

COTTAGE GROVE CITY COUNCIL

12800 RAVINE PARKWAY SOUTH

COTTAGE GROVE, MN 55016

COUNCIL CHAMBERS - 7:00 P.M

October 16, 2024

1. CALL TO ORDER

The City Council of the City of Cottage Grove, Washington County, Minnesota, held a regular meeting on October 16, 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-Here; Council Member Thiede-Here.

Also present: Jennifer Levitt, City Administrator; Tammy Anderson, City Clerk; Ryan Burfeind, Public Works Director; Zac Dockter, Parks and Recreation Director; Conner Jakes, Associate Planner; Pete Koerner, Public Safety; Aaron Price, Attorney-LeVander, Gillen & Miller, PA; Brenda Malinowski, Finance Director; Crystal Raleigh, Assistant City Engineer.

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 Thiede to approve the agenda; second by Council Member Garza. Motion carried: 5-0.

6. PRESENTATIONS

- A. Terrance Patrick Cahill Award Recognition - Officer Sorgaard and K9 Odin
Staff Recommendation: Recognize Officer Matt Sorgaard and his partner, K9 Odin, for their Achievements at the USPCA National Field Trials.

Sergeant Nils Torning stated this evening I'm here to discuss the recent accolades of Officer Matt Sorgaard and his K9 partner, Odin. Officer Sorgaard was paired with Odin at the beginning of last year; during that time, he trained with the Washington County Sheriff's Office and they got him up to speed to be a patrol dog team. This past June, he attended his first Regional Trial, we certify with the United States Police Canine Association (USPCA), which is one of the hardest certifying boards in the country for police K9s; at a Regional Trial, he did fantastic and obtained

a fifth place overall finish and obtained the Top Rookie Dog Team Award, and that's for the top new handler-new dog combination. In addition, he also received a Nationals qualifying score.

At that point, Officer Sorgaard expressed interest in wanting to go to the national competition, which was held in Baton Rouge, Louisiana, at the start of October. The Public Safety Board was able to assist us in funding so he could make the trip down there to compete. There were 67 K9 teams in attendance from across the nation; they're all the top K9 teams from the qualifying Regions. The certification test consists of the same thing as the Regional Certification Trial, which is Obedience, Article Search, which is searching for evidence, Box Search, which is searching for human odor, and Apprehension events. During the event, Officer Sorgaard did absolutely fantastic with his partner, Odin: He received first place for the Top Overall K9 Team and the combined apprehension score. He also received the Terrance Patrick Cahill Award, which is a prestigious traveling trophy, and that's for the highest combined scores in obedience and apprehension work. He just barely missed the Top Overall Honors, receiving second place of the Overall K9 Team, just getting edged out by Washington County's Deputy Brandon Yetter and K9 Huck, who happened to be his trainer for K9 School when he attended last year. So, I think Washington County left a little on the table for us, but we'll work on that in the future here.

Officer Sorgaard and Odin are a fantastic team, and they've done very well. Generally, Rookie K9 Teams don't even go to Nationals, there's no Rookie Dog Award because most don't go; it's usually the more experienced handlers and more experienced dogs. To go as a Rookie and get second place overall and win many of those awards is absolutely fantastic. It's something that we're really proud of for Officer Sorgaard and Odin.

We again would like to thank the Cottage Grove Public Safety Board, as they help fund our K9 unit and they helped with the purchase and training costs of Odin and Officer Sorgaard. They also assisted us with the travel expenses to get to Baton Rouge, Louisiana. So, I'd like to just have a round of applause for Officer Sorgaard and K9 Odin, and everyone applauded.

Mayor Bailey said it is amazing when you think about how far the two of you have come. I remember about a year ago when we were at Strawberry Fest and he decided he didn't really want to do any work anymore; so, it was like, oh, my goodness, this is going to be fun. This is just amazing, and you acknowledged this already, but I do want to recognize the Public Safety Board because that was one of the issues, he wanted to go, and it proved extremely beneficial, as National Award winning is unbelievable. So, thank you to the Public Safety Board for helping finance our K9s within the City of Cottage Grove but also for this latest trip down to Baton Rouge so they could compete. You should all be proud, I am, that within the City of Cottage Grove we have the best of the best. It's not just best of the best for our officers, but it's also our K9.

Council Member Olsen asked do we maybe want to get a picture with the Public Safety Board, is that okay? Mayor Bailey said absolutely, so come on up. Photos were taken with the Public Safety Board, Officer Sorgaard and Odin, Council members, and other police officers present, and everyone applauded.

Mayor Bailey said thanks again and fantastic job!

7. CONSENT AGENDA

- A. Approve the September 4, 2024 City Council Regular Meeting Minutes.
- B. Accept and place on file the minutes from the August 13, 2024 meeting of the Advisory Committee on Historic Preservation.
- C. Authorize issuance of a single-occasion gambling permit to Mississippi River Valley Beyond the Yellow Ribbon to conduct a raffle at 12800 Ravine Parkway on December 1, 2024.
- D. Adopt Resolution 2024-144, Accepting donations for 2024.
- E. Approve the Accelerated Firefighter/Paramedic Recruitment Program agreement for Mike Dandle and Sam Anderson.
- F. Authorize staff to place the order of two Greensmaster eTriflex mowers in 2024 with receipt and invoicing to occur in 2025.
- G. Adopt Resolution 2024-148 restricting parking on the north side of 90th Street extending from Hadley Avenue to Greene Avenue, Monday through Friday, 7:00 a.m. to 9:00 a.m., and 2:00 p.m. to 4:00 p.m.

- H. Adopt Resolution 2024-149 approving the placement of stop signs for northbound and southbound traffic on Hemingway Avenue at 79th Street, which will make the intersection an all-way stop.
- I. Approve the Memorandum of Understanding between Ravine Parkway LLC and the City of Cottage Grove.
- J. Approve the Agreement between Washington Conservation District and Members of the 2025-2027 East Metro Water Education Program (EMWREP).
- K. Approve the 2025-2026 Service Agreement between Washington Conservation District and the City of Cottage Grove.
- L. Approve the Stormwater Management Facilities Agreement between the City of Cottage Grove and Independent School District #833.

Council Member Olsen wished to pull Item D, Accept Donations, on the Consent Agenda for further discussion and/or approval.

Council Member Olsen said this item is a recommendation to adopt a resolution accepting donations for 2024; we do this periodically throughout the year as donations come in, and we always like to take a minute to just recognize the people who are making an investment here in the City of Cottage Grove. In this case, it is a donation of \$2,000 that was received from Chris Gehrman for one of our memorial benches in remembrance of Cole Gehrman.

In case you're not aware, our Parks and Recreation Department has a program through which you can ask for and receive a memorial bench to be placed in one of the City parks; they're a really nice way for people to remember loved ones they have lost. I've seen a lot of memorial benches out there, maybe placed in their favorite place, and they can sit and talk to the person that the bench memorializes. I think it's a very meaningful thing that we do. If you know of anybody who might be interested in that service, you can reach out to our Parks and Recreation Department, just call City Hall, 651-458-2800, and ask to be transferred, and they'll help you with that.

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

8. APPROVE DISBURSEMENTS

- A. Approve disbursements for the period of 9-27-2024 through 10-10-2024 in the amount of \$1,561,696.95.

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

9. PUBLIC HEARINGS

- A. Tall Weeds Assessment Hearing
Staff Recommendation: 1) Hold the Public Hearing. 2) Adopt Resolution 2024-142, Adopting Service Charges for the Removal of Noxious Weeds and Plants from Private Property.

Brenda Malinowski, Finance Director, stated this evening is a Public Hearing for Noxious Weeds, and we do this through our City Code process, specifically regarding plants and weeds in Zoning Districts. We state that on platted or developed lands within the City limits, it shall be unlawful to allow or permit any growth of grass or weeds to a height greater than 8 inches. We have a method to abate those conditions, and I have the process here to review with you:

Our Code Enforcement Officer mails a notice to the property owner with 5 days notice to abate those conditions, and that happened 83 times in 2024. If that property owner does not abate those conditions within that timeframe, the City hires a contractor to abate the conditions, and that happened 12 times in 2024. An invoice

is then sent to the property for the cost that the City incurred to abate those conditions; the property owner then has the ability to pay that invoice. If they don't pay it, then we go to Minnesota Statute Chapter 429 process, and that's where we are this evening. At the last Council Meeting, we declared the costs, we sent a notice to these property owners of the Assessment Hearing tonight and published it as required. So, tonight we're here to hold the Public Hearing. Once the assessment is approved, again the property owner will get another notice with 30 days to pay. If they do not, then we would certify it to be collected with the 2025 property taxes.

Mayor Bailey opened the Public Hearing.

Nancy Pryzbilla, 7764 Jocelyn Avenue South, Cottage Grove, stated as Director Malinowski was reading that, now if they have a wooded area in their yard, you can't take out the buckthorn and the other weeds that are like up to hear is what I'm trying to figure out.

Administrator Levitt stated with that specific item, it might be better for staff to address. These residences that are specifically on your roll this evening were in a maintained, more manicured state; none of them were related to buckthorn or wooded areas just for clarification.

Mayor Bailey said I was going to say I don't think if it's something that's tucked behind a house or something like that we typically don't get involved in that. It's more of what's being seen from the street.

Ms. Pryzbilla said, oh, from the street, so if it's in the back yard it doesn't apply.

