

JUNE 4, 2024 MEETING MINUTES OF THE CITY COUNCIL

A meeting of the Cottonwood City Council was held on Tuesday, June 4, 2024, 5:30pm, in the Cottonwood Community Center with Corey Moseng, Joel Dahl, Mike Horner, and Shawn Myers present. Also, present was City Administrator, Teather Bliss; Public Works Supervisor, Allen Olsen; and Administrative Assistant Katie Ewing. Shannon Geihl was absent. Present from the public was Bolten and Menk Engineer, Kent Louwagie, Minnesota Department of Health Daniel Pena and Lucas Hoffman.

The public hearing opened at 5:30pm. A public hearing was held– MDH Q&A PUBLIC NOTICE ON MANGANESE regarding the notice that went out May 7, 2024.

No members of the public showed up to ask questions. MDH did answer questions the public had asked prior to the hearing.

- Is it safe to bathe in water with manganese? MDH response is that the particles are too large to pass through a water softener, so if there is a softener they shouldn't be able to pass through. The particles need to dissolve in water and are not small enough to be absorbed through the skin.
- Does manganese cause learning disabilities? MDH couldn't answer the question because they don't do the studies, it would be a question for Minnesota Department of Education.

A motion by Shawn Myers to close the public hearing MDH Q&A PUBLIC NOTICE ON MANGANESE. Seconded by Mike Horner. Carried at 610pm.

Mayor Corey Moseng called the meeting to order and led in the Flag Pledge.

The council reviewed the minutes from the May 7, 2024 meeting. A motion by Joel Dahl to approve the minutes from the May 7, 2024 meeting. Seconded by Shawn Myers. Carried.

Council reviewed the consent agenda consisting of Resolution 2024_0604A donation to the Cottonwood Fire Department from Nutrition Link for \$10, Resolution 2024_0604B donation to the Cottonwood Fire Department from Joleen Marczak for \$20, Resolution 2024_0604C donation to the Cottonwood Ambulance from Nutrition Link for \$10, and Resolution 2024_0604D donation to the Cottonwood Ambulance from Joleen Marczak for \$20.

A motion by Mike Horner to approve the consent agenda. Seconded by Shawn Myers. Carried.

Rebecca presented the 2023 audit to the council.

A motion by Shawn Myers to approve the 2023 audit. Seconded by Joel Dahl. Carried.

Sheriff Wallen presented the monthly incident report to the City Council.

Sheriff's Department made aware of ATVs and exhibition driving, especially by underage riders.

Bliss presented the follow-up information:

RAINS PROPERTY| The City will need to decide if it wants to let the property go to public auction or file a request with the county so that the City/EDA can assume ownership.

Currently the property has entered tax forfeiture with a total outstanding due of \$3,868.59 from 2020-2024 as well as \$7,474.66 in special assessments from abatement in 2023. Currently in 2024 the City has \$2,772.74 in paid legal fees and \$450.00 to date of mowing expenses incurred. The cost for demolition of the property would be \$15,000.00.

Attorney Matt Gross has filed a notice of lis pendens on the property so that it is marked as having legal action against it from the City and we currently have a court date for the Order to Raze set for June 26th.

If the City wants to let it go to public auction and allow another individual to purchase the property, we will lose the special assessment costs of \$7,474.66, the legal fees we have paid on the property for 2024, and the mowing costs for 2024. The process of cleaning up the property would then start over with the new owner.

If the City/EDA takes possession of the property, the cleaning up process can continue, and the property can then turn around and be sold for economic development purposes.

RECOMMENDED ACTION | A motion for the City/EDA to request the County hold the Rains property from public auction and acquired by the City/EDA.

A motion by Joel Dahl to approve the EDA taking ownership of Rains Property. Seconded by Shawn Myers. Carried

SENIOR CENTER | Closing still underway. The City made \$100 on the open-door sale.

CITY OFFICE | No update.

LIBRARY GARAGE | Recent information has come to light about the wall and roof that the garage shares with the building to the east that will make tearing down the garage not possible. Quotes are being collected on how to fix the west cement block wall issue and to clean up the garage area for storage.

Al Olsen presented information to the Council on the Public Works Department that Rubin Construction had completed the work at the ponds.

Olsen also had met with LPRW about a meter house at the wells.

Kent updated the council on lead service line inventory.

