Military Trail and the whole Military Road corridor, but we need development of that property. We'll also be starting work on the Oltman Middle School ballfields, just a portion of the work in 2024, \$700K. **2025:** Hamlet Park, \$17M, and that's of course tied into the Local Option Sales Tax (LOST). Kingston Park building replacement, with large bathrooms, \$600K. Council Member Olsen stated the Cottage Grove Lions have money set aside to contribute towards this project; he's talked to Director Dockter about it a couple times, when we should think about issuing a check. We talked about if it should be 2024 or 2025, depending on how the CIP plays out and what we can move around, so are we set in stone that's in 2025; Jim replied he didn't know if it would be possible to do it in 2024, as we have no architectural designs yet. Council Member Olsen asked if it's a like for like replacement or will it be an enhanced building; Jim replied it would be an enhanced building with much larger bathrooms, and we're still finding someone to start the design for us. Council Member Olsen asked in terms of funding and setting aside the dollars for it, would it be prudent for the Lions to write a check this year because we already have it dedicated in our funding. With our Club funds that we have to report every month, we have a \$10K marker in there for this, so we could write a check tomorrow if you want us to; it's just a question of when should we. Director Dockter and I also talked about there may be some ongoing conversation between the various end users, including the CGAA, etc. on what sort of amenities need to be part of this building. He just wants to know how we should respond.

Administrator Levitt replied if the Club is agreeable to allow the funds to be used for architectural design services, then by all means, it's something that we can move forward accepting and move forward with those efforts. Because, clearly, there's still a large expense in front of us to design that. So, if that's something the Club is amenable to, then we can move in that direction.

Council Member Olsen stated it's entirely possible that we could do something now and

then do something next year, etc. As far as the first installation, so to speak, he'll bring that forward to our Board at the next meeting.

Council Member Thiede stated he didn't get a chance to compare all of these to last year, but he has to be open. Last year we had \$1M in 2024 for Oltman Middle School ballfields and parking lot, and now he sees in 2024 it's \$700K, but then we have this whopping \$2.3M in 2025. Director Burfeind stated that's really in the last year doing some real cost estimates for that; unfortunately, that's what ballfield construction of that scope costs. We also saw that at Hamlet Park, prices are very high to build anything in a park scale. Administrator Levitt stated the other thing, too, is the City receives \$350K from the DNR for Oltman, so this would be part of our match related to that funding as well. So, we're just working through the funding requirements of that to make sure that we can utilize our full match.

Mayor Bailey asked when you say ballfields on that one, is that baseball. Jim stated it's just the soccer-lacrosse fields.

Council Member Thiede asked that's just for soccer fields and it's not even baseball fields; Director Burfeind stated it still comes with the lighting and irrigation and whatnot. It doesn't have a fence and whatnot, but it's still a high cost with parking and utilities.

Council Member Olsen asked are they planning on doing pickleball courts there. Jim replied, no, that facility is designed to be two full-size lacrosse fields, half a lacrosse field, some kind of building with bathrooms, a playground, and then the parking lots to go with it; that's what that's being designed for. Council Member Olsen stated he's sure they're hearing the same thing that he and other Council Members are, pickleball is just getting ridiculous and people are waiting hours to get on a court. They're really eager to see more pickleball courts in the community; that's why he asked, as he didn't think it would be part of a middle school project, but if it was, that would make people really happy.

Jim stated we will have those six pickleball courts opening up later this fall; Council Member Olsen stated yes, he's fully aware of that. Mayor Bailey stated yes, at Glacial Valley Park.

Mayor Bailey asked if the NorthPoint Park was the Jack and Marlys Denzer Park; he was told yes, it was.

Mayor Bailey commented about the Kingston Park building replacement; he knew we spent a significant amount of money on the Glacial Valley Park building because it's different on how we're going to use that. To your point about the Kingston Park costs increasing on the fields, etc., he said this up front: He doesn't want to see a Kingston Park building that's basically a split brick building with bigger bathrooms. That park is such a gorgeous park, it's where we do our festival, with many tournaments there. He's just saying he doesn't want it to be the bare minimum, to get by. He doesn't know what a building like that would cost now, but if you did something similar to what we had built in Peter Thompson Park; he has some indoor options, but it also has decent bathrooms. That's what he kind of looks at, and he knows Public Works built Pinetree Valley Park, when we did that one. He just wants to make sure that if that number isn't going to be a good number, let's just make sure that we put what we think the right number might be; again, that's not next year, so, we don't have to worry about that, but

he's just looking down the road, and it could be a significant cost that's much higher than \$600K. He was hoping Council Member Olsen was going to say the Lions would give us \$1M. Council Member Olsen stated if we had it, we probably would, but we don't make that much money.

Jim stated if we could get feedback from Council on what they really want for up there because what we're kind of looking at is more buildings and that picnic shelter type underneath, but it wasn't necessarily going to have an indoor space with it.

Administrator Levitt stated she thought when we did a scoping study with the architect once we get them under contract, then we can come back to the Council and engage with the commissions as well, as to the design features. Then we can hone in on the exact number.

Mayor Bailey stated to Jim's point, we would also need to know from a Parks and Rec staff standpoint, if they say yes, we would like to do programming out of there, but we can't because we don't have the buildings. He knows they mentioned obviously they're going to do programming out of Glacial Valley Park, but that's going to be the need for more people, and he gets that. He just wants to make sure whatever we're going to do because that building's been there so long, he wants to know if we're going to do something it's going to be there for a very long time. Let's just make sure we're going to do it right because it's a gorgeous park; you guys maintain it very well.

Director Burfeind stated yes, we'll certainly look at that. Like Administrator Levitt said, that scoping study will help us get a much better handle on numbers and options.

2025: Still Ponds Neighborhood Park development, \$500K, north of Oltman Middle School. Roberts Lake Neighborhood Park, \$500K, dependent on development with the Wolterstorff property. **2026:** Is where we started to show placeholders for some neighborhood parks if we start to get development east of Keats Avenue, in the East Ravine, in the next few years we'll need a neighborhood park there. There also will be further residential development south of 100th Street and 110th Street that could drive one more neighborhood park in that area. It's still a placeholder, depending on where development goes. Hamlet Skate Park resurface and Sports Lighting, \$455K. Mississippi Dunes Golf Course project, LOST \$13M. **2027:** Another placeholder park, depending on development activities at the time. River Oaks project, LOST \$6M. **2028:** More potential neighborhood park development and multiple smaller projects, one being some upgrades at Peter Thompson Park and rink board replacement.