Mayor Bailey said if a neighbor is complaining, we might talk about that, but I don't know, honestly, if we've actually been in there. He asked Conner Jakes, Associate Planner, to speak on this as I know you're the one who kind of helps with this.

Associate Planner Jakes stated generally Code Enforcement, just for overall processes is complaint driven for the most part, whether that's front yard or back yard. However, we do work with property owners as the process indicated; generally, it is specifically related to the grass height; weeds would fall under kind of a separate category, still 8 inches, but we work with property owners on that for the buckthorn removal. All the letters referenced tonight are properties related specifically to grass as the ordinance indicates, but generally it's grass related.

Mayor Bailey asked Ms. Pryzbilla if that answered her question and she said sure.

As no one else wished to speak on this item, Mayor Bailey closed the Public Hearing.

Motion by Council Member Thiede to Adopt Resolution 2024-142, Adopting Service Charges for the Removal of Noxious Weeds and Plants from Private Property; second by Council Member Khambata. Motion carried: 5-0.

B. 2024 Pavement Management Hearing

Staff Recommendation: 1) Conduct the Public Hearing for the 2024 Pavement Management Project. 2) Adopt Resolution 2024-143, Adopting the Assessment Roll for the 2024 Pavement Management Project.

Ryan Burfeind, Public Works Director, stated tonight we're hear to discuss the 2024 Pavement Management Project and kind of the final step in our process throughout the year and our Assessment Hearing. We always like to talk about the history of pavement management, and this map goes back to 2010, but pavement management has been happening since the mid-1990s with implementation of our Special Assessment Policy through our Infrastructure Management Task Force. So, there's a long track record of doing these residential-type projects, along with some main roads that we've done as well throughout many decades here in Cottage Grove.

The project area this year you can see on the map, just north of 80th Street, construction ranged from 1990 to 1994, so these were 30-to-34-year-old streets that we were completing the project on this year. What I really want to touch on from my perspective, before I turn it over to our Crystal Raleigh, our Assistant City Engineer, is talking about a couple of challenges we had this year and some more things we heard from the residents in the neighborhood; I really just want to speak to those directly.

First is the project schedule, and as we go through a project like this, we do a lot of notices on what's happening, what's the upcoming work, and we certainly heard some concerns from residents on how that changed throughout the summer. A lot of that was obviously rain delays; previous to this year, we had two years of very extreme droughts. This year, fortunately, for a lot of good reasons, we had a lot of rain, and it does make construction a challenge. I looked between the months of June, July, and August, and there were 39 days with rain; so, you're really talking every other day or every third day with rain. In Cottage Grove directly, we had about 22 inches of rain, with the average being 13; so, we didn't quite double our summer average, but we were close to double. Unfortunately, that has a major impact on projects like this, as a lot of work we physically can't do while it's raining, and with some of the work, we have to let the work dry out, like when it's a gravel base you can't be paving when it's saturated. So, that certainly had an impact this summer. I do apologize to the residents for that because it's something that's out of our control, but we still want to deliver the project as fast as we can. I will say that the final substantial completion date with that wear course paving was set for August 30, and we did that on August 20; so, even with the rain, we still met our deadlines that were set in the contract.

Director Burfeind said the other one is curb damage. When we're done placing that new curb, and we put that first layer of asphalt, we have a big process there with a lot of equipment, and a big part of that is rolling that, getting that density, and getting that rolling pattern right up to the curb. Really, one of the failure points is actually where that pavement meets the curb, so it is very critical to get close. Something we do always see in any project is some damage to the curb; after that's done, that requires some replacement. Unfortunately, with this project, we saw a much greater extent due to the work that the contractor did; so, about 15% of the curb had to be removed and replaced after that first base course of paving was done. This is something that the contractor did fully at their cost, there was no additional cost to the project, to the City, or to the residents from that. There were also additional impacts to driveway access, so although there was no cost, I do acknowledge that there certainly was an impact to the everyday lives of the folks in this neighborhood; that's another thing that I'd like to apologize for, it's something that maybe the City didn't cause, but it's still our project and we have to own that. I just want to really make mention of that directly. There was obviously some additional restoration reseeding that needed to be done and irrigation work, and that's something that was also done by the contractor at no cost. So, while there was not the monetary side of it, there was certainly the impact to the daily lives of our residents, so I just wanted to make mention of those two issues.

With that, I'll turn it over to Crystal Raleigh, Assistant City Engineer, and she'll talk more about some project specifics and then the assessment process. Mayor Bailey said sounds good, welcome Crystal.

Crystal stated I appreciate Ryan talking through some of our project challenges, and I'll talk through some of the project successes that we had. I'm going to share some before and after photos of the project: This is Jenner Avenue in front of you, and in that before photo, you'll see a lot of that cracking, a lot of patching, and then in the after photo, we've got a nice, new, smooth mat of pavement out there. Jocelyn Avenue had a lot of pockets where water can collect in that before photo and get in there and freeze and break up that pavement. In the after photo, there's a nice smooth pavement again. You'll see in the before photo, kind of way in the back, you can see a manhole, and we were able to address several issues that we had out there with utilities with this project, so that was a success. On 79th Street, again more cracking, more patching, and I would note that the curb was 100% replaced with this project.

The total project costs came in at \$1,122,149.32; this bill gets paid between a variety of sources. Several sources are our own Utility Funds, so the Sanitary Sewer Utility, Water Utility, Stormwater Utility, and Streetlighting funds pick up significant shares of this project cost. Also, the General Levy does pay for a portion of the costs; on this one, the General Levy pays \$488,048.71. The assessments, if approved tonight, would pick up the remainder of \$502,685.69.

On the screen are the assessable properties within this neighborhood, we had 79 assessable properties. You'll see the two skinny blue slivers there, and those are City park properties, and the City does pick up the costs for the street improvements in front of City properties, so that is not included in that calculation to be assessed.

Like I said, there are 79 assessable properties, in our Assessment Policy, we refer to these as Residential Buildable Lot Equivalents (RBLEs). The estimated assessment back at the beginning of the project, earlier this winter, was \$6,647.65, and then every year the City does a Special Benefit Appraisal (SBA) to see what type of benefit the properties would have by having a nice, fixed street in front of their house. The SBA supports about

\$7,500 of a benefit, so we never assess more than that amount, so our proposed assessment is in line with that. The actual assessment came in at \$6,363.11, so we came in a little under budget on this project, so it dropped a little bit. If the property owners choose to pay this over 15 years, the average annual payment would be \$591.40.

Assessment Terms: If this is paid by November 15, there would be no interest charge if it's paid in full. Partial payment is allowed, so a property owner could pay any portion more than \$500 towards that assessment, and then the remaining unpaid portion would be payable over the next 15 years; that is subject to an interest rate that is 1.5% over our bond rate, so in this case, the interest rate would be 4.8%. Finally, deferral is available for those that meet the qualifications: Disabled, Military, 65 years of age or older; proof is needed for deferrals, and if anybody is interested in that, they can work with our Finance Department and Engineering to get that set up. It's important to note that interest does still accrue during that deferral period.

One more thing I wanted to note is we did receive two objections to the assessment, and the City Attorney is here to speak to those objections. With that, the recommendation is on the screen before you, and I'll stand for questions.

Mayor Bailey asked if we wanted the City Attorney to speak on the objections first. Administrator Levitt replied the two objections are in writing, in front of you, for this evening, and so that's just to put those into the record. At this time, we'd be willing to stand for questions after you open the Public Hearing.

Mayor Bailey asked if there were any questions for staff at this point from Council; none were asked.

Mayor Bailey opened the Public Hearing. He stated he'd read the names of those who signed up to speak. He asked that they give their name and address for the record and would have up to three minutes to speak or ask questions. Our staff will take down some notes, and after all comments have been heard, staff will provide any feedback to those comments.

Dan Sullivan, 7869 Jenner Avenue South, said I'm a 60-year resident of Cottage Grove. I'm here to actually request the Council to consider putting off a vote on a proposed amendment of the Prestige Estates pavement 2024 until January, 2025 or early spring. The reason for this request is we, the citizens of Prestige Estates, just literally got the notifications of the assessments in early October, and that only gives us 2 weeks since then. It really doesn't give us enough time to examine the assessment rolls as citizens. So, I would like to request that that be put off until January or early spring. I also believe that the citizens in the neighborhood would appreciate delayed payment of the assessment until after the holiday season. I realize that this will create a strain probably on the finance of this project and the City staff having to redo a number of notices and communications with the County. I would also like to request a meeting with the City staff and the homeowners of Prestige Estates. As a longtime resident of Cottage Grove, I've seen many of these projects, my parents, my in-laws have all seen these projects go on, and this project did not go off as we thought it should have gone. I do appreciate the acknowledgement that it didn't go as well as it could have. Some of the things that we kind of noticed is that the curbs were installed lower than the original; so, what you actually get is instead of it being sloped right in, now you get kind of like this little dip now right where it comes in, which causes a tripping hazard. Not all of our curbs are what I like to call the curbs of many colors because of the amount of curbing that had to be replaced, I think it's more than 15%, at least it was on our street, it was probably closer to 50%. So, now, as you look down our street, the curbs are all different colors and if you look down it straight, they're actually not even straight, they actually kind of have a little wave to them. My other question or my other concern or the neighbors' concern was the original paved road needed to be cut up, patched up, and got beat up during the construction process to install the new curb sections. It kind of makes a lot of us wonder what kind of warranty are we going to get with this? A lot of us are being assessed 15% for over 15 years, we just don't want to have to redo this in 15 years. I mean we've already paid for it once, this thing's already been patched up, put together kind of mothballed, so I think we'd like to have some kind of reassurances that this thing is going to last for the time that we're paying for it. Another question was the neighbors' parking was very limited; so, my question would be can the construction equipment not be parked on the site? Can it be in the future projects maybe moved to the Public Works Department? A lot of times our parking is limited, and then we end up having to park even farther away because the construction equipment is sitting close to where we happen to live. The other thing that was brought up was the communication from the contractor on start dates was very poorly communicated. There were a couple times when they said on their website they were going to

start on a Monday, and literally they were out there on a Friday afternoon, when everybody had gone up to their lakes; so, a lot of neighbors had to run around and try to get people's cars moved so they would still have access to them as this was being taken out. Lastly, I am currently a consultant for the electric company, and I'd like to suggest you find a new security measure for the streetlight's splicing boxes. What's in place can easily be accessed with a socket wrench, and the copper cables can be easily stolen out of the conduits; so, I think you've got some security issues there. That's all I had, thank you very much.

