

MINUTES

COTTAGE GROVE CITY COUNCIL

**COUNCIL CHAMBER
12800 RAVINE PARKWAY SOUTH**

June 7, 2023

REGULAR MEETING - 7:00 P.M COUNCIL CHAMBER

1. CALL TO ORDER

The City Council of the City of Cottage Grove, Washington County, Minnesota, held a regular meeting on June 7, 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; Korine Land, City Attorney-LeVander, Gillen & Miller, PA; Tammy Anderson, City Clerk; Gretchen Larson, Director of Economic Development; Zac Dockter, Parks and Rec Director; Brenda Malinowski, Finance Director; Amanda Meyer, City Engineer; Emily Schmitz, Senior Planner/Interim Community Development Director.

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

- A. Southeast Metro Amateur Radio Club (SEMARC) Presentation
Staff Recommendation: Receive a presentation from Southeast Metro Radio Club (SEMARC) Board.

Mayor Bailey welcomed David Blume, who will give us a presentation tonight.

Mr. Blume stated he's the treasurer of the Southeast Metro Amateur Radio Club (SEMARC). During the last year, SEMARC has used Fire Station 3 as a home base for several special events:

- Station W0M; that's the call sign for the commemoration of the 80th Anniversary of the Battle of Midway. Minnesota native Captain Richard Fleming lost his life on June 5, 1942, at the Battle of Midway.
- Prior to the development of radio-based navigation systems, Station K0A was the call sign used for the airmail event as Cottage Grove is home to one of the few remaining concrete arrows, used in conjunction with a series of beacons developed by the Commerce Department, that guided airmail pilots from Chicago or Milwaukee to St. Paul, Minnesota, at night or during inclement weather.
- Station K0M was used for the 164th Anniversary of Minnesota's admission to the Union in May, 1858.
- This past May, we celebrated the 35th year of SEMARC, using the call sign W0CGM/35. Little did we know we would be doing this event during a strong solar storm with very poor radio and space weather conditions; however, on earth, the weather in Minnesota was just beautiful that day, but we made over 200 contacts.

We also have a few events away from Fire Station 3: A significant one in May 2022 was the Radiological Emergency Preparedness (REP) drill, held at Park High School, supporting Washington County. SEMARC provides communications staff for the exercise, deployed at various stations at the event site, and that control is always from Washington County's communications vehicle parked outside of Park High School. The last few years we've had to deploy a portable repeater system for our backup; however, soon we're looking forward to the return of the W0CGM985 repeater system that's located on two Cottage Grove water towers. The 985-repeater system has proven itself capable of reaching all locations within Park High School from our personally owned handheld radios. Many SEMARC members are at Park High School tonight participating in the first of two REP drills during the month of June, in preparation of FEMA's evaluation of the Prairie Island nuclear power plant.

Finally, we've operated two very specific field day events from Fire Station 3, where he knows Council Member Olsen has visited in the past; those are also a type of preparedness drills for SEMARC. We now do both summer and winter field day events, as we're setting up a temporary system within that very specific timeframe to communicate with other amateur radio operators across North America. It's a very different experience at -10 degrees Fahrenheit with snow and a wicked windchill, as opposed to 90 degrees, with an oppressive heat index, and the need for bug spray.

Mr. Blume extended an invitation to Mayor Bailey, the City Council, and City staff, as well as our law enforcement and EMS teams, for this year's summer field day event, held at Fire Station 3. It will start at 1:00 p.m. on Saturday, June 24, through Sunday, June 25, at 1:00 p.m. We're always open to the public for tours of our operations. We'll also be sure to send you an invitation for our winter field day, in January 2024. As a token of their appreciation, he brought them some coffee cups; those are filled with a card that we use to exchange information confirming contact. He's noted that tonight all of them were 5 of 9, which means that everyone was able to be perfectly heard and clear. He thanked them all for their time and wished them a good night.

Mayor Bailey thanked Mr. Blume for the coffee cups; he noted he's had the opportunity many years ago to go to one of their events. Mayor Bailey asked if Council had any comments.