Mayor Bailey asked if the archery range is staying where it's at, even with future building. Director Burfeind stated yes, that's our goal to make sure we can maintain that in that area. He stated he thought there was probably some Parks grant funding that was used for that, so, it's probably important that we maintain that.

Street Projects

Engineer Meyer stated she'll run through these projects by year, with the exception of the 100th Street extension project, which hit that at the end as it's a larger project. **2024:** County Road 74 (65th Street) Trail Construction, \$271K, a County led project, just east of Meadow Grass; they'll actually do the work this year, but we won't pay them until next year. There was some grant funding received for that, so right now the estimated City construction cost share

is only \$4K, and we would love to pay next year.

Pavement Management: The feasibility report was authorized in May 2023; we're looking at two neighborhoods and also put Jamaica, from 80th to 90th Street, in that feasibility report. As we work through that feasibility report, we need to hone in on scope and costs, and we'll need to pull some areas out of the 2024 Pavement Management Project; we're only planning to bond for \$5.8M for this project, so we really need to understand that scope and pull some things out to accommodate all that we'd like to get done next year. Right now, we're evaluating Thompson Grove Estates, portions of that development, as well as East Point Douglas Road; this area would be spot curb, full pavement replacement, and then some minor utility replacement and maintenance. The Prestige Estates neighborhood, north of 80th Street; this will be full curb replacement, full pavement replacement, and some minor utility repairs. Jamaica Avenue, from 80th to 90th Street, the cost is separated for Jamaica, just so you can see how that is estimated right now. This would be similar to what we did with Jamaica as part of 2021 Pavement Management, north of 80th Street; so, spot curb replacement and full pavement replacement, and then also some utility repairs.

Council Member Olsen stated regarding the area you're looking at, you mentioned you might have to make some adjustments. He asked if we're at the point yet where we've gotten grades on all of those roads in that proposed area.

Engineer Meyer replied yes, we have done the full rating of the community.

Council Member Olsen stated he was curious if that's the methodology you're going to use. He knows they'll do core sampling and other things, but knows that we have a whole host of areas in the City where we think this need some work, but then when you actually apply the science and grade it out, it gives us some guidance. He asked if all of the roads in this proposed area, except Jamaica, have had the Gary treatment already.

Director Burfeind replied these roads really have, yes. What we're trying to target, especially with that triangle south of Hillside, it's a fact that the curb is in really good shape. So, it's going to be like this year, a relatively cost effective project, as far as Pavement Managements go, where we want to get that pavement replaced when the curb is really good, and then we can get more life out of that curb.

Council Member Olsen asked when they had the overlay done.

Director Burfeind replied overlays have been happening probably for the last; it's been kind of hodgepodge in that area, that was before the time that we did the full curb- to-curb overlay. So, it was back when we were doing more kind of hit or miss under the sealcoat; so, it's been over the last five-to-seven years. The way we do it now is we do the full curb-to-curb, and we're getting seven years out of it; that's not how those areas were done.

Council Member Olsen asked if they had the Mill & Overlay areas identified already.

Engineer Meyer stated the plan with the Mill & Overlay for next year is to finish out that neighborhood south of Highway 61, Thompson Grove, where we were not able to finish that this year. So, we will have the remainder of that neighborhood next year. That's the plan for next year.

Director Burfeind stated also with these roads, something we have to keep in mind is all the work in our commercial areas; so, next year we have the East Point Douglas part of the

Jamaica project, so we'll have that closure and an impact on the commercial area. If we do Jamaica at the same time, is that an issue; not necessarily, because we'll just move traffic all to one side, like we did two years ago, and it flows pretty nicely. We also have East Point Douglas shown as an option from Hyde up all the way past Arby's and through there. So, do we want work in both our commercial areas in the exact same year; that's something we have to consider, as we may take some heat on that. We have to think about what roads are the priorities. Once we get the cost, as she said, we're probably going to take into account some of those factors as well.

Mayor Bailey stated he thinks they're talking about more connectivity here because you're not doing East Point Douglas all the way down.

Director Burfeind stated not all the way down, no, but knowing we can't do all of this from a FMP bonding perspective, we have to take something out. If Jamaica is the priority, do we not do East Point Douglas next year; how do we balance that.

Mayor Bailey stated if you are going to take one out for the moment that helps with the financial piece, he would take out East Point Douglas. He thinks Jamaica is in worse shape. Secondly, he was going to ask about with the potential for redevelopment on the north end, he's just spitballing here, but he wouldn't want to do a bunch of roadwork along there and then have that be redeveloped. Maybe that road isn't all done past the T there.

Administrator Levitt stated we have to run the utility extensions into the site and we'll open and cut into the road.

Mayor Bailey stated right, so why do it twice. He stated Prestige needs to be done; Director Burfeind stated yes, that definitely needs to be done, we won't look at removing that one.

Engineer Meyer stated she's looking at the South District Street & Utility Improvements is a project we've talked a lot about for the last couple of years. We started this last year. Looking into 2024, we want to finish the non-trunk utilities, so, more of the street, storm, sewer, some utility services, and then getting the streets built, lighting, landscaping, pedestrian facilities; it would be all the way down to the 105th Street roundabout. This provides a secondary access from an emergency response perspective for Graymont Village, as well as providing that access to the Norhart Apartment building proposed just west of the NorthPoint development. As Director Burfeind mentioned, speaking about East Point Douglas Road and Jamaica Avenue, finishing out the construction next year. It would be the roundabout construction all the way to the east. As a reminder, with the roundabout construction, we are looking at about a 13-to-15-week full closure of East Point Douglas. As we were talking about pavement management, thinking about what streets to pull out of 2024 Pavement Management, thinking about this full road closure and the impact to this commercial area, we maybe are not wanting to look at both commercial areas in one year. So, full reconstruct all the way in front of Carlson Auto and then Council authorized the Mill & Overlay in front of Menards, about down to the VFW, so that would be through the 2024 construction season.

Council Member Thiede asked you said complete closure for how long.

Engineer Meyer replied right now, it's about a 13-to-15-week estimate.

Council Member Thiede stated he thought we were actually doing half the roundabout and then half the roundabout, so that it would stay open.