Eli Weinmann, 9488 79th Street South, said I'm here just to talk about one thing, and that is to explain why the special assessment is illegal. It boils down to just the requirement that the City has to prove that there's a special benefit. So, they claim that the special benefit is given to us because the repair had increased our property value by at least \$6,300. The City has not provided proof that the property values went up nor will they until this goes to District Court, so I'm just going to put aside the amount for now and just assume or pretend that the City feels that our properties' values did increase. If a newly-paved road increases property value, that means than an older, degraded road decreases property value. This property value increase, assuming the City proves that there is one, is only realized if the homeowner sells their house at that moment in time when the road is new. Should the homeowner stay for another 30 years, the road is once again damaged and that means that the residents would have paid \$6,300 and they would have gained \$0 in special benefit. And now the City is once again going to ask them to pay for another road repair and claim that it's going to raise their property value. I want to point out a couple of items that Council Member Olsen said during the last hearing that approved the road repair, I quote: *"I'm a taxpayer, you're a taxpayer, my kids go to school, your kids go to school. The City has assets it has to protect, that's why we have a Police Department, that's why we have a Fire Department, that's why we have a Public Works Department, all us taxpayers pay into that."* He went on: *"Part of the responsibility of the local government entity is to ensure every street in the City, which our assets are in good shape, because that allows us people to live in a community that people want to live in and feel safe and comfortable."* A couple things that I find very interesting about these statements, he listed all the things which the City maintains via taxes, suggesting the road repair fits into the same category. He also mentioned that the responsibility of local government is to ensure streets are in good shape. Lastly, he said that the reason to keep the roads in good shape is to allow the people to want to live here, a benefit for the City. A reason Council Member Olsen never mentioned for the road repair was to provide a special benefit to the residents. At the same hearing, when we questioned the special benefit, we were accused of not wanting to pay our fair share or wanting others to pay for the road, a gross misrepresentation of the challenges we brought up. It's not about not wanting to pay for our fair share, it's about doing it in the correct way, in a way that abides by the Constitution of Minnesota. The illegal use of special assessments to maintain roads needs to stop, you're taking advantage of citizens that don't know enough about the topic to challenge the predatory practice. Set taxes at the correct level in order to pay for the road repairs, that'll give you a better idea of what the actual taxes are and perhaps a lot of City officials to think twice before bragging about the low level of taxes, something that also occurred in that meeting. So, today I fully expect the Council to approve the special assessment, not because they believe that they are in the right, but because it's the easy way, it's the way it's been for many years. The alternative would mean doing actual work to change the process to balance a new budget, to raise taxes. So, if you sit here and legitimately tell us that you believe there's a special benefit to us, the citizens you serve, you are lying to us, you are lying to yourselves. If you choose to address the items I brought up, we don't need to hear anything about paying our fair share, we don't need to hear any speeches about how we are one City, all we need to hear is one thing, and that's explain how we are receiving a special benefit knowing that the road will degrade, reducing any property value gains, if any, and requiring another road project in the future.

Jake Robinson, 9501 79th Street South, stated just to piggyback off of what Eli said as well, I'm here to petition that we do not adopt the assessment. There is no special benefit that a new road has to our properties, it's insulting to pretend that it does, it doesn't. In preparation for this, I actually had two appraisals done on my property, one before and one after, and it's less than \$1,000 property value, not \$7,500. I took some pictures of the road, which apparently need to be replaced because they could potentially fail. Its never going to fail, that road was plenty thick, plenty fine. St. Paul Park has never replaced any of their roads, they don't have the same thing where they go through and shake the property owners down; their roads could never fail, and I spend a lot of time down in St.

Paul Park. When you talk about special benefits, what about fire stations? What about properties near a fire station? Do we shake down those property owners because they're all just real close to fire, therefore the Fire Department doesn't have to go as far to service their house in case of a fire? And then also to piggyback off of the tax portion of it, how many assessments did we do this year, one? Just ours? If you spread that out amongst how many property owners and business owners in Cottage Grove, I don't think that equates to \$500 and some dollars for a property owner. I think if we do it the right way, spread it across, you can still do the work you want to do without lumping somebody with a \$6,500 bill that needs to be paid. And also to piggyback off of it, I don't know how the \$7,500 special benefit was attributed, but I'm assuming it has to do with aesthetics, and that goes right into what we're talking about here. The curbs are not exactly how they're supposed to be, they're not lined up, they're all different colors. The driveways don't match the concrete in the driveways anymore, so what does that have? What benefit does that have to the property owner now? There is just no logic to this, there's no logic, there's no reason to it. I think this is just how it's always been done. I can't find any records that it's ever been challenged in District Court, and I plan to explore all options in doing just that. Thank you.

Nancy Schouveller, 7929 Jenner Avenue South, stated I just wanted to address Lake Jenner in front of my home and several other neighbors. It was very destructive to our property. I don't know what happened during construction, I know they put silt lining in the sewers there, I don't know if 79th or Jocelyn had their own private lakes, I do not know, but ours was terrible. Over Labor Day weekend, we had all that torrential rain, and we have a camera out in front of our house, and we were out of town, and it went all the way up to our boulevard tree and past and washed out everything that they did. I know my husband was in contact with you, thank you for your assistance in that. But I don't know if it's been fixed because we haven't had the major rainstorm, and I don't know if we're going to encounter that again where it's going to wash out our boulevards and destroy, I mean, it's terrible, it was way past; so, I don't know if that has been addressed and if other property owners on the other streets had that issue. But with the pavement being not necessarily straight and the curbs, I don't know for drainage issues if we're going to have that in our quadrant going forward. So, that is a concern, thank you.

Steve Gunderson, 7774 Jenner Avenue South, I was the lucky one where Phase 1 ended at my property and Phase 2 started at my property, so I got to deal with it the whole shot. I live next door to the sod father, he's crazy about his lawn, it's been hellacious with this whole summer, it's been bad. I was told my grass was going to look like, 'cause I have to work hard to keep my grass, to keep up with that guy; I was told my grass was going to be restored to the level that it was before. They put topsoil down and made a little dip for me, so now I've got this dip; I bought my own sod, Dan coordinated sod for all of us on our street, we paid our money to get it, we laid it, and then they came out and ripped up the curb. They just painted it pink. I wanted to say to them just leave it, I'm good, 'cause I didn't deal with the sod again. Now the only piece of sod that looks good is the stuff that the contractor laid after the fact, right? The stuff I laid looks like garbage because they put topsoil down, and then it rained, and then it sank. I mean, it's really, really frustrating. So, you're gonna do what you're gonna do, but it's just really frustrating the way that this whole thing went down. It was really bad. Thanks.

Dan Schouveller, 7929 Jenner Avenue, stated Myron has seen the videos, Myron has seen, we've been in communication. The contractor did come out after, did take care of things, but you know, it is so late in the season to try to seed or to do any of this, I did go out and I did buy sod from Gertens, and I sodded my whole front because I knew it's too late, 100 bucks out of my pocket. And I think at the end of the day, having 3 guys come out, drop dirt, drop seed, everything they were doing they probably coulda did sod for a whole lot less money, and I'll leave it at that.

Mayor Bailey said thank you, I think we'll speak to that in a little bit here.

Duey (Duane) Peters, 9497 79th Street, stated I just kind of wanted to get in on the workmanship, the communication. I, like a lot of neighbors here, resodded their yard only to get pink lines put on the curbs and all the sod come out again, so we got to do it again. In that letter, they said that they would fix sprinklers if they wrecked 'em; I dug mine out, put flags around 'em, they still tore 'em off, no one fixed 'em. So, I think that the integrity of the road is also compromised; I mean, if you take a trencher and lay it down in a road, you're not

compacting the soil back to what it was when the big machines were doing it. So, in my opinion, every place you pulled them curbs out, they ain't gonna last 30 years, they're gonna start sinkin' and they're gonna fall apart 'cause water's gonna get in there, it's gonna erode underneath there. I guess my question is, is did the City properly vet this company that did this work? Because I can guarantee you that, someone from the City told me that whoever did Phase 1, the crew that did Phase 1 was kind of a hack, or I can't remember the term he used, but I've got news for you, that wasn't their first job. So, someone must've known that this crew was not that good because when you look around on Jocelyn, their job turned out pretty nice, for the most part. They have a few curbs that were bad, but I'll bet on 79th Street we took out 50% or better. So, I guess my question is does the City actually look out for the homeowners here, or do they take the lowest bid, and now we're suffering the consequence of it because, granted, I ain't gonna see that road deteriorate, I'll be out of there long before that. But Jake and Eli and some of these younger ones, they're gonna be there and probably get assessed again before we get to that 30-year mark. So, I guess my point is what did we really do here, did the City really do what they're supposed to do to make sure that we got what we're actually paying for? And the price, we've talked about the price, and the price is the price, but did the homeowners really get what they had comin', or did they just kinda get passed over? I mean, there were places where they wouldn't put the wings on the driveways, and the guy told me the reason he didn't wanna put the wings on my driveway was because the seams on the curb didn't line up, because they were formed the other way. And I said, come on, dude, I mean, you put the wings on there. Down the street, they put one wing on one side, didn't put one on the other. So, I guess whoever vetted this company probably needs to look at their question and answer period again just to see, ya know, 'cause this wasn't, this didn't turn out the way it should have. So, that's all I've got to say.