Council Member Olsen stated Mr. Blume is also a critical part of our Cottage Grove Lions Club; he and his wife run our Adopt a Road cleanup project, so he's very involved here in the community. Council Member Olsen stated he also has attended their event at Fire Station 3 several times; every time he goes, he learns something, and it's fascinating. He stated one of the things Mr. Blume taught him some time ago was the role that Mr. Blume and his people play regarding public safety, especially during severe weather events, etc. when communication devices could be a little bit challenging. He asked Mr. Blume to share some information about that tonight, as well as the critical importance of the club.

Mr. Blume stated we're fortunate in Minnesota, as we have a fairly robust ARMER radio system, a digital system; other parts of the country don't have that type of system. With any tower, structure, or building, if you have a repeater or cell phone hooked onto that tower, a tornado can take that down; it takes days to have that infrastructure rebuilt or maybe you wait for FEMA to come up with a trailer that has a cell phone tower. SEMARC has radios and devices that we've used before in some flooding events where we can carry messages from whatever disaster site to say, hey, let this family know that this person is okay. We're always just a backup in the back pocket in case of the worst possible scenario. The American Radio Relay League (ARRL), one of the leagues in which we participate, has a slogan, "When all else fails," so amateur radio will be there. We just try to make sure that we are trained, like with the radiological drill, on how to use the ARMER radios, or we use our own radios. We just want to be there in case something needs to get out to somebody to know that they need help. We don't go to a scene on our own; we wait for somebody to say we're broken, please let somebody know we need some help.

Council Member Olsen stated he knows they have a good relationship with Public Safety Director Pete Koerner and the rest of the Public Safety team; that's one of the reasons they're at Fire Station 3, using that space for training. There could come a day when we have to rely upon you, so thank you for your presentation tonight. He'll look forward to this year's event; Mr. Blume encouraged all of them to stop by.

7. CONSENT AGENDA

- A. Approve the May 3, 2023, City Council Regular Meeting minutes.
- B. Authorize the issuance of a single occasion gambling permit to Cynthia Lynn Bachrodt, on behalf of the Cottage Grove Lions Club, to hold a raffle at Carbone's Pizza, 7155 Jorgensen Lane South, on October 17, 2023, at 6:00 p.m.
- C. Approve the issuance of rental licenses to the properties listed in the attached table.
- D. Appoint Emily Schmitz as Community Development Director.
- E. Accept and approve the donated impound services from Stewart County Kennels in the amount of \$385.00.
- F. Approve the 2023-2024 maps designating boundaries for discharge of firearms and archery equipment for hunting.
- G. Call for Public Hearing regarding Rural Service District on July 19, 2023.
- H. Authorize the use of two of the City's SAC credits for Glacial Valley Park Building located at 9900 Ravine Parkway South.
- I. Staff recommends the approval of the LVC proposal for the installation of low-voltage wiring, acquisition and installation of building access control accessories, and installation of surveillance systems in the amount of \$32,117.
- J. Approve the South Washington Watershed District (SWWD) Coordinated Capital Improvement Program (CCIP) agreements for: 1) Hamlet Park Pond sediment removal in the approximate amount of \$75,000. 2) Ideal Avenue South and 110th Street South stormwater re-use in the approximate amount of \$206,376.
- K. Adopt Resolution 2023-077 authorizing staff to obtain escrowed funds for completing Parkview Pointe improvements.
- L. Authorize the MIF payment to Up North Plastics in the amount of \$950,000 and forgive the MIF loan based upon completion of the terms of the loan, conditional upon the check being received from DEED.
- M. Adopt Resolution 2023-075 awarding the 2023 Sewer Cleaning contract to Hydro-Vac, Inc. in the amount of \$36,096.77, and authorize the service agreement between Hydro-Vac, Inc., and the City of Cottage Grove.
- N. 1) Adopt Resolution 2023-081 authorizing the City Administrator to submit a draft to Frandsen Bank & Trust for Pillar Builders LLC for Letter of Credit for Hardwood Avenue Turn Lane Improvements. 2) Adopt Resolution 2023-082 awarding the Hardwood Avenue Turn Lane Repairs to OMG Midwest dba Minnesota Paving and Materials in the amount of \$49,980.
- O. 1) Adopt Resolution 2023-078 approving the Final Plat to be called Mississippi Landing. 2) Adopt Resolution 2023-079 approving the Memorandum of Understanding, Temporary Access Easement, and Temporary Construction Easement subject to minor modifications by the City Attorney. 3) Adopt Resolution 2023-080 approving the Agreement with the County and the Conservation Easement for purchase of 19.1 acres of future park and open space.