Director Burfeind stated we talked about that a lot last year; the roundabout was the one that we really couldn't do half and half just because when you do that, you're trying to make a bypass lane around it to try to actually keep traffic flow just the way with the concrete and the joints. So, that really wasn't an option with all the work going on. That was the discussion, but the closure that we discussed a lot was do we close Jamaica. If we close Jamaica, then we could have done it all in one year with the closure of East Point Douglas as well, in two different phases; but East Point Douglas was always a closure.

Council Member Thiede stated so then people will have access to Cub Foods and to the other shopping center coming off the Jamaica side.

Director Burfeind stated that's correct; so, it will be almost like a T intersection where the signal is right now.

Council Member Thiede stated and then you're going to get people coming in behind Target; Director Burfeind stated that's definitely a concern that we're looking at because there is a cut around through there.

Mayor Bailey stated he knows it was mentioned doing the Mill & Overlay, down in front of Menards. We talked briefly about the streetlights in there; he asked Director Burfeind if he checked into that.

Director Burfeind stated we looked at the cost because in the blue area, streetlight replacement was not included, so with total cost, that's about \$300K to replace those lights. So, that was not something in the project just because we were pushing up against our Streetlight Utility Fund so heavily; so, that would be an added cost if you wanted to look at that.

Mayor Bailey stated he brought it up because we have the nice lights by Walmart, and then you're going to have all your new lights around the roundabout and everything in this new area, and they look nice on Jamaica there. Then you're going to have this area, and he knows most of them are the purple lights.

Director Burfeind stated those are going to get replaced; the company that dealt with that, almost nationwide, is finally sending out the replacement lights under warranty, and all of our staff time is going to be covered to replace those. So, the purple lights will go away, but to your point, they will still be the older overhead style.

Engineer Meyer stated moving onto Ravine Parkway, this is the Wolterstorff property, west of Jamaica, just southwest of the Military Trailhead Park that Director Burfeind spoke about. This is really a development-driven project. We've had some interest on this property, but at this time, we don't have any official preliminary plat submittal, just a placeholder based on the interest we've been hearing. That \$2M would be an estimated total project cost, and it's a 50% share with the City, so it would be a \$1M City share.

River Oaks-Highway 61 RCUT is just over \$1.2M; we received an additional \$1M of State grant funding, which is great as it's covering the majority of that project. That construction would happen next year.

Director Burfeind stated while we're talking about it, many people ask about these; he's

very familiar with them because they're very common where he grew up on Highway 52. People ask why are we doing this now, we have to go right to go left, and you can see these are pretty short. Some on Highway 52 you have to drive like a half mile to get to the U-turn; this will be much more compressed. What this does is by closing that median but with the U-turns, now we still have full movement. Everyone can still go where they have to go. Before these came to be, the MnDOT standard was just to close the median, and all you could do was go right in, right out, which obviously had a big impact to access. Even in this case, it's about a 90% reduction in fatalities, 85% reduction in serious-injury accidents because it gets rid of all of those right-angle movement accidents. Even if someone pulls out, let's say they get rear-ended, that crash has a much lower severity. Also, with all the research, people feel like they can cut across two lanes quickly, they have a low gap and they're just going to do it, and that's where you get that very serious right-angle crash. When they have to actually find a gap to speed up and go down a little ways, people make much smarter decisions. It's a very great safety enhancement. It obviously doesn't increase gaps, you still have to find a gap in traffic, but it's a major safety enhancement.

Administrator Levitt asked Director Burfeind to talk about the additional future funding we can get on this corridor.

Director Burfeind stated MnDOT has really targeted this whole corridor down to Hastings to work on these. In 2026, they are going to be installing these at the Denmark Township intersection, 120th Street, and the other one maybe at Margo Avenue, but the two down there by the car dealership. They have reached out to us very preliminarily, looking at Kimbro and Kingsborough for 2028, so five years from now, but they're looking at these reduced-conflict intersections. With those, he thinks that's a good thing because all of the discussions to date, every couple years MnDOT asks us when can we close these medians; we say we can't, there are no good U-turn options. For those, because it is a lower traffic count, they are open to the option of still allowing the left in, which would still preserve one additional easier movement. Here, that's just not an option because there's so much traffic coming and going. In 2028, MnDOT is asking about that and our thoughts on Kingsborough and Kimbro Trail.

Council Member Thiede stated what about a pedestrian overpass between _____ and Jamaica, kind of like Newport has that hardly ever gets used.

Director Burfeind asked for a walking path between the two, and Council Member Thiede stated yes, to go into Hamlet. Director Burfeind stated yes, that is a long stretch.

Council Member Khambata stated he was at the Red Rock Corridor Commission yesterday, and they had a nationally recognized speaker discussing why that pedestrian bridge doesn't get used. It's because it's so long, it's almost the maximum of what a pedestrian would walk anyway, and it's just to get to the other side. So, he thought that was pretty insightful; simply having it there and it follows that you're connecting two sides so you're sure people will use it, but potentially for people to walk, it's like ¼ to ½ mile. So, it pretty much was not worth it.

Director Burfeind asked if there were any thoughts on those reduced-conflict intersections in the future for those other intersections.

Council Member Khambata asked didn't we do this at 200th Street on Highway 52; Director Burfeind replied yes, Highway 52 has several. Council Member Khambata stated he thought

that was a really effective change to that interchange. Director Burfeind stated they have one down on Highway 61 now at the Treasure Island entrance they've installed.

Mayor Bailey stated it will be interesting to see, as Director Burfeind mentioned that MnDOT is honing in on this corridor. As you know, the Red Rock Corridor Commission is doing a study right now and gathering information.

Council Member Khambata stated there's a new influx of money.

Mayor Bailey stated today, at TAB, he had two commissioners come up to him and say Red Rock's on the radar now. So, of course that's not the train, it's the Bus Rapid Transit (BRT) and it would run from Hastings to Cottage Grove and up; the question would be if it's one into St. Paul and one to Minneapolis and/or do you do one to Bloomington, Mall of America at the airport. So, it will be interesting to see in the next few years, but we know it will be longer than that.

Council Member Thiede stated it will be interesting to see with the increase in traffic, for some of those issues it's probably a good idea.

Council Member Khambata stated one busload of people takes something like 30 cars off the road, so that's pretty profound and a lot of decreased congestion with properly utilized BRT route alternatives.