Milissa Fortuna, 7909 Jenner Avenue South, stated I just wanted to piggyback off the communication regarding when they had to rip up the curb to redo it. You know, we were super diligent in making sure that we followed the rules about when they first laid the curb, don't drive over it, 7-to-10 days, make sure you park your cars out because you will not be able, you will damage the integrity of the curb. So, we were very respectful of that. They came in, they tore up the curb that they needed to tear up because it was not to the quality that it needed to be. Nothing was flagged off; we had to take it upon ourselves to protect the sections in our yard that they had replaced with whatever sticks were left over, whatever you call the tripods or whatever they're called with the lights, to make sure that it was protected so nobody would park on it and nobody would drive on it. Nothing was ever communicated now you can drive on it again. It was almost like that curbing, it was put in, and we were never communicated when we could go over it again. So, I feel that the integrity of the new curbing that was put in or the replacement curbing that is of concern, as some of the other property owners mentioned, what is the integrity? How is it going to hold up? And I just wanted to make that known that the communication on that was really not what it should have been. So, thank you.

Mayor Bailey asked if there was anybody else who wished to speak, and there was not. He stated before I close the Public Hearing, he stated we'll start with Administrator Levitt and then kind of work our way around, and then maybe Council might have some questions, too.

Administrator Levitt said I think what we've heard tonight is definitely the challenges that we had in regards to our communication, working with our contractor, and as we started off this evening, we started off acknowledging it didn't go well. As I like to say, we had an operator on a roller who had a really bad day, and that, unfortunately, affected our residents, and so for that we apologize. I will reiterate they did not pay for it, the City did not pay for it, taxpayers did not pay for it. Those that put in their sod themselves, the contractor did work to replace that and to replace the irrigation. Sometimes they didn't do a good job, right? And, so, unfortunately, we tried to do something right and they still got it wrong. So, it has taken a lot to continue to refix that. I know the Engineering team will address things more specifically in the items, but I do want to continue to acknowledge our apologies for that. You know the hundreds of miles of pavement that we've replaced over the years and have heard many stories, but maybe not as hard as this evening, and so we do apologize for that.

In regards to the contractor, they were the low bid on the project, and Engineering can speak to it more, but they are a contractor that's worked in our community many times and we have not had this issue. So,

unfortunately, if you can think in your mind having a bad day, that roller operator had a bad day, and they did strike the edge of that curb; that curb replacement really is important to ensure that we get the sealing of the asphalt to the actual edge of the curb so we don't get penetration of water there. So, that is actually extremely important to us, and so that's why we did hold the contractor to that standard. I'm sorry, mayor, you can tell that my engineering side of me just wants to go through a lot of the engineering, so I will stop talking about engineering and go back to some other items.

The first resident indicated the challenge regarding paying this assessment. Council, I know when you look at a \$6,000 assessment, I know that gives you pause, right? That is a large number, and especially when you look at a full curb replacement that is a hefty assessment. I know that you're all looking at it with pause, and that any decision tonight you would make, you don't make lightly, because that is a burden that our residents have to pay. But as we go through, for consistency with our policy with 45% assessment to the residents, I would caution you that consistency is extremely important; as Ryan says, we have assessed projects since 1996.

In regards to delaying, there's a few challenges: First of all, you know that you have set your Preliminary Levy for 2025. You cannot go higher on that levy, you are now capped. When you adopt your Final Levy, you can always go down but you cannot go up. In that levy, you already took into account what the debt issuance would be for this pavement management. So, the total project cost has already been paid out to the contractor, we've already made those payments, we have debt issuance. That's like, for the residents, that's like paying our mortgage; so, we still have to pay that next year. So, if we delay, there's that issue financially of how you make up that difference to make that mortgage or debt payment. One thing that I would indicate is 7 months isn't a lot, right, for residents to be able to save up; we did notify them in March of what the proposed assessment would be. So, I can recognize 7 months to save \$6,000 can be challenging. I would encourage residents, this does not go on your taxes until May 2025, which is the first time you see it; you are able to make a full payment. So, let's say on year 3 you have saved up the money to pay it in full off of your taxes, you can pay it in full at that time without additional interest being accumulated. So, you're not locked in it for 15 years on that, so if you would like to save the money on the interest, you can pay it off early in full, or you can also make that minimum payment of \$500 to reduce it. So, those are some options for residents in regards to the assessment. But, Council, I know you're feeling it as you look at these numbers, those are big numbers, and so I just wanted to remind you of the financial obligation that we have as a City to pay our debt service, but then also just to remind residents different options of how you can financially bear that burden.

Administrator Levitt stated I think at this point I will turn it over to the attorney to talk about the special benefit, and then we'll go over to Engineering, and they can talk more about the specifics that we heard.

Attorney Aaron Price stated with regard to the special benefit, as has been mentioned before, it's measured by the increase in market value to the property as a result of the project itself. With regard to the appeal of that amount, that would actually be a fact issue, then, in District Court, where we would bring in our appraiser and establish that special benefit number of \$7,500; then, correspondingly, the individual challenge in that amount would present their kind of benefit appraisal to establish, obviously, a number below that number. So, with regard to the appellate process and the special benefit, that's kind of how that would work out. Again, with regard to the special benefit, it is that analysis of the increased market value to the property.

Mayor Bailey said maybe one other thing, there was a comment regarding the constitutionality of it; do you want to speak on that, on assessments?

Attorney Price replied the authority to impose a special assessment for street improvement projects or improvement projects does flow from the Minnesota Constitution where the legislature has been granted the authority to authorize local municipalities to levy and collect special assessments for local improvement projects. That authority is then codified under Statute 429.021, which authorizes the City to engage in street improvement projects through construction, deconstruction, or maintenance of pavement, gutters, sidewalks, things of that nature. The authority also flows from case law established through the District and Appellate Courts that have recognized that authority under Section 429 to impose special assessments for, again, local street improvement projects under that statutory authority.

Director Burfeind stated I'll try to cover all the remaining questions that were more project specific, engineering related. I tried to take good notes throughout, I do apologize if I missed something, but I think I should be able to cover them in full.

One thing with the curb change, the color, so after the curb was placed and there was a new curb that was placed slightly later with a curing compound we have to put on it, that's kind of white in color; certainly, when some curb was placed several months later, it had a brighter look. That is something that fades together over time. Actually, on other projects when we do like a spot-curb replacement, that's where you actually have a more long-term difference because you have curb that might have been 20 years old and now we have new curb with that curing compound. Here, it has all been placed this year, so it is something we expect to fade together, no different than a new development that kind of has curb placed in different ways and with driveways going in and out. So, that is pretty typical of a new curb section. I know it is visible today, there's no question, and with that visibility, you can see where some of the new curb was. I gave a percentage as a general overall, I think there was reference to some streets did not have as much curb damage; certainly, Jenner Avenue had probably the most of that additional curb damage, unfortunately.

Some concerns about the warranty, you know, what's the longevity? Certainly, as a City, with the contractor we have a two-year warranty. Obviously we don't have, per se, warranties on curb going forward, but really I want to address this very specifically. When we had to cut out that curb and patch it, that is actually very typical of a new road section. Any new development that we do in our town, they do the base course first, they do the curb and gutter, they place the wedge. After three years of homes being built, developers have to go and replace all the damaged curb, which can range from 5%-to-30%, and they do the patch under that base course. Patches in a wear course is a different story; we don't have that, right? We have a patch underneath that wear course, and the wear course seals it up. It's no different than actually all the manholes, all the gate cells, all the structures, which is part of the construction process where we actually have to cut them out, raise them to get ready for wear course patching. So, even without curb damage there would be those patches underneath the road, but that's really need to be, it's very standard, and any new road built today does have those. What would be a concern is if we had left the damaged curb; if we had left the damaged curb that had all that damage and the chunks taken out of it, and we tried to pave against that, it would not seal properly, and then water would infiltrate and that pavement would blow out. So, actually, when you think about longevity, if we had left the damaged curb, that would have created definitely a longevity issue.

Parking issues were talked about and all the equipment. I will say with this project, due to the size, due to being right on 80th Street, we couldn't have what we call a boneyard. Sometimes we'll have a project with maybe like an old park area we're redoing, and then they can store more materials there, they can put their equipment there. It would not be typical to make the equipment move, that would drive the project price up significantly as hauling in equipment is a major cost, mobilization, so that equipment really needs to stay on site during the project. If they had to have a separate truck driver bring that every day from Public Works to do the work, you would see greatly-increased costs. Unfortunately, here, we just didn't have a space to have what we call that boneyard to park things off the road.