Council Member Olsen wished to pull Item E, Stewart's Country Kennels Donation, and Item K, Escrows-Mark Elliot Homes, for further comment and/or discussion.

Council Member Olsen stated we all know the Al Stewart family here in Cottage Grove, 61 Marine & Sports, etc. You might not know that Al's wife also operates a dog boarding, training, and a kennel facility at their home in Old Cottage Grove. Recently, there was a concern about a canine flu virus that was spreading; that resulted in the Humane Society in Woodbury, which our Public Safety team uses when they find stray animals, having to limit access. So, we couldn't bring our stray animals there. Christine Stewart stepped right up and told our Public Safety team that they could bring the stray animals there. Neighbors helping neighbors in Cottage Grove is something we've all grown used to, but in this case, it really was a dire situation, we didn't have any other options. He wanted to recognize the Stewart family for taking on that responsibility in a time of need; moreover, they're not charging us, they did it for free. So, this donation of \$385 from Stewart's Country Kennels is related to that work that they've been doing. Council Member Olsen stated he knows if we need them again, they'll do it for us another time. It was very much appreciated, so he thanked them.

Council Member Olsen stated he pulled Item K, Escrows-Mark Elliot Homes, because there might be some confusion on the part of the community about what exactly we're doing with this. It's a pretty tragic situation and resulted in difficult circumstances for some homeowners. He asked staff to give a more thorough explanation about what is happening, what this process looks like, and how this will ultimately be resolved.

Emily Schmitz, Senior Planner/Interim Community Development Director, gave some background: Many times, with new home builds, we work through a temporary Certificate of Occupancy (C.O.) process; that allows people to close and move into their property without exterior items, such as sod, boulevard trees, or landscaping. As part of a building permit issuance, the City collects an escrow, and we hold those dollars from the builder as their good faith to say these exterior items will be completed; typically, that's a six-month deadline. In this tragic and unique situation with some homeowners in the Parkview Pointe development, with the passing of their builder, we offered one final deadline for the temporary C.O. that these people were living under. All the temporary C.O.s have expired, so these exterior items needed to be completed. None of them were brought into compliance; internally, we understood the best way to be able to help these residents, who were left with muddy yards, no landscaping, and very challenging situations, was to find a way to take some money and offer our support in that way. That's the best that we could do; so, we're taking the escrow money that the builder had submitted to the City, and we are returning that to the property owners, asking them to ensure that these items will be taken care of on their lots.

Council Member Olsen stated to recap, the builder passed away, the work therefore had not been completed, and the poor property owners were left holding the bag because they have a temporary C.O. that's going to expire. If they don't have a C.O., they can't live there. So, we had to figure out a way to help them; essentially, what we've done is we've used some of those escrow funds, redistributed those to the homeowners, as the work needs to be completed. Here's some funding to help you get

that done so you can get your permanent C.O. He felt that was a brilliant way to go about doing this.

Planner Schmitz stated we also enlisted the help of the developer, who was more than willing to be a partner with us to help some of the property owners. Council Member Olsen stated it was wonderful we were able to help these owners, as they were in a tough spot.

Council Member Khambata stated he knows of other cities that don't require these escrows of their builders, so for unlikely scenarios, just like this one, he's glad that we do. He knows that sometimes those escrows don't equal the amount of work that needs to be done; he asked in this case, are these escrows sufficient in making these homeowners whole, or are they still going to have to foot some of the bill to get this work done.

Planner Schmitz stated she's not received a quote for sod in some time; however, there is a chance that it does not cover the cost completely. Some of these property owners also did not receive the irrigation that they had in their contract; so, there are some dollars that unfortunately will need to be fronted by the property owners.

Mayor Bailey noted when we met with those homeowners and talked to them about this escrow, we also had other reputable contractors there, those who've done work in Cottage Grove, with whom the homeowners could speak.

Motion by Council Member Thiede to approve the Consent Agenda; second by Council Member Khambata. Motion carried: 5-0.