Council Member Olsen asked have they done all the traffic modeling on this already; Director Burfeind asked in terms of how it would operate.

Council Member Olsen replied yes. In the past, we've seen some of the models where it shows the car count and the gaps and all that. He asked if they'd gotten that far on it yet.

Director Burfeind replied they don't really look at the gaps and such too heavily for these because it's really using the same gaps that are there today. They don't increase that ease of getting on and making the movement, it just really increases safety. So, as the road gets busier, right cars will have to wait additional time. But what's nice is once they install these, they generally are very comfortable with them. That discussion of closing access kind of goes away; and that's important because even if the road incrementally gets busier, we don't want to be doing major access closures to like River Oaks or something.

Council Member Khambata asked so with that, on that diagram, would they narrow the median then and have kind of an acceleration lane on the inside lane of each, southbound and northbound.

Director Burfeind stated for this style along here, they actually don't include an acceleration lane; that's only in more unique cases where they do those when talking to MnDOT, with a lot higher truck counts and such where they have a hard time accelerating. So, this would just have a left-turn lane to slow down, but you would have to wait for a gap to accelerate. They also found actually with those acceleration lanes people don't use them, so people still sit there and wait for a gap. They actually found them not being utilized all that much. He actually saw that because when he lived in Red Wing there was an acceleration lane to get on Highway 61, and he would have to sit there and wait for people to wait for a gap. They don't really see that they're there, even though there's signage; so, MnDOT is kind of trending away from those.

2025: Engineer Meyer stated this is part of the 2025 Pavement Management, again portions of Thompson Grove Estates, and then this is the remainder of East Point Douglas, west of Jamaica. So, depending on what happens with that 2024 Pavement Management, maybe we look at trying to get that into 2025 so we have the whole stretch of East Point Douglas. The other portion of 2025 Pavement Management is down on Kingsborough Trail; this whole area is spot curb replacement, full pavement replacement, minor utility repairs. That's about it for Pavement Management.

Then again a placeholder for a portion of Ravine Parkway; this is up on the Capp property, east of Calarosa, west of that Wolterstorff property we talked about in 2024. Again, just an estimate of the \$2M, City cost share 50%, and that's development driven.

Shoppes at Cottage View, the Ravine Parkway; this is Phase 1, so from Walmart to the roundabout, looking at the utilities, street construction, and again it's kind of development driven, trying to understand the plan for Shoppes at Cottage View and wanting to plan for that in 2025. You'll see we have that phased over the next couple of years, starting in 2025.

Council Member Olsen asked if there's a deadline on that money that we got; Director Burfeind stated yes, there is, until 2031. Council Member Olsen commented so, we're really good. Council Member Olsen asked if the EDA got anything back yet on that study. Administrator Levitt replied no, we don't expect anything back until October.

2026: Engineer Meyer stated again, it's part of the Shoppes at Cottage View, we'd do Phase 2, so it's from the roundabout out to Keats Avenue. Pavement Management Projects: Pine Glen and Woodridge neighborhoods, and we'd be including park improvements at the Pine Glen Park; both of these areas are that spot curb replacement, full pavement replacement, minor utilities, maintenance. 80th Street Reconstruction: We have that \$5M in Federal grant funding, and we'd look to use State Aid Funding for the remainder; so, right now, we had already done our advance for East Point Douglas and Jamaica, so in 2026, we'll have State Aid Funds again for the remainder of that project.

Mayor Bailey stated when he saw the initial plan for this, is that including a portion of East Point Douglas there, too, or is it just 80th; he thought he saw something where we were doing something. Director Burfeind stated one thing we're going to evaluate is with waiting until 2026, having the State Funding, do we do a full expansion of the turn lanes at that intersection, which could impact East Point Douglas to some degree. Mayor Bailey stated he thought initially when he saw something early this year or last year, they had down to the T that we were originally talking about because of the lights.

Council Member Olsen asked if we'll have our full MSA on this project; Director Burfeind confirmed that and said with that, he thinks we can scope out East Point Douglas. We'll see how the other stretches of East Point Douglas play out because we certainly won't want to leave a little gap of an old road section. We did that Mill & Overlay in 2017 with Hy-Vee, which has held up surprisingly well, but that road was just a Mill & Overlay, so we have to take a look at that as we move along.

Mayor Bailey stated when he spoke with Director Burfeind earlier, he'd said that MnDOT will come in and do the bridge when we do 80th Street.

Director Burfeind said they will partner with us and will do both of the ramps, full pavement

reconditioning, and also all the bridge deck approaches and bridge deck rehab. They're thinking that's about a \$2M project. We'll see how we do that because we have Federal money on this, we actually could bid their project with ours, and we could do all of it. Normally, we wouldn't want to do that because he doesn't want their challenging requirements on their funding, but we already have all those with the Federal funding. So, that is planned to happen with this project.

Mayor Bailey asked if it could bring down the cost; Director Burfeind stated yes, efficiency of scale is always a good thing. They would do their own design because they have a challenging design process and plan review, but then they would just give us the plans to bid those if it all comes together. They actually planned it in 2028, but when I talked to Adam Josephson I said well, we're doing this in 2026, so we'd really prefer you not to come in two years later and rip up our commercial area again. So, they're working for their side to try to accelerate that funding.

Mayor Bailey asked if they'll come to us in advance on their plan, one way or the other; Director Burfeind stated yes, they will; that will definitely be some discussion down the road.

Engineer Meyer stated we're still looking at the roundabout at 80th Street and Keats Avenue, a County-led project. Right now, the estimate is \$4M; we're looking to get a grant for about \$2M, so that would bring the City's cost share down to about \$1M for that roundabout with the 50-50 split.

We have another placeholder for a portion of Ravine Parkway; this is over on the **Geick** property, east of Keats Avenue. We've heard some interest in that parcel over there, so we're looking to get a placeholder in our CIP if that were to move forward. **2027:** Pavement Management: Thompson Grove Estates and a portion of the Woodridge Park addition, spot curb replacement, full pavement replacement, minor utility repairs. Phase 3 of the Ravine Parkway-Shoppes at Cottage View Project at just over \$1.2M. Harkness Avenue Reconstruction, just over \$3.1M, a development-driven reconstruction project, just north of the Oakwood Park entrance, up to the northern intersection with Hardwood Avenue. Another placeholder for a portion of Ravine Parkway on Tank property, east of Keats Avenue; those are some other properties that we've been hearing interest in development occurring, so we want to make sure that's in our CIP.