There was also a mention of the streetlights; that's something I would be happy to talk to Dan about, separately. Council is well aware we actually had some theft of our streetlight wires, not as much as other communities, but that's an issue. We want good access to that splicing box; but with that, others have accessed it, too. So, I think it's something the industry's thinking about, I don't think we have the answer for it yet, but certainly I'd be happy to talk more about it.

Director Burfeind said there was talk about all the flooding in the roadway with that heavy rain this summer. That was not something we changed with the road, that is inland protection. So, the State mandates us to put in what we call inland protection, the catch basins, to keep sediment, gravel, and such, everything from getting into the storm sewer during construction. It's kind of like a bag that goes underneath, and there's a big kind of thing on the backside, and while that's a mandate, it greatly reduces the capacity of those catch basins, there's no question, but we are required to put that in. Unfortunately, the water just can't get in like it normally does. That should be removed now, it's removed when the project is done. There may still be some in, but that's something that would be fully removed before winter and then you would not have that issue again. So, that flooding issue would not occur in the future, we made no changes to the storm sewer; I should preface that, there's always massive rain

events, right? Storm sewers, even when they're fully designed and operational, can operate at a ten-year rain event, so I shouldn't say never; if we get a 100-year rain event, there's areas around town where we do get flooding for a period of a few minutes while the water goes away.

The other issue was just that discussion, more residents had the concern about longevity, I think I addressed that. Having that patch underneath the wear course is very typical, and there would be no concern for longevity of the roadway.

In terms of communication, that was another thing that we discussed. With all the changes, that certainly could be better. I can say there was a specific concern about the second round of that curb and residents were maybe not given notice that they could drive on it again. We have a very set process with that curb; I mean, it's done now, but I can certainly say we'll discuss that with our project team to see what happened. There's nothing I can do tonight to kind of rectify that situation, but we will definitely address it because that's not something we want happening. We want good communication throughout the project, even when we're reworking it.

Director Burfeind said with that, I think that answers all the questions, but if the Council has more for me, I'm happy to answer them.

Mayor Bailey said I have one question I'm sure you can answer. We kind of put together, obviously, this pavement management program so when a road gets, whether its completely redone with the road and the curb or a spot curb, whatever, can you speak a little bit towards what we're doing now, as it relates to the future of these roads.

Director Burfeind replied through the history of Cottage Grove and many metro cities, we would do what was called chip sealing; folks in the room probably saw that over the years where when a road's new and every seven years we'd chip seal it, that was kind of our ongoing minor maintenance, as we call it, in our plan. Unfortunately, there have been changes in the asphalt over time, I won't get into it, that's a State of Minnesota thing, who really guides that. We saw the chip seal was not being as effective for the long term, so we made a switch and are actually doing Mill & Overlays. With those Mill & Overlays that we do, now going forward we've created a funding plan for that so we can kind of do that on a 15-to-18-year cycle, so residents would see that at that time. We're looking to increase that life expectancy, and these roads were 30-to-34-years old, and we're really looking to hit closer to that 40-year mark in the long term. Because this development does have new curbs in it now, we would incorporate that into our Mill & Overlay program. When we do a development or a neighborhood with spot-curb replacement, it's really not conducive to do a Mill & Overlay because that curb is going to have to be replaced too soon. But because they do have all new curb, we would incorporate that into that program. Like I said, we're really looking to do that Mill & Overlay at 15-to-20-year and then ultimately get 40 years of life out of our pavement sections.

Mayor Bailey said but just so I'm clear and make sure I'm not going to say this incorrectly, but when we do those, that's not another direct assessment to the homeowners, correct?

Director Burfeind replied that's correct, Mayor and Council, we do not assess for our Mill & Overlays. Mayor Bailey said that's paid for by us, well, the citizens pay for it, but it's everybody.

Mayor Bailey asked if Council had any questions.

Council Member Olsen thanked Ryan for the explanation and thank you as well to Jennifer and to the City Attorney for going through 429 and explaining how that works, statutorily. There was mention of did the City do its homework on the contractor? And I know you know that every time we enter into an agreement to do one of these projects, one of the questions you get asked, typically by me, is have we used this contractor before, do we know if they're any good? In fact, I don't even have to ask anymore because you just tell us. So, this is a contractor we've used before, right?

Director Burfeind replied correct, yeah.

Council Member Olsen said clearly, we haven't had issues in the past to this degree, otherwise we would've blacklisted him, we wouldn't have taken it. It was the low bid, and we're actually required to take the low bid, so the good news is it's a contractor we've used before, low bidder, so everything should be moving in the right direction. And here we have all these issues with communication and some of the execution of the work. So, what I'm curious about is when we do these projects, we always have an on site project manager; did this project manager adequately oversee this project? Were there periodic check-ins to make sure that things were going well?

And then, moreover, if we had these various communication issues, was that the responsibility of the construction team and their project manager, or how should that have all worked?

Director Burfeind replied very good questions, Council Member Olsen, so we do have a project manager inspector that we hire directly through the City, not someone who works for the contractor. I think within their power and information they're given, they did their job on this project. I will say there were changes with the rain delays and such, different things, but in terms of the real communication, the challenge is we physically can't control when that contractor decides to do something different. We're working as good as we can with him to get that information. One thing we do see with the wet summers, I will admit, is because we have sandy soils underneath, there are times where Cottage Grove honestly dries out first; Woodbury is all clay and maybe can't work, and we do run into that situation where a contractor's crew frees up and maybe that's why they came on a Friday. I don't know the specific situation of why that happened, it's certainly not something we want to see, but it is a contractor just trying to get their work done; but certainly when you're dealing with resident impact, it's very important that we keep with that schedule. There's a benefit if we can get at it earlier, but people aren't prepared for that, right, so, is that really a benefit? So, we can discuss that, but that's not something they're controlling because they're not actually directing the contractor's work, they're out there to inspect the work while they're doing it. So, definitely very good confidence in our project team and our inspector that we hired directly; I've worked with him for many, many years and he's very experienced. So, no specific concerns there.

Council Member Olsen said so, to follow up on that, some of the folks that spoke indicated that they had taken money out of their own pockets to do sod. I know that one of the specs when we do these kinds of projects is the contractor is supposed to leave any area that they've touched in a condition that is similar to before they touched it, and a lot of times they'll do hydroseeding and things like that. So, I'm sure that our on-site inspector is aware of some of those challenges and discrepancies; will there be any activity in the spring to bring these properties back up to snuff?

Director Burfeind replied that's a good question. So, while we're talking about the Assessment Hearing tonight, that is not closing out a project. So, we hold what's called retainers, we haven't fully paid the contractor because there's work that they need to touch on; whether it's the seeding, things are a little complicated with that sod because typically if there's no curb issue and a resident chooses to sod, we're not going to work on that sod. But because there was the additional curb damage, the contractor did that work to basically replace what residents had paid for out of their own pockets, so we're going to have to look at that as well. But definitely we're holding retainers, the contract is not closed out, and there is work again in the spring. That's one thing I should've mentioned, there was reference to how late in the year it was; we don't close this out and say well, we seeded it, we move on. We'll be back and will continue to be back. Also, with the settlement, there was some reference to maybe if the dirt wasn't compacted properly to the right degree, maybe there's some settlement; that's another thing that we would address. So, afterwards, me and the other project team members are definitely available to keep speaking at this meeting if residents have specific concerns, addresses, things that we need to be looking at, we will take those tonight to make sure they're not getting lost.

Council Member Olsen said thank you, and I was just going to suggest that, even for folks who aren't here, your neighbors that weren't able to be here tonight, if we have outstanding issues that have not been resolved, please make sure to let Ryan and the team know so that we can get those resolved in the spring. I realize that you don't go through this all the time, but we do, and we hear many of the same concerns with regard to the condition of the front yard, driveways, things of that nature. The response when we get that information, when these projects are done, is always we need to make it right. And I think it was Duey, your speech resonated with me because basically what you were saying is hey, look, it costs what it costs, but dude, it should be right, and that's where I'm at; for whatever we are looking at from an assessment perspective, I think the reasonable expectation on the part of the resident and this is true of any resident, any time we do a pavement management project, is it should be right. And you shouldn't end up after the fact, going, man, this looks terrible, what did they do? How come this isn't right? Why is my driveway messed up? The City has a long history of working with contractors, using that escrow money that we hold to ensure that in the spring, because things will change over the wintertime, the ground will shift, things will change. So, in the spring any outstanding issues need to get taken care of for you so at the end of the day, it costs what it costs but it's right, that the value is there. And it doesn't seem like that's necessarily the case in every situation here. So, I can tell you Ryan is very diligent and very technical when it comes

to making sure that the project is executed the way that it should be. And, again, we have blacklisted contractors in the past. I'm glad to know this is a contractor we've used before, but something got messed up before the cake got baked, so, the good news is it's not fully baked yet.

Council Member Olsen said the last thing, Ryan, is testing. So, there was a comment about how long is it going to last, right? I know you do extensive testing on road projects before we even order the project because some roadways have a little bit longer lifespan, I know we do the thin overlays and things. How do we reassure the residents that what they're getting now is going to be a high-quality product that's going to last into the future? Because you're right, nobody wants to get reassessed again in 15 years, no, that would be terrible, and it shouldn't work that way. So, can you speak to that a little?