8. APPROVE DISBURSEMENTS

- A. Approve payments for the period of 5-17-2023 through 6-01-2023 in the amount of \$2,484,702.59.

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

9. PUBLIC HEARINGS - None.

10. BID AWARDS - None.

11. REGULAR AGENDA - None.

12. COUNCIL COMMENTS AND REQUESTS

Council Member Khambata stated he's looking forward to a parade on June 17. He's been seeing a lot of work being done around town, so he thanked all our staff for their good work, especially those who don't regularly hear that from us.

Council Member Thiede stated next week is Strawberry Fest! It's set up to be a fantastic time again this year with a very enhanced Family Night on Thursday, besides the tractor pull, and some food vendors. So, grab the kids and come on down. All of this information and all the time can be found on cottagegrovestrawberryfest.com; all online registration for events requiring that is also found there. Medallion Hunt: Starts on June 12. Carnival: Get your tickets online also, as the carnival should start setting up here early next week. Also, there will be a DJ, a magician, a balloon artist, the kids tractor pull, crafts, a drone demo by the cable commission, a bike demo, youth sports demos, and a chalk walk. It's just going to be loads of fun, we're really looking forward to getting Thursday, the Family Night, to be something really fun for the community and the families. Strawberry Fest 5K, Strawberry Fest Walk, and Strawberry Fest Softball Tournament: All take place on June 17; all events are listed on the website. Live Entertainment: Friday-CoCoNUT Tiger; people who know of them say they're fantastic, as well as Rhino, a really good rock band. Saturday: Ladies of the 80s, so there should be some fun songs there. Saturday night: For country fans, it's the Tim Siegler Band. Fireworks: Saturday night, at 10:30 p.m. Strawberry Fest Marketplace: We've had a fantastic response, with over 100 booths this year, which have filled up the soccer field. Food Vendors: We have 16 different food vendors, some of whom are new this year. All Star Wrestling: Is back again this year, on Saturday. Car Show: Is also on Saturday; Chuck Novotny, who's been heading that up, says there are a lot of good entries in that. Parade: Saturday morning, at 10:00 a.m.; there are still a couple spots available. If you want to get the neighborhood together, make a sign, and come walk in the parade. The application for that is also online. Button: Make sure you get your button, as there are sizeable winnings on the button raffle. There are going to be so many things this year, and we're looking forward to the weather cooperating; last year was fantastic, so you should all come out and have a great time!

Mayor Bailey stated on Sunday evening, June 11, at 5:00 p.m. at River Oaks, there will be a kickoff dinner. The judging for possible future ambassadors of Cottage Grove, who will ride in parades and represent our community, will start there. On Monday, June 19, the new ambassadors will have their coronation.

Mayor Bailey stated he loves what they're doing this year with the Family Fun Night, on Thursday, June 15, from 4:00 to 10:00 p.m., as the food trucks and the beer garden will be open, which is a first. He stated he's looking forward to it.

Mayor Bailey stated at our last City Council Meeting we had a closed workshop for a quarterly performance review with our City Administrator, Jennifer Levitt; we received good information from Administrator Levitt and the Council conversation with her went very well.

Mayor Bailey stated all three of our local high schools had graduation ceremonies this past Sunday, so on behalf of the Council, he congratulated the Class of 2023.

Mayor Bailey stated just a little over two weeks after the Strawberry Fest will be the Fourth of July. We'll have the Fourth of July fireworks celebration, provided by the Cottage Grove Lions Club, who will host the event. He wanted to once again thank the companies who donated money for the fireworks: Tennis Sanitation, Hy-Vee, Renewal

by Andersen, 3M, and NorthPoint, as each of them donated \$5,000. So, it's \$25,000 fireworks show that the Cottage Grove Lions are hosting. It makes us a true community when businesses of various sizes make donations, and it has a positive impact on our community.

13. WORKSHOPS - OPEN TO PUBLIC - None.

14. WORKSHOPS - CLOSED TO PUBLIC - None.

15. ADJOURNMENT

Motion by Council Member Khambata, second by Council Member Thiede, to adjourn the meeting at 7:25 p.m. Motion carried: 5-0.

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