Council Member Olsen stated with that Harkness project, he drives that stretch all the time. It's extremely evident that the traffic counts have gone up on Harkness, Hardwood, all of that. He's had several people ask him if we have any plans to do either a roundabout or something to help kind of slow that down. He's noticed people like to cross the street right on the turn; kitty corner to Oakwood Park there's a sidewalk on the Kohl's side, and it's not a really safe place to do that. Additionally, when we went to Noon Out down at White Pine, many of the residents there mentioned that roadway is getting a little bit more dangerous for them, especially if they're trying to walk or if they're in a wheelchair. He asked if we're really going to be waiting this long when we know that we've got apartments, Pizza Ranch, and other development that is scheduled to take place with the child care facilities. Director Burfeind told him that Hardwood is rated to handle a certain number of cars, and we're not at that

place yet. Just using the eye test, it feels like we're starting to really push it a little bit over there. He doesn't know if they have any thoughts or opinion on that.

Director Burfeind stated we will talk in a little bit about a signal at the Hardwood Court intersection because that would be our first step.

Council Member Thiede stated so with that Harkness Avenue, that's potentially going to be all different; we were talking about having that street that doesn't even go completely through. Director Burfeind stated that could definitely be an option, there's a concept where it shows it that way, where there would be two cul-de-sacs, to kind of cut back on that cut-through traffic.

Council Member Thiede stated it's kind of development driven, a little bit, so is it going to be a minimal road surface that development will come by and all of a sudden it will be torn up.

Administrator Levitt stated she thought our intent was to really figure out, it's going to be 100% development driven, because you look at the medium-density product, etc., the intent is to obviously put it in its final urban state vs. the rural state that it's in today. So, this is really pending development in that area.

Director Burfeind stated all of the apartments being built today are the last ones that can have access off Hardwood; so, really everything else has to come off Harkness, and it really has to kind of go together. So, this would all be in conjunction. We did a thin overlay on that road, so surface wise, it's good for the traffic it has, Harkness specifically in terms of holding together. So, we're going to wait for development to say what does that need to be, what does it look like, and you'll probably see development paying for a good portion of that.

2028: Pavement Management: Thompson Grove Estates. We have a placeholder here for the Keats Avenue overpass at Highway 61; this is a placeholder for if there's grant funding, those sorts of things. With it being in our CIP, then we can start applying for those funds. Jamaica Avenue reconstruction from 70th Street to Military Road; this is a County-led project, but there is a City share to that from when the road was turned over to the County.

Reconstruction of 103rd Street bridge, again a placeholder in our CIP so if there are funding options available, we can start applying for those.

Council Member Thiede asked if that was the rail bridge; Mayor Bailey stated yes, that goes down towards the island, the Dunes. Council Member Thiede stated so, this is a car bridge, we're not doing anything with the train bridge.

Director Burfeind stated it would actually be redoing that train bridge. Mayor Bailey stated we have to make it so everything could fit under it and we need to widen it. Director Burfeind stated yes, we looked at a car bridge over it with the County, who did that study, but we do have to go under it because the bridge can go up about a foot, that's about it.

Engineer Meyer said the last item is another placeholder for a portion of Ravine Parkway, east of Keats Avenue, with more development.

Director Burfeind stated as Engineer Meyer said, those two big ones are really the placeholders; you want those in your CIP when you're applying for grants. That Keats Avenue overpass, at this point that's really a County road over a MnDOT highway, so for that you're looking at a very low City cost whenever that would happen. It's just in there, we can support

it, and if anyone ever applies for grants, we show it. Mayor Bailey confirmed the \$22.9M is just for the bridge, which Director Burfeind confirmed.

Council Member Thiede stated he thought they were looking to approve this in a couple different upcoming sessions; Director Burfeind stated the bridge over the highway is not, MnDOT actually has that pretty far out on their plans. With roundabouts on both sides, it works on both sides. So, the two-lane bridge actually works for quite a bit longer than they thought. So, we have time to deal with that, but that is a separate project.

Council Member Thiede stated so what's the \$22.9M; Director Burfeind replied that's just for the bridge itself, just for building a new highway bridge, just the bridge.

Council Member Thiede asked what about the roundabout; Director Burfeind replied that is happening, yes, that's part of 100th Street.

100th Street

Director Burfeind stated what we look at is a roundabout here at the south interchange; we'll have roundabouts on both sides. We have the new roadway alignment across here, it will go straight through. Innovation Road does need to realign, and that would be a County cost because it's a County road today, but that becomes a City road, so that's the County cost and their plans. We have the _____ coming down, which would be a City cost, and then Miller Road being realigned, which is a City cost. With all of the grants we're applying for, we're eligible for grant funding. The actual road itself, with the bridge over the tracks, that follows the County's cost-share policy, which at a super high level is actually pretty close to 50-50. That's how the costs shake out, so \$43M is everything, and that includes trunk utilities, service area, and the West Point Douglas Road extension.

Council Member Thiede stated he's surprised at the way they cut up that property right south of Innovation Road. He asked why wouldn't Innovation just be able to stay where it is and come off the roundabout.

Director Burfeind replied we talked about that a lot through the full-range design. We have two six-legged roundabouts in town. MnDOT really is going away from them, MnDOT does not like more than a four-legged roundabout unless there's no other options. Also, there were some challenges; as weird as it sounds, these are roundabouts today, but as the City fully builds out and they do that bridge expansion, these may need to be actual, the south one with all the trucks, there may actually need to be a signal there, that would actually work better. If you have a five-legged roundabout, you can't do a signal. So, they want to preserve that option, actually for a signal there someday, anticipating all the industrial growth we can have on this side of the highway, that would all go together someday with the bridge expansion. So, that was a really big part of it is not kind of selling ourselves short and then being tied into a box with a roundabout.

Mayor Bailey stated so looking at this at this point, they're looking at two options with the 3M property; is that why you're keeping Miller Road or are you thinking Miller Road will be a road that will funnel to other industrial uses on the 3M property.

Director Burfeind replied Miller Road will remain a City street because based on the size, we do have to provide two public road access points to their front entrance. We actually looked at

if we could give it back to them, but it's kind of like what we're dealing with down by Graymont Village, we have to provide two different public points of access for emergency access, etc.

