

MINUTES

COTTAGE GROVE CITY COUNCIL

March 6, 2024

**COUNCIL CHAMBER
12800 RAVINE PARKWAY SOUTH**

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 March 6, 2024, 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 Garza-Here; Council Member Khambata-Here; Council Member Olsen-Absent; Council Member Thiede-Absent.

Also present: Jennifer Levitt, City Administrator; Tammy Anderson, City Clerk; Ryan Burfeind, Public Works Director; Zac Dockter, Parks and Recreation Director; Joe Fischbach, HR Manager; Pete Koerner, Public Safety Director; Korine Land, City Attorney-LeVander, Gillen & Miller, PA; Gretchen Larson, Economic Development Director; Brenda Malinowski, Finance Director; Amanda Meyer, City Engineer; Mike Mroska, Senior Planner; Emily Schmitz, 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

Motion by Council Member Khambata to approve the agenda; second by Council Member Garza. Motion carried: 3-0.

6. PRESENTATIONS

- A. Minnesota Law Enforcement Support Office (MN-LESO) Presentation
Staff Recommendation: Receive a presentation from Deputy Director Petersen to provide notice of controlled property Cottage Grove Public Safety may acquire in 2024 from MN-LESO program.

Deputy Director of Public Safety/Captain Brad Petersen stated he'll present the LESO annual briefing; this is the fifth time we've done that. So, he'll give a quick update on that program, and will look for a motion for continued support of that program at the end.

Captain Petersen explained LESO stands for the Law Enforcement Support Office program. It's a program at the Federal level that disposes of unwanted Department of Defense (DOD) property, and it hands that property out to Federal, State, and Local Law Enforcement Offices to continue to support our law enforcement mission. It is administered by the Defense Logistics Agency (DLA) and Minnesota's Homeland Security and Emergency Management office, locally.

MN-LESO Property

Within that program, there are two different types of property:

- 1) DEMIL A: Property is conditionally transferred to the Cottage Grove Police Department (CGPD) for one year, and then ownership is transferred to CGPD. Examples include AEDs, medical supplies, clothing, tools, things that generally have a lower property value and are sensitive to our national security. DEMIL A properties come with less strings, they're regulated less. They stay on our books for one year, and they're still available to support the State's Emergency Management Plan if they should need it; for example, if we had sandbags on our inventory and there's a flood in northern Minnesota, they could call on us to use those sandbags. After one year, it falls off our books and they don't care what happens to it at that point.
- 2) DEMIL B: Controlled property that is loaned to CGPD, but ownership is retained by the DOD. Examples include MRAP armored vehicles, robots, night vision, and rifle optics. Typically, these have a higher dollar value attached to them, and they are sensitive to our national security so those are regulated very strictly. At the end of our life with us, we have to return them and we have to maintain strict accountability of them.

Benefits

Over the past five (5) years, we have acquired significant amounts of property, all of which is available in the civilian and law enforcement markets, including:

- Significant caches of medical supplies and personal protective equipment (PPE);
- AEDs, rescue equipment, and First Aid kits for every patrol squad;
- Training and emergency management equipment; and
- Controlled property including an armored vehicle, ballistic protection, robots, and night vision.

None of them are weapons of war or military-only equipment. These are all things that we would have access to through our normal supply chains, but it would cost us a great deal of money. So, essentially, we've gotten all of this equipment and supplies actually

in the neighborhood of about \$10 million over the past five years that we've gotten essentially free. It comes with a great cost savings and it's helped us increase our preparedness and safety for our officers and the community. So, it's a great benefit to be a part of this program.

Community Support

Over the course of our life in this program, we've engaged heavily with the community to make sure that we're being completely transparent, giving the community an opportunity to provide feedback and ask questions. So, you'll see the MRAP and all of our equipment at many of our community events, such as the open house and basically all of our festivals. We're often engaging the public with this equipment so they are familiar with it. By and large, we've had overwhelming support from the community. There have been a couple citizens who ask questions, naturally, because they're interested in the program; once we explain the program, they're generally very supportive.

Program Changes

Two years ago, the Federal government changed the rules for the program. Two of the new rules were: 1) We have to provide notice to Council and 2) We also have to provide notice to the community on an annual basis that we intend to participate in this program, and we might continue to acquire Controlled Properties. So, that's the purpose of tonight's brief is to inform Council and the community that we are going to continue to participate in this program, pending Council's approval.

We already had the rest of these rules in place, so it wasn't a great change to us. We are required to do some training. There are many rules attached to this program, and we've adopted policy; we've essentially adopted the State and Federal requirements as our own policy.

Over the last year and a half, we hadn't acquired any new property, we just continue to name what we have previously acquired; in fact, there's not a whole lot of supply available right now. So, we're not actively looking to acquire any property at the moment, but we want to continue to participate in this program just in case a particular need arises or equipment or supplies suddenly become available in 2024.

Recommendation

Council, I'm asking for you to authorize continued participation in the MN-LESO program and approve Cottage Grove Public Safety to acquire controlled property.

Captain Petersen stated he'd be happy to answer any questions.

Mayor Bailey thanked Captain Petersen for the presentation. Since the beginning, personally speaking, I've been in favor of this program because the equipment that we've been gathering, medical supplies, ballistic shields, and the MRAP, would cost \$10 million. So, most of that we would have had to purchase as a community anyway. We as citizens already pay the Federal government or we'd have to tax our citizens more to get those things that we needed. All of those things that we've been able to acquire through this process are things that we needed and would have needed to purchase at some point in time. So, I do appreciate the fact that you're doing that. Mayor Bailey

asked do they keep you up to date on what property is available, like a website, in case there's something on there that the Public Safety Department could use.