Director Burfeind said when it comes to testing, which is done by a different third party, there's a handful of them in the metro that are very reputable firms that do this work; so, really, every step of the way is tested. We have that Class 5 underneath, which we maybe have to supplement, we're doing density testing on that, and we want full compactions so things aren't settling in the roadway. When it comes to the asphalt, it's the same thing; there are multiple different tests that we do on site. MnDOT actually also does bituminous plant inspections, so they're actually looking at it where it's actually produced, and we do that for our road projects. I will say not all cities actually do that for their residential road projects, sometimes they just do it where they're mandated to do it; we choose to do it for these projects to make sure we're really looking at it where it's actually being produced. Concrete is the same way where we actually have all the testing with what's the air count time, what's the strength? And in some of these processes we actually go above and beyond even like the State standards when it comes to how we do the road. Density testing, we do things a little differently, where a lot of times they just cut cores in the road when it's done; first of all, you now have a core and a hole in your road that you're patching, so we do a different process with a nuclear density gauge, we're actually looking at it throughout the paving process to make sure they're meeting density. So, that is something that we have a full program for.

Council Member Olsen said okay, thank you very much. I knew that you did a lot of that. I'm also aware that St. Paul Park does fix their roads, they're working on 3rd Street right now; so, they have the same issues we have with benefit appraisals and all those kinds of things, and I know you do some work helping them out periodically. But I certainly appreciate your responses to the questions. I hope the residents can count on that anything that isn't currently right we're going to work hard to make right heading into either spring of next year or even if we get another year like last year, maybe we'll be working into November, who knows? Thank you.

Council Member Thiede said I guess this is more a financial question. I guess I'd like to know a little bit more precisely, you know, what it would cost us to say defer the payment until after the holidays with no interest charge during that time to the resident if you can do a calculation for me quick.

Administrator Levitt stated as Brenda is coming, I did some quick math because I suspected that might come up. The first number that I will tell you is we anticipate approximately 30% of the payments to be made; so, that would be about \$166,000 that we're anticipating that would be paid, so that's helping us pay our debt issuances. So, you're going to lose that amount to make our first debt issuance payment. I'm sure Brenda is right now calculating the other number that you asked for, but just to give you a flavor of the magnitude of the dollars that we're talking about.

Director Malinowski stated it's approximately about \$200,000.

Council Member Thiede said okay, and so what's our ability to, if we consider that's coming temporarily out of a fund somewhere and then it gets replaced after the start of the year.

Administrator Levitt stated Mayor and members of the Council, I will tell you, you have set your Preliminary Levy to include that debt issuance; so, the \$200,000 that Brenda is referencing, you would need to make an additional cut in your 2025 budget because you won't be able to recover that payment of your debt issuance.

Council Member Thiede replied well, you'll recover it after they actually then pay in January or after the holidays.

Director Malinowski said you wouldn't get that interest back.

Council Member Thiede said no, you're not talking, that's not the interest, right? You're expecting.

Mayor Bailey said here's the thing, though, and we're going to still see if any Council has questions, and I'll let this gentleman come back up and ask his question. So, if you defer it this time, what about the next one?

Council Member Thiede replied well, this one is a special situation because it's a lot later in the season, the issue is it's right before the holidays. Unless we looked at it, I think a lot of the others are a little earlier in the year and such, right?

Director Malinowski replied no. I believe that we were substantially complete even earlier than we had anticipated this year.

Mayor Bailey said no, it's typically October is when we do these special assessments, when we've done these road projects. So, all I'm saying is yes, there are some unfortunate things that happened in this particular project, but in the grand scheme of things, I don't know that delaying the payment or whatever, the process, until January is going to make any difference.

Council Member Thiede said well, we've never had anybody request it before.

Mayor Bailey said well, but us, it's going to make a huge difference.

Council Member Thiede said well, I don't know, it doesn't sound like it's that huge because it's the impact of money and replacing it and so forth. We can talk, I don't understand how it's going to make that much difference if it gets replaced and a certain amount gets deferred and so forth.

Council Member Khambata said Jennifer, you said that this would show up on the May 2025 tax statement, is that correct?

Administrator Levitt replied that's correct, that's the first time they would see it because typically, we hold the Assessment Hearings in October, we give them that 30 days to pay; as a City, we legally have to certify our assessment rolls by the end of November to the County. That puts it on the assessment roll then in May, the first time. So, if we miss that certification to the County, you miss, in essence, an entire year because you're not going to be certifying until later. That's why that date is critical. So, just to let you know on how that certification works.

Council Member Khambata said then another question I have might be more for Myron, and I think Steve Dennis, when he was on Council, he was also a member of the Pavement Management Task Force when the City had made that initial shift. If I understand from previous conversations about pavement management, the reason it was structured this way, with the 45% contribution, was to be more equitable, right? So, if we're repaving 80th Street or Jamaica Avenue, which is an arterial roadway, the City's footing the whole cost for those projects because it benefits everyone equally. But a better way to phrase this is the street that I live on, Eli shouldn't have to pay for my street with his taxes if he's never going to drive on my street, and that was the argument for the way it was split up between City and resident contributions. So, I think that's sound reasoning. I mean, it's a lot of money when it comes your turn, but to say for the last 30 years every homeowner on Jenner Avenue was paying for somebody else's roadway that they're never ever going to drive on, I could be frustrated about that as well if that were the case.

Council Member Thiede said unfortunately, it was easy to start it, but it's difficult to leave it because of, you know, just the equity and the situation and well, these people had to pay for this, and now all of a sudden, these people aren't. So, I'm not questioning that at all, I was just looking at the holiday season and the request that was made.

Council Member Khambata said this is tough work, that's for sure, and I think, as Jennifer said, having a deadline to get these assessments to the County in order to get them on the tax roll makes it challenging to defer. I think the interest accrual part, you know, we just got done with budgeting, and I mean, we were talking about \$50,000 items in our budget; so, to say that we're okay incurring an unexpected interest charge of hundreds of thousands of dollars, I think that's a hard no for me.

Mayor Bailey stated I did not close the Public Hearing, so please, come on up.

Steve Gunderson, 7774 Jenner Avenue, asked who was the on-site manager from the City who was out there? I'm retired, and I was out there almost every day, and I didn't see a soul from the City. And then the other thing I wanted to have checked is the reference to Nancy's Lake in front of her house; I had the same silt kit, whatever it's called, that black thing in my storm sewer, right next to my house. They took it out, we had a little rain, and I still have a puddle, okay? So, it's not draining like it drained prior. So, I don't know if that's a grade issue or whatever, but I talked to that kid from Bolton & Menk, and he said that that was the issue, he thought that they were going

to get it right on the final grade. Now, I'm not an engineer, I don't play one on TV, and I don't know anything about what you do, so that's really what I wanted to ask about.

Council Member Olsen said can I ask you something, sir? And can Ryan chime in? So, you mentioned that in front of your home and then Nancy's, you had essentially standing water, right?

Mr. Gunderson replied yes, sir.

Council Member Olsen asked and is that, Ryan, because of the work we were doing on the storm sewers at that time, or what exactly was that caused by? Or was it just a low spot?

Director Burfeind stated the big rain event and the water, that was from the inland protection. If there's an ongoing issue, we'll definitely take the address, we can go out there, and we can take a look at it directly just to make sure there's no lingering issues that were causing not all the water to drain. We do want that water to drain away. I think there was a reference to Lake Jenner, that was from the inland protection being in during the construction.

Council Member Olsen said okay, all right, but we can go out there and look to make sure all the grading is right and everything?

Director Burfeind replied yes. So, regarding Bolton & Menk, the way frankly cities are structured, you know, we do not have staff that serve in that role, so we have consultants that we work with; they've been in the industry a long time, have lots of experience, and frankly know more about even construction than anyone. So, those are the folks that are the day-to-day inspectors, and they are out there while the work is occurring.

Mr. Gunderson said okay, just to clarify, the Bolton & Menk kid was out there, he was 25 years old, maybe; he didn't have a lot of experience.

Dan Schouveller, 7929 Jenner Avenue South, said I'm going to piggyback to Lake Jenner. The sewers on my side of the street and on the other and 7909, which is John and Milissa Fortuna, we have had continuous drainage issues for years. I'm hoping this solidifies it and clears it up, I'm not expecting it because we have it spring, we have it all the time; it's been an ongoing issue, and I've been in the house for 15 years, they've been in in for 10, and we see it every year. So, I'm just saying this is not new.

Council Member Olsen asked did they fix catch basins and stuff during this project?

Director Burfeind replied so, we did do repairs to all the catch basins; there may be rings, there may have been settlement. Certainly, curb sections, the first ones that settle over time are the ones by the catch basins, those are the things that we're fixing, and those are the issues we're working to address with projects like this.

Council Member Olsen said so he should leave you some information?

Director Burfeind said yes, I think it's something we can certainly look at come spring, but that is the type of things we're addressing. We're not adding storm sewer, we're not adding catch basins; when you get those huge rain events, frankly, streets are going to get water in them. It's just not practical in any street, in any city, to be able to capture every single really large, like the August 29 rain event.

Council Member Olsen said but with the typical ones, you guys check all that, you take that opportunity to make sure everything's working properly.

Director Burfeind said we want everything to drain properly when we're done, through the catch basins, so we can look at that for sure.

Mayor Bailey said after we're done with you, I'll go ahead and close the Public Hearing so then Council can discuss, so go ahead.