Council Member Thiede asked that's going into 3M's training ground, isn't it; Director Burfeind replied it will tie back into the current alignment, but we have to kind of swing just north of their track. We don't impact the track at all, and then we'd tie it back into the current alignment of Miller, right along the tracks.

Mayor Bailey stated their plant guys said they don't use that anymore; Director Burfeind confirmed that. Mayor Bailey stated that could also be part of the future industrial area.

Director Burfeind stated another thing with this roundabout, this one is fine because there's really not truck traffic on the north side, other than some deliveries. What we've learned with Jamaica is a six-legged roundabout with all the truck traffic, that's why we're doing this, it's become a challenge; so, they want to preserve that signal for the future as weird as it sounds. Everyone wants roundabouts, but that may need to change back, way down the line, 20-30 years from now.

Director Burfeind stated from a cost perspective, here's where it gets interesting: Total Project Cost \$43M; our goal is to get \$35M in grant funding, that's what we said we need to make this project happen, so that leaves about \$8M, which is roughly split 50-50 between County and City. That's how it's shown in our CIP. We got the Protect Funding through Metropolitan Council, \$7M; we show that in 2024 right now because the County is trying to work through what's the timing of that and the need. There was some discussion that we have to spend it in 2024, and if we do, we'll actually do all the grading for the roadway and just move all the dirt. We want to dig out the pond on the north side, and then move all that dirt into place and let it sit there, which is good, because it's a 30-foot fill for that bridge so that allows it to kind of sit for several years and let it settle. If it does need to be spent, we'll spend it in 2024, and we definitely won't lose a dime from that \$7M.

In 2025, there's a Community Project Funding Grant that we've been applying for through the Federal government. The initial one that we're looking at is just over \$1M, but he thinks we'll probably keep applying, so our goal is to get \$3M in that funding, and that will allow us to finish up the full design of the roadway and bridge.

So, 2026-2027 are the two years of construction.

There is \$33M in construction in those years, \$25M in different options; we applied for RAISE Grants, Rural Grants, there was a resolution tonight for the Rural Grant, or State bonding, which we're also going after this year again. In some fashion, we need to get \$25M of grant funding to finish that off.

CIP Projects

- Annual maintenance for Utilities: Stormwater, Water, Well Maintenance, where we pull a well every year.
- The SCADA Upgrades, and that's the total project cost; there's some design work and inspection work, that was awarded two weeks ago with the Low Zone Treatment Plant.

Low Zone Treatment Plant, \$43M is Total Project Cost; the bid was about \$38.2M, but that's with all of the design, engineering, testing, inspection services.

- 2025-2026 Intermediate Zone Treatment Plant, based on what the Low Zone Plant cost, we're estimating \$75M, so these are massive projects for us to undertake at the City of Cottage Grove. From a funding perspective, we're able to work that out with the State where they actually give us 25% up front with all these projects we were actually doing, and they were paying us back. We can't float \$42M or \$75M, so they actually will give us advance funding for those, so we kind of worked that arrangement out. 2026 is the target date because by December 2026 is when we have to have all of our wells treated, and we're very on track for that. With the State coming out with new health-based values again this winter, we know they're coming, they're going to be very strict, we just built two more Interim Treatment Plants, and we're probably going to have to build two additional Interim Treatment Plants this winter, going into next year. There's no way around it because we can't accelerate these permanent plants any more. We just had a meeting with the State, and they understand that; it doesn't sound like we're going to have any issues, and we need those two additional plants. We have Well 9 and Well 11 now, Well 11 is up in Highlands Park and Well 9 is kind of right by the archery range to be able to meet our summer demand. He's had his fill of building Interim Treatment Plants, but we've gotten very good at it, so we are going to continue to do that as needed to make sure we can meet our water demand. You'll likely see work on that starting because the State knows this is coming; they know we're going to get Well Advisories, so they're actually going to let us start design even before we get the Well Advisories, so that will be good. Other years, we've always had to wait, and that's why we're on such a time crunch.

Mayor Bailey asked if the Interim Treatment Plants were going to come under the original Consent Decree.

Director Burfeind replied that does come in under the Settlement Agreement, but the most expensive thing, by far, are the treatment vessels, and we will actually buy the treatment vessels that go into the permanent plant, so none of that will be wasted money. So, that's really the only reason they are still agreeable to that; building the metal building around them is very cheap, but those multimillion dollar vessels we can just move them.

Mayor Bailey asked how quickly can we order those.

Director Burfeind stated as soon as we can get the approval from the State to start spending money, he's really hoping to put an order in early this fall. Last year, we got it in in December, and it was tight; so, we definitely want to get it in, probably in September.

Mayor Bailey stated as soon as these new Well Advisories come out, the whole state is going to be up in arms, and he'd like us to be ahead of the game. This is one where we should be ahead of the game. Director Burfeind agreed.

Administrator Levitt if we could, but she thinks at this point getting the order on the tanks; she thinks right now Director Burfeind wants to evaluate Ion Exchange (IX) vs. GAC, so we just need to make that determination over the next month.

Director Burfeind stated we do need to get that answered because we are probably looking at IX, like Administrator Levitt said, for the Intermediate Zone Treatment Plant because we need to get that building size down; so, that's what we'd have to buy for these plants, which will help because we only need two then, so these buildings will get a lot smaller. It has to go up in Highlands Park, and we don't want it to be a big eyesore.

Council Member Olsen stated if we know we're going to get reimbursed, it's a guarantee, is it advisable to get out in front of it as much as we can.

Director Burfeind replied they are sticklers where until they give us that go ahead, they don't want to authorize any real money expenditures like that, but it was a really good call. We had a good call with the State, he actually expected more pushback because this will now be our seventh treatment plant, and it went really well. So, our official email request is going out tomorrow; we just built a good relationship with them, they know what we need, we're not asking for more than we need, and it shows because we built a good trust with them.