Captain Petersen replied there's a website that lists on a daily basis all the property that's becoming available. I stopped looking at it currently, just because I know there's nothing available. But when I was very active, I'd go on it every day and search through the new inventory. Once you see something is available, it's kind of a first come, first served, whoever puts in for it first gets it. There are layers of approval that it needs to go through, but it's all based on the website.

Council Member Khambata stated I know that some of this stuff is otherwise hard to obtain and expensive, so, from a budget standpoint, it's hard to obtain. How has this program our first responders be more prepared in their response to various types of emergencies that we encounter in our community.

Captain Petersen replied I would say there are a few different ways: The first being training supplies and equipment; we've acquired a great deal of training supplies and equipment that we've supplied the HERO Center with and our officers train with on a regular basis. So, it prepares us from a training standpoint. Secondly, PPE. There are incredible amounts of all types of PPE, from N95 masks to biohazard protection to ballistic protection, every manner of PPE you can imagine we've gotten. As Mayor Bailey referenced, we have ballistic protection shields, blankets, body armor, an armored vehicle, incredible amounts of rescue equipment and safety harnesses. Literally, any type of rescue equipment you can imagine we've acquired through this program. So, it makes our officers safer and the community safer. Also, robots, all kinds of gadgets, things that we can introduce into the house or survey a scene with so we don't have to put officers or people into harm's way.

Mayor Bailey stated it's a very good program and it's benefited our community.

Council Member Garza stated you mentioned some of the uncontrolled merchandise that you all have. After the year, are you still continuing to use it or is it being recycled or what are we doing with that.

Captain Petersen replied as long as we're continually using it, we just maintain accountability of it, and we get audited every year. The State and/or Federal government comes in, looks at our books, and does a physical audit. So, as long as we're using it, we keep it. The minute we stop using it and we don't have a use for it anymore, we send it back.

Motion by Council Member Khambata to authorize continued participation in the MN-LESO program and approve Cottage Grove Public Safety to acquire controlled property; second by Council Member Garza. Motion carried: 3-0.

7. CONSENT AGENDA

- A. Approve the February 7, 2024 Regular City Council Meeting Minutes.
- B. Accept and place on file the minutes from the October 10, 2023, meeting of the Advisory Committee on Historic Preservation.

- C. Accept and place on file the minutes from the January 22, 2024 Planning Commission meeting.
- D. Approve the November 28, 2023 Convention and Visitors Bureau Meeting Minutes.
- E. Approve the Gambling Permit application from Accacia Lodge to hold a raffle on October 5, 2024, at 11094 70th Street South at 6:00 p.m.
- F. Approve of the purchase with Tyler Technologies for the addition of Tyler Utilities Pro to be used with the City's Tyler ERP system.
- G. 1) Approve the City of Cottage Grove's participation in the Minnesota Incident Command System (MNCIS) Organization/Incident Management Team. 2) Approve the Intrastate Mutual Aid Cooperative Agreement between the Minnesota Department of Public Safety, Homeland Security and Emergency Management, and the City of Cottage Grove.
- H. Approve the contract extension with Mike McPhillips, Inc. for the 2024 Annual City-Wide Sweeping project.
- I. Approve Change Order #1 to include lighting improvements along the Mill and Overlay portion of East Point Douglas Road, and increasing the contract total by \$334,103.95 to a total contract amount of \$8,926,256.10.
- J. Adopt Resolution 2024-036 approving the plans and specifications and establishing an April 4, 2024 bid date for the Jamaica Avenue Mill and Overlay Project.
- K. Adopt Resolution 2024-037 approving the Minor Subdivision of a 13.95 acre parcel of land at 9826 East Point Douglas Road South into three separate parcels.
- L. Approve the issuance of rental licenses to the properties in the attached table.
- M. Adopt Resolution 2024-039 confirming no new Environmental Assessment Worksheet is required for the Rachel Development, Mississippi Landing Development project.
- N. Adopt Resolution 2024-040 revising the bid date from March 7, 2024, to February 29, 2024, for the Mill and Overlay Project.
- O. Adopt Resolution 2024-041 awarding the Well 9 Maintenance Project to the accepted quote supplied by Bergerson Caswell, Inc. in the amount of \$114,075.00 and authorize execution of the Agreement for Contractor Services.
- P. Approve Resolution 2024-042 authorizing a service agreement with Total Mechanical in the amount of \$76,920.06 for the replacement of the West Rink Condenser Unit.
- Q. Approve Resolution 2024-043 establishing a March 20, 2024, Public Hearing date to order the 2024 Pavement Management Project.

The Council Members did not wish to pull any items on the Consent Agenda for further comment and/or discussion.

Motion by Council Member Garza to approve the Consent Agenda; second by Council Member Khambata. Motion carried: 3-0.

8. APPROVE DISBURSEMENTS

- A. Approve payments for the period of 2-16-2024 through 2-28-2024 in the amount of \$2,982,349.68.

Motion by Council Member Khambata to approve disbursements; second by Council Member Garza. Motion carried: 3-0.

9. PUBLIC HEARINGS - None.

10. BID AWARDS - None.

11. REGULAR AGENDA - None.

12. COUNCIL COMMENTS AND REQUESTS

13. WORKSHOPS - OPEN TO PUBLIC - None.

14. WORKSHOPS - CLOSED TO PUBLIC - None.

15. ADJOURNMENT

Motion by Council Member Khambata, second by Council Member Garza, to adjourn the meeting at 7:13 p.m. Motion carried: 3-0.

Minutes prepared by Judy Graf and reviewed by [Name].