Eli Weinmann, 9498 79th Street, said thank you. So, a couple of counterpoints. First one, Council Member Tony, so, in regards to your street, you don't expect anyone else to pay for it, that's one way to do it, but everything else, there's parks that I don't use in Cottage Grove and I pay for them. I've never used the police force in Cottage Grove, we all pay for it equally, we don't expect that the only people that pay for police are the ones that have to call them for something. So, it works to split it up. You could invite me over to your house, and I could visit you, and I would use your street, it works. Last time we were here, Mayor, you brought up that the only time that you

saw a project be voted down they had to come back several years later and the cost was double, and you said that, I think it's the neighborhood you live in now, a lot of your neighbors were very upset by that. But why would they be upset if they're getting the same special benefit in return? Because say it cost \$12,000, well, they got \$12,000, theoretically; we know it's not actually working that way. So, my question is what happens to the special benefit when the road degrades, what happens to it? I can't answer it, so, it's not there. There has to be a special benefit.

Mayor Bailey said well, and I think our attorney and our staff did say that legally, with special benefit appraisals it's showing that. Now, you may not agree with that, and that's fine. I may not have agreed with the amount of assessment that I got when my road was done in front of my house, but the reality is that's what the price came to, and it was actually more than this project that was in your neighborhood, back then when I did, and that was many years ago. And yours was full curb, correct? The whole thing was full curb? Mine was too, back then, was full curb and street, so.

Mr. Weinmann said just in terms of the project itself and just in the effort to maybe try to come to some resolution on it, it isn't so much the money issue as it is the principle of it. But I remember a couple of sessions back, Council Member Khambata, you talked about it was the equivalent of doing a kitchen remodel, right? And I kind of go back to what Duey talked about, like if you did a kitchen remodel, that improves the value of your home, and therefore you're experiencing the benefit of it. Well, what if you walked into your kitchen and the trim was all different colors, and it wasn't done to the standard that it was supposed to be done to and things don't match and they don't work right? Yeah, they're gonna come back and make it look right, and he's telling us that the curbs are going to fade over time, but we can at least agree that the special benefit is the aesthetics of a new road in front of your house, correct?

Mayor Bailey replied I don't know that I would say that, it probably adds to it, personally speaking for me.

Council Member Olsen said there are several elements that go into the Special Benefit Appraisal.

Mr. Weinmann said right, other than the fact that there's probably, oh, you have a new road, so you don't have to worry about a Special Benefit Assessment for 30 years, it's a manufactured benefit. So, my point is the road looks the way it looks now. So, we're arguing even the special benefit isn't realized unless we sell the property right now, but you're saying it doesn't matter 30 years from now, it has a special benefit right now. It doesn't matter that the curbs may blend in after 15 years, they don't blend right now. So, I would at least ask and implore that there's at least a revision to the estimate and to how much we're paying for it because we definitely didn't get what we paid for. I don't know if that comes from the contractor or what, but at least I would request that there's a revision or a renewed estimate of the special benefit that is provided. Thank you.

Mayor Bailey closed the Public Hearing.

Mayor Bailey asked if there were any other questions Council has. I do want to add just a couple points of interest because I think it's somewhat relevant.

Every city makes a determination based on, in our case, the Pavement Management Task Force, and there was a process prior to the Pavement Management Task Force, which I think you were on and you were on and I know a few others that were, way back. The determination back then by that citizens group is here's the better way of doing it. I don't recall what it was before then, I don't know if it was 50%-50%, 60%-40%, with 60% being the homeowners, 40% being the City, I don't recall. But they determined what that amount would be. I would tell you that there are cities out there right now, in the Twin Cities, that put 100% of the assessment on their residents. I don't recall what St. Paul Park is, but it's a lot higher than ours for their assessment process that they do. So, our citizens kind of came back to the Council and staff, and this is before I even became mayor, with what the plan was.

The other thing is obviously we're not happy with what the contractor did or the lack of communication. I will tell you there's been other projects that we've had in our community, not specific to this particular contractor, where we basically told them they can't do business in our community anymore because of the quality of the work that they did. We've also had situations where we required them to come back out, consistently, even above and beyond the escrow, to take care of issues. I know, like even in my neighborhood, they did not do sod, they did grass. Of course, when they did this grass, it was weeds, and I'm kind of like, I know one of you said your neighbor has got like the pristine lawn, well, that's me; and it bothered the heck out of me that the bottom part of my yard

wasn't looking the same as the rest of my yard. And I did some of the same things some of you did, it sounds like, so I do appreciate the fact that you're all taking your property to heart because I did the same thing. I could've waited for the contractor to come back out and spread some more grass seed, but I'm like I'm just going to do it, I'm just going to get it done, I don't want to wait. But I will say, whatever the issues are, we will address those. We've had this conversation, sod vs. grass seed, over and over and over again. I suppose at some point we can talk about this again, as a collective group. I'm personally a sod guy vs. throwing hydroseed out there, but again, that does raise the cost because there will be a cost factor to that, which unfortunately ends up getting passed along to the end user.

I mentioned this briefly earlier, but there used to be a situation where we used to charge for Mill & Overlays and things like that; so, we would after a certain period of time come back into your neighborhood, do a Mill & Overlay, and then charge you for it. Because in between that, we used to do this chip sealcoating program, and we opted to not do that anymore; in doing that, the money that we were putting aside for that chip sealcoating, that money now goes directly toward Mill & Overlay, meaning we're not assessing homeowners. So, we're trying to do, from our standpoint, the best thing we can do in order to be fair to everybody.

The other last thing I'll just mention real quick on being fair is at some point, every single street, not arterials, but neighborhood streets are going to get done. So, whether it's full-curb replacement, the street's going to get redone, and the process is very similar to the same. That's one of the challenges and the comments that we've had and talk about every year at budget is we have our staff go out and check roads and tell us can we get another year or two out of this road before we don't have to make it a complete reconstruct. We've tried to get up to that point where it's going to be okay and we don't have to spend as much money. If we don't have to spend as much money, that obviously means homeowners don't. So, we're very cognizant of that, I know I am, to make sure that we're careful, but I also believe that our program is solid. I know there are some people out here that have some concerns about the benefit appraisal, and every one of you have the ability to contest it, like we got a couple letters, and if that's the direction you want to go from a legal standpoint, that's absolutely everyone's right, that's what's there. So, I just, for me, from my point, yes, there was some stuff that maybe didn't happen the way we would like it to happen, and I would be a little upset if I were in your neighborhood, too, with some of the things that were happening in your area; hopefully, some of that stuff we're going to react to and we'll kind of watch, I guess, to the future with this contractor, if he bids for other projects in our community in the future. But I think the project is what the project is, and I think this is the right thing to do is to move forward.

Council Member Khambata said I'm really disheartened and frustrated at the experience that these people had with this project. I know that a lot of the aspects, a lot of the challenges that they faced, are things that were outside of our control. But I am hopeful because of the fact that we withhold a portion of that payment, and in the past that's been a good mechanism to make sure that when challenges come up, that they get remedied and that they get remedied in the shortest amount of time possible. So, I know that staff is going to make sure that they're holding the contractor accountable for these issues and that these will get done. I would like, for whatever it's worth, my 20%, for staff to pay special attention to make sure that this stuff gets resolved right the second time with this contractor. Again, you know, they go in to fix something and they end up causing irrigation and sod damage; so, like from the customer experience, unfortunately, I think the people that are there doing the road are not thinking of it in a customer-service mindset. Like, hey, I have to be accountable to this homeowner for this project, the way somebody who would maybe go in and do a kitchen remodel would, right? They don't, they maybe weren't engaging directly with the constituents the way we do. So, I look at it from a customer-service perspective where like they didn't get the level of service that I would expect for me or for you or for anybody else in the room. So, I think that's where we didn't have control of what happened initially, we didn't have control of the weather, those were all things that were outside of our control as a City. But what is within our control is using that mechanism that's built into the contract, withholding those funds, to make sure that these things do get addressed and they get taken care of properly. So, I just want to make sure that they know that I am resolved, and I know staff is resolved, to make sure that these things get addressed properly.

Motion by Council Member Olsen to Adopt Resolution 2024-143, Adopting the Assessment Roll for the 2024 Pavement Management Project; second by Council Member Garza. Motion carried: 5-0.

Mayor Bailey said so before you leave, if there is anything that you need to bring up, and even after today, like I think Council Member Olsen mentioned, if there's an issue maybe that you heard from a neighbor or something like that, I don't live too far from you guys. So you know I can and I'll say a family member lives in your neighborhood, so I'm over there periodically. So, I mean, if there is something you want me to see or staff to see, I'll be more than happy to do that because I don't want you to have to deal with something, like if it was flooding before and that doesn't fix the issue, then we need to fix it, okay? Thank you, and I'll leave it for staff then.

- C. Oltman Middle School - Easement Vacation(s), Drainage and Utility Easement, Access Easement
Staff Recommendation: 1) Hold the Public Hearing regarding vacating, rescinding, terminating, and releasing a permanent easement and temporary easement for watermain for Lot 1, Block 1, New Oltman Middle School, and permanent easements for storm sewer for Lot 1, Block 1, New Oltman Middle School. 2) Adopt Resolution 2024-145 rescinding the July 17, 2024, City Council actions related to Oltman Middle School. 3) Adopt Resolution 2024-146 vacating, rescinding, terminating, and releasing a permanent easement and temporary easement for watermain for Lot 1, Block 1, New Oltman Middle School. 4) Approve the Permanent Access Easement for Lot 1, Block 1, New Oltman Middle School. 5) Adopt Resolution 2024-147 vacating, rescinding, terminating, and releasing permanent easements for storm sewer on Lot 2, Block 1, New Oltman Middle School. 6) Approve the Permanent Easement for Storm Sewer over a portion of Lot 2, Block 1, New Oltman Middle School.