- In future years, we have that Industrial Park water tower, that will go right behind the Metro Transit Park & Ride; that's been pushed out to 2025 really due to cost. We're okay because we still have some capacity in that zone from a water tower perspective, but we do need that in the next few years. It's a tough pill to swallow because a water tower like that would have been \$4M just a few years ago, and we don't see those prices coming down; it's the new standard, all bids are coming in at that pricing, so this will be kind of a combination of area funds, so it will be Utility Funds and then bonding for that tower.
- Pine Hill water tower painting in 2027, which we can do after the new water tower is built, and then decommissioning of a handful of our treatment plants, but we're going to keep adding to that list of plants to be decommissioned.
- Sewer Maintenance of \$50K each year; we are looking at 2024 into 2025 that \$1M trunk sewer lining from Jamaica Avenue to East Point Douglas. We talked about that last year, we looked into I & I Grants and such, and we don't qualify because we have such low I & I, which is a good thing. With what's going on in this area, if it's up high into the road, there's no inflow or infiltration, it's just one of our oldest sewers in town and it's under Highway 61, so it's not going to fail. We need to line it because it's the last unlined rehab portion of that sewer, so he'll just sleep better at night when we have it done; then we'll know it's good for the next 80 years.
- Streetlighting Improvements are \$100K annually. Traffic signals: We're looking at the Hardwood Avenue-Hardwood Court in 2024. And that intersection was really set up as a signal; we evaluated it to put a roundabout in, and it would require a very large amount of land acquisition and road closure again because there's no way to do a bypass. It was set up for a signal, a signal is going to work well. Also, with roundabouts you want them somewhat balanced. Down at East Point Douglas and the Target, you'd be surprised there's so much traffic in and out of Target, it is a fairly well-balanced roundabout. This definitely has the main traffic on Hardwood and a much lower count on the side, so that's really where a signal is a better situation. 2025: 80th Street and

Jamaica, and Keats and Indian signals; Keats and Indian would really be development driven, with any development on the east side of the road to have that signal. 80th and Jamaica would just be a full City cost.

Mayor Bailey stated you're finally giving me my stoplight there; Director Burfeind stated we always looked at it, but it never quite met the warrants, but we definitely know that it's getting very close.

Director Burfeind stated that's what we have for tonight. He asked if there were any other questions.

Council Member Olsen stated we talked with the County a couple years ago about Jamaica Avenue, particularly, by 67th Street and then on the other side there. He asked if anything ever happened with MnDOT taking a look at the speed on that if there was any way to create a safer crossing or anything.

Director Burfeind asked if he was talking about the crossing that they're doing north of there, near Jamaica and 67th Street, the Roberts Lake area. Engineer Meyer stated the County is actually in the process of planning construction on that crossing, so City staff, County staff, and the property owner met a couple weeks ago. We're working through the irrigation process with the property owner there, but construction is planned for mid-September this year.

Council Member Olsen confirmed that there will be a crossing for the families on either side to be able to get to and from; Director Burfeind stated it actually will be a mid-block crossing because crossing at the 67th Street intersection isn't great because of all the turn lanes. So, it will be a little bit north, so all they have to do is cross the one lane of traffic, then there's that nice big grass median, and then cross the other lane. So, it will be kind of at that north cul-de-sac of the neighborhood there. Council Member Olsen stated that's really good news, he thanked them for that.

Director Burfeind stated we also looked at the speeds; unfortunately, because it's 45 MPH, if a speed study is requested, more than likely it would come back higher. Council Member Olsen stated yes, he'd mentioned that before, but if we're accomplishing the objective without needing to do any of that, that's really good news. People in that neighborhood will be very appreciative.

Mayor Bailey told Director Burfeind they had previously talked about pedestrian crossings. There's one where that individual was hit and killed down off of East Point Douglas.

Director Burfeind stated that work will be starting in the next couple weeks, and we should have that installed this year.

Mayor Bailey confirmed that one is already done. The other ones we talked about were one on 80th Street and another one over by Pine Hill, on Hadley. He stated those are the two he gets the most questions about. He asked if we needed to have them on our CIP in order to qualify for funding.

Director Burfeind stated yes, with the Safe Routes to School.

Mayor Bailey stated because as he shared with him, with this new tax that's starting in October, that money is going to be funneled, and if there's going to be a significant influx of money coming into the State for the Safe Routes to School program, he wants to make sure they're not going to say you have to have it on a CIP.

Director Burfeind stated it wouldn't hurt for us to include those.

Mayor Bailey stated he would do it because there's going to be significant money out there for these Safe Routes to School, and he thinks more than 80th Street, the Pine Hill one would qualify very easily with the school there.

Director Burfeind stated we can include those, and then we're going to be looking at that Safe Routes to School, especially for Pine Hill, with the number of crossing that they could have.

Council Member Olsen stated he assumes we've been talking to the School District to make sure that we're running parallel on our plans for that stuff.

Director Burfeind stated we have, yes; he's talked to Napoleon about those before. It's something they would like to see, too. They just never had the funding for it either, so, he thinks they'd probably strongly support that application.

Mayor Bailey asked Administrator Levitt at any point if they're going to have a conversation about what we would like from the County in their CIP. He knows they're in the process of doing that right now.

Administrator Levitt stated they're supposed to send that to us in about the second week of October and will give us a month to comment. So, we'll hopefully assume that the things that we've put in our CIP align; basically, the roundabout at 80th and Keats and those projects. So, we should see an alignment, but if there isn't, we can provide that commentary.

Mayor Bailey stated another he'll ask about is the Master Plan, the Grey Cloud Island Master Plan. He knows Administrator Levitt wants it.

Administrator Levitt replied the County has made no movement; Mayor Bailey stated he wants to make sure that we share with them because he knows they just had a meeting down there with Grey Cloud, and they wanted the County or Grey Cloud to take over that park proposal from Aggregate that they were sharing with us. The County Commissioner said no.

Council Member Olsen stated Grey Cloud didn't have their ducks in a row either; they really came out of left field with some stuff, so.

Administrator Levitt stated staff will be touring the Larson Quarry and the adjacent parkland next week to evaluate that.

Mayor Bailey asked if he needed to do anything with Carl on that house; Administrator Levitt stated she's still waiting to know if Public Safety can use it.

Council Member Olsen asked Director Burfeind what's the next step on the Utility Building, you mentioned it's part of the FMP, so it should be moving forward.

Director Burfeind replied yes, we plan to have the design complete and then bring that back to Council at the second meeting in October for approval of the plans and specs and setting a Bid Date.

Council Member Olsen asked if that meets their proposed timeline from early on; Director Burfeind replied yes, we're doing well. We just had a plan review of the Site Plans today, and we should have a draft Building Plan he believes tomorrow. So, that's all going very well.