Associate Planner Jakes stated there are two easement vacations before you this evening; one is related to the private watermain and one is related to the storm sewer on the Oltman Middle School campus. As Council is aware, the School District is currently working through an administrative review approval for two building additions: One on the western part of the building for the cafeteria, and one on the south side of the building for a classroom addition. As part of all Site Plan applications, staff conducts a thorough review of the entire site, both existing easements and infrastructure to ensure that the easements are effective and providing what is necessary. The two easements before you this evening were found to need changes, which is why the item is before you.

The first easement we'll discuss is the Drainage and Utility Easement overlying the private watermain that loops around Oltman Middle School. Given the watermain is private, the City does not conduct maintenance of that watermain itself; however, the City does conduct routine maintenance related to the hydrants on site. So, each of the outdents shown along the blue area signifies a hydrant. The reason for these in the first place is for the City to conduct that maintenance; however, after review of the easement language, it wasn't necessarily clear that the City was only conducting and accessing that easement area for hydrant maintenance. As a result, the proposed vacation is before you and proposed to replace that existing easement is an access easement that would overlay the entire parcel. In that easement language, staff worked with the City Attorney and School District to be sure that it's solely for the hydrant maintenance.

The second easement vacation before you this evening is related to the storm sewer on the western part of the Oltman campus, as signified in red on the screen before you. On the western part, there is a constructed stormwater pipe, as signified in green on the screen; the red signifies the existing easement locations. As you can see, the easement locations do not sufficiently cover the constructed pipe, as that was constructed in an incorrect location; however, it was field verified that it's operating correctly so there are no issues there. Staff is proposing to vacate the easements on site and replace that with one new easement that sufficiently covers the pipe, allows us to conduct our long-term maintenance of that pipe, and access the allowed area and have sufficient space to do so.

The recommendations are on the screen before you. I will note that all easement vacations require a Public Hearing, which is the first recommend on the screen. The second and third recommendations are to rescind the July approvals and vacate that watermain easement, and the fourth recommendation is to approve the access easement that overlays that entire parcel, solely for hydrant access. The fifth recommendation is to vacate that storm sewer easement, and the sixth, and final, recommendation is to approve the new storm sewer easement.

With that, staff is available for any questions. Mayor Bailey asked Council if there were any questions for Connor, but there were none.

Mayor Bailey opened the Public Hearing. As no one wished to speak on this, Mayor Bailey closed the Public Hearing.

Motion by Council Member Khambata to Adopt Resolution 2024-145 rescinding the July 17, 2024, City Council actions related to Oltman Middle School; second by Council Member Olsen. Motion carried: 5-0.

Motion by Council Member Olsen to Adopt Resolution 2024-146 vacating, rescinding, terminating, and releasing a permanent easement and temporary easement for watermain for Lot 1, Block 1, New Oltman Middle School; second by Council Member Thiede. Motion carried: 5-0.

Motion by Council Member Thiede to Approve the Permanent Access Easement for Lot 1, Block 1, New Oltman Middle School; second by Council Member Garza. Motion carried: 5-0.

Motion by Council Member Garza to Adopt Resolution 2024-147 vacating, rescinding, terminating, and releasing permanent easements for storm sewer on Lot 2, Block 1, New Oltman Middle School; second by Council Member Khambata. Motion carried: 5-0.

Motion by Council Member Khambata to Approve the Permanent Easement for Storm Sewer over a portion of Lot 2, Block 1, New Oltman Middle School; second by Council Member Olsen. Motion carried: 5-0.

10. BID AWARDS - None.

11. REGULAR AGENDA - None.

12. COUNCIL COMMENTS AND REQUESTS

Council Member Olsen stated first, I want to make sure that everybody out there who's watching this knows early voting is now available at the Washington County South Service Center, which is on the same campus as City Hall. If you are interested in taking advantage of that opportunity, they are currently open 8:00 a.m. to 4:30 p.m., Monday through Friday. You can vote absentee, in person, or by mail, and I believe next week you'll also be able to go in on Saturday, starting next week. But early voting is now available. I want to encourage everybody in our community to maintain the sense of pride that we have as a State, here in Minnesota, with the highest voter turnout of any state in the nation, typically, during each election. It would be great to have all eligible voters be able to actually get out and cast their ballot, it's important, and your voice matters, so please do that.

Council Member Olsen said I just want to compliment the organizers for last week's Cottage Grove Fire Department Open House. It was extremely well attended, lots of young families that I saw there, tons of stuff for people to do. We even had a number of our alumni firefighters on hand to be able to help with the Open House, which I thought was really special, and I could tell they were having a lot of fun. So, kudos to Chief Pritchard, Deputy Chief Arrigoni, I know Mike Dandl always has a hand in those things, and anybody else who may have had their fingers in getting that organized and put together. I think it was a hit with the residents and certainly was something to be proud of.

Council Member Thiede said one thing I'll just mention, with Halloween coming up, go get your costumes and everything; fortunately, I don't have to put a costume on, I still scare people. So, a week from Saturday, October 26, is the Monster Bash parade; it starts at 10 o'clock and it runs from the School Administration Center down to Applebee's, and it's a great time. So, grab the kiddos and get on out there.

Council Member Garza said I'm going to jump on the bandwagon for Halloween celebrations. It looks like we're going to have a really cool Skating Spooktacular up at the Ice Arena, that will be on October 30, and that should be a lot of fun. That will be following our Monster Bash parade. And then we'll have our Pumpkin Chuck on November 1, and that's a lot of fun. So bring your families, come out, and throw those pumpkins and watch them roll down the hill or from way high in the fire truck's ladders. It's a lot of fun, so if you have some time, come on out and have fun with us.

Mayor Bailey stated this past Monday, we had the opportunity for two things: 1) We did a trail dedication to Katie and Conway Olson, down at Hamlet Park, which was a very nice event, well attended by the family. Katie wasn't able to be there because she was sick, but her kids were all there, along with many of our staff; a couple of us from the Council, Council Member Garza joined us with her daughter, and a lot what I'll call former elected officials from the area that were able to be there, just to acknowledge the amount of love that Katie and Conway Olson had for our community and the amount of time and effort that they gave back. As a matter of fact, while I was there, saying what I know about Katie and Conway Olson, it was interesting to hear other stories of things that were even before my time, about the fact that Conway Olson was one of the instrumental people to prevent Cottage Grove from being called Washington, instead of the City of Cottage Grove. By the way, Washington would have been both Woodbury and Cottage Grove together, as one city, so I thought that was kind of interesting. Your name came up a lot, Conner, about how excited they were about how much data they were going to give to you, so I figured you might enjoy that, but that was really cool. 2) Shortly thereafter, we did an open house at Hamlet Park, just to talk about the Preserve.Play.Prospers program, which of course is the Local Option Sales Tax that we're looking to provide for three park amenities. Other than that event that we had, being able to share information with the public, this coming Monday, October 21, at 12 noon, Zac Dockter, Parks & Recreation Director, and myself are going to be doing a Facebook Live event. We're going to be answering questions that have been asked about different things, why is it this, why are you doing that, what does this mean, what if it doesn't pass, and that kind of stuff. But it's also going to be an opportunity for the public, who are going to tune in to check it out, to ask questions, and we'll answer them live. So, we'll kick it off with some of the general questions that people have been asking us over the last few months about this program, and then if there are other questions or maybe we don't quite answer it right, we're going to take comments that come in, and they'll be provided to Zac and I. Again, that will be this coming Monday, at 12 noon. I'm not going to say it'll be an hour because some Facebook events last like 15 minutes or a half hour, but if people are interested and they're asking questions, we're going to be there. We want to make sure that our voters are very informed in their decisions.

Mayor Bailey said then I'll just throw out there, because you were just talking about holiday events, we have Locally Grown Theatre, who is actually going to be out here at City Hall on Friday, Saturday, and Sunday, doing *Frankenstein Monster* as a play. It is free to the public, so I encourage you to stop out and check that out because we have a lot of things going on; we have the Monster Bash parade, as mentioned, we have Pumpkin Chuck, we've got Skating Spooktacular, and the Haunted Experience down at Zywiec's, which is going on in the community.

Mayor Bailey said and then I get to finally say yes, we're getting into the Christmas holiday season. The Holiday Train has announced that they will be once again coming to Cottage Grove on Wednesday, December 11, at 5:15 p.m. They're very excited, the gentleman that I speak with through CP Rail is, as a matter of fact, going to make a special trip down here with his kids to attend our event, which is the largest in the U.S., so I wanted to throw that out there.

But even before that, I want to mention on Thursday, December 5, at 4:30 p.m., here at City Hall is our second annual Hometown Holiday Celebration. We've done other things with tree lightings in the past, but we really kind of made this thing a bigger event within our community.

So, I encourage everybody to put those two dates specifically on your calendar, Thursday, December 5, the Hometown Holiday Celebration here at City Hall, and Wednesday, December 11, for the arrival of the Canadian Pacific Kansas City Holiday Train, down along Highway 61 and West Point Douglas Road.

13. WORKSHOPS - OPEN TO PUBLIC - None.

14. WORKSHOPS - CLOSED TO PUBLIC - None.

15. ADJOURNMENT

Motion by Council Member Olsen, second by Council Member Khambata, to adjourn the meeting at 8:58 p.m.
Motion carried: 5-0.

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