Council Member Thiede stated as he looks at this in terms of how it connects into the budget, there's a lot of spending here, and it's increased a lot. What impact does that have on the homeowners in taxes; he's looking at the bonding page. We had the FMP we put together, which was really good, but now all of a sudden here we've got almost \$4M more in 2024, \$3M more in 2028, and the future years are less in the FMP, but he's sure those buckets anytime they're low, they get filled up, and we don't think about where we are high.

Brenda Malinowski, Finance Director, stated we are thinking about that. As you said, we're about \$3.7M higher in bonding than we identified in the FMP; \$750K of that is for the Utility Building, we can make that up in our water and we have sufficient revenue in our water rates for that. But the feasibility report that we ordered for the 2024 Pavement Management and Jamaica Avenue, once that comes back, then we will have better numbers and we can do things like maybe push out East Point Douglas or some of the other streets in order to make that bonding number we identified.

Council Member Olsen stated you mentioned that straightaway, you're going to have to do something to bring that back.

Director Malinowski stated in 2025, yes, we are over; in the FMP, it was about \$2.7M, but it is because of the water tower. We don't have enough money in our area fund right now to fund this; so, we have to build the water tower, we don't have a choice. So, that is something that would be paid with future development fees, so not bonding on that. In 2025, she thinks we're okay, but in 2024, we know once we get the feasibility report back, we have to kind of see how that looks.

Council Member Thiede asked are there other things that we might not do to accommodate; if we're looking at the things that have to be done, and then there are things that maybe don't. He knows there's contingency in here and things that depend on development, and a certain amount of flexibility in some of them. Obviously, some of them are things that maintenance wise, etc. are things that have to be done. Even if it's going into the water billing and rates, it's still hitting the homeowners with higher rates.

Director Malinowski stated she doesn't anticipate that we would need to increase the water rate; the 3% that we looked at in the Water Rate Study last year, that would be sufficient for that.

Council Member Thiede stated it all looks good, but there's only a certain amount of money, and you do a great job with getting those grants and everything else, you do a lot of work on everything.

Mayor Bailey stated we haven't officially voted on it yet because we don't do that until the first meeting in September, but we've set the budget so the budget is the budget. Once we vote on the budget that's there, they have to come back with the number; we can't raise it again, it isn't like we can go back and go okay, well, this thing came back higher, so we need to

bump the taxes up higher. We can't do that and we wouldn't do that.

Council Member Thiede asked the increases where you want the budget, in terms of above that \$100 per homeowner, is that coming from some of this; are those two connected.

Director Malinowski replied it is coming from some of that; it's coming from a lot of areas, but some of the places it's coming from are we are decreasing our Building Permit fees for next year, we are keeping our positions vacant in anticipation of that. So, those development-driven activities that we think will be a slowdown, our COLA, and then just funding as we talked about our Internal Service Funds that we've kept a little low in the past to keep that levy low, we're starting to increase that levy for those Internal Service Funds. So, that was a big portion of that budget for next year.

Council Member Olsen stated for that bonding, you've already mapped it out for the next ten years; so, clearly, you guys have talked about this is what we anticipated, based on budget planning for a bond number, and that's what we need to hit. And that's why you're going to do the work that you're going to do to determine from a prioritization standpoint which projects need to happen and which ones can be pushed out and continuing to pursue that. Various grant funding opportunities and doing the good work that we've done with all the development in town, TIF Districts falling off; you guys mapped it out for us really well. From where he sits, he feels very confident that the plan is sound.

Council Member Khambata stated he also appreciates that we're anticipating higher costs on some of these things. Just like in years past, the CIP is also really utilized as a tool for grant getting. So, in years past, there were placeholders for things that we knew we were probably not going to do in the next five years. But if the dollars become available, and it's not in our plan, then we can't ask for the dollars. He appreciates that aspect of this as well, that we have some of that built in. Yes, as subsequent budgets come along and hard decisions need to be made, we'll have to make them. He thinks you guys did a pretty good job here just in outlining what our needs are.

Council Member Olsen asked when Mayor Bailey and Director Burfeind were going to try to have some more conversations about this in D.C. Director Burfeind replied September 19th to the 21st. Council Member Olsen stated that's good, it's been helpful for us; we've developed some really powerful relationships out there, which is also good.

Council Member Thiede asked what specifically is this event in D.C.

Mayor Bailey stated it's the Transportation Alliance. We'll be meeting with our senators and representatives, including not just our own, but other ones as well that are supporting us in a couple things.

Director Burfeind stated last year Amy Klobuchar never did give us a letter of support for 80th Street, and we met there with her staff, and they gave us the letter of support, and we got \$5M. He thought we were up to \$9M in community project funding grants in the last three years. You just have to make that effort.

Administrator Levitt stated she thought we even saw that this evening; if you're only 1 of 100 in the country that received a grant for our Fire Department, you can see that those relationships and those time commitments are really paying off to our community.

Mayor Bailey stated for the time and effort or the cost of going there for just a few days, that's been paid back immensely.

Council Member Olsen asked if they needed anything else from the Council; Director Burfeind stated no, he thought they had a few things to follow up on, got good direction.

Mayor Bailey asked Director Burfeind if he was good with adding in those crossings; Director Burfeind replied yes, that shouldn't be an issue.

Administrator Levitt stated we'll also add the lights in on East Point Douglas, the \$300K. Mayor Bailey stated he would like that.

Mayor Bailey stated he had one more question about water. We talked about eventually, when we get the permanent Water Treatment Facilities up and running, he asked do we need to do anything on the CIP regarding water softening from a grant perspective. Council Member Olsen stated we talked about that last year; Director Burfeind stated we'd looked at the cost.

Mayor Bailey asked is there a way to put it out there in case there is a grant opportunity for an environmental issue at some point. Administrator Levitt stated we could add the softening to the Low Zone Plant. Mayor Bailey stated obviously it's going to be way out there, but just so it's a place marker. Director Burfeind stated we could do that, and Council Member Olsen thought that was a good idea.

A CIP Workshop

14 Workshops - Closed to Public

None.

15 Adjournment

Motion by Council Member Olsen, second by Council Member Thiede, to adjourn the meeting at 9:09 p.m. Motion carried: 4-0.

Minutes prepared by Judy Graf and reviewed by Tamara Anderson, City Clerk.