Bliss presented the council with the legislation update:

1. **LOCAL GOVERNMENT**

a. Small Cities Transportation Assistance – \$20,390 for Cottonwood in July. This is a one-time allotment until the Transportation Fund can be set up that was passed in 2023.

b. Government entities are required to report cybersecurity incidents to Department of Information Technology Services. Developed by September 30th.

2. **EMS SERVICES (HF4738)**

a. \$24 Million in Rural Emergency Ambulance Service Aid

b. EMSRB has been replaced with the Office of Emergency Medical Services with the Director being appointed by the Governor.

c. BLS variance application available to allow an EMT to tend to patient and a non-clinical individual to drive.

3. **CANNABIS LEAGALIZATION**

- a. Retail/dispensary license limits in cities – 1 for every 12,500 population. Municipal dispensaries do not count against this requirement due to legislation trying to make sure local governments do not “box out” individual owned dispensaries.
 - b. Lottery System created. Municipalities can bypass.
 - c. Preapproval process for social equity applicants.
 - d. Preapproved applicants can begin cultivating immediately.
 - e. Interim ordinance can prohibit businesses up to January 1, 2025.
4. HOUSING
 - a. \$3M reduction to Workforce Homeownership Program to support Community Stabilization
 - b. \$70M appropriated for FY25 for Community Stabilization
 - c. Increase in tenant protection laws
 - d. Manufactured Housing Infrastructure Grant funds increased
5. LAND USE – ENVIRONMENT
 - a. \$5M for community tree planting.
 - b. 2026 – State Residential Energy Code must stay consistent with International Energy Conservation Code to achieve 70% reduction in net home energy consumption by 2038.
 - c. Tyler v Hennepin County on tax forfeiture property
6. EARNED SICK & SAFE TIME
 - a. Exemption for paid on-call firefighters and volunteer ambulance
 - b. Expanded to include all employee leave used for personal illness or injury
 - c. Expanded to include funeral or legal matters arising after death of a family member.
7. PAID MEDICAL LEAVE
 - a. Rate change from .7% to .88% of payroll to cover the cost of the program.
8. BONDING BILL
 - a. No bill passed. All bills will have to start from square one in next session.
9. LEGISLATION HALTED (FOR NOW) – ALL WILL RETURN NEXT SESSION
 - a. Land use and Zoning Preemption
 - Strictly prohibits local government authority of zoning and land use pertaining to residential development.
 - i. Missing Middle Housing Bill
 1. Eliminate ability to set minimum lot sizes and lot density, up to 10 units possible on lot no matter the lot size.
 2. Eliminate ability to set parking standards.
 3. Eliminate architectural design standards.
 - ii. Multi-family residential development allowed in Commercial.
 - iii. People Over Parking Act – Eliminate ability to impose minimum parking restriction.
 - iv. Emergency shelters allowed in any zoning area.
 - b. Requirement of all cities to adopt State Building Code.
 - c. Ability for City’s to Franchise broadband

- d. Open Meeting Law Changes
 - Requirement to record attorney-client privilege closed meetings
 - Increased fines
 - Required public comment period
 - Remote participation allowed from non-public locations

The council reviewed the May Meeting Minutes of the Fire Department.

Bliss gave an update on the following:

EDA | By now the word is out that Ben Andersen is selling the Hardware Store. I have been working with Ben on different options to ensure that the hardware store remains in Cottonwood.

The Cottonwood EDA has received \$15,000 in grant funds being administered through the Community and Economic Development Associates (CEDA). I met with our area representative on Monday to discuss Cottonwood and get a few ideas on what the funds could go towards in Cottonwood.

RLF | No update.

SCDP | No update.

Council reviewed the following Resolution 2024_0604 DPS ECN ARMER Grant

RESOLUTION NO. 2024_0604 RESOLUTION APPLYING FOR THE DEPARTMENT OF PUBLIC SAFETY EMERGENCY COMMUNICATION NETWORK DIVISION FOR FUNDING FROM THE 2024-2026 ALLIED RADIO MATRIX FOR EMERGENCY RESPONSE (ARMER)
BE IT RESOLVED that City of Cottonwood acts as legal sponsor for the project contained in the Allied Radio Matrix for Emergency Response application to be submitted on June 28, 2024 and that the City Administrator is hereby authorized to apply to the Department of Public Safety Emergency Communication Network for funding of this project on behalf of the Cottonwood Fire Department and Cottonwood Ambulance Service.

BE IT FURTHER RESOLVED that the applicant maintains an adequate Conflict of Interest Policy and, throughout the term of the contract, will monitor and report any actual or potential conflicts of interest to the State, upon discovery.

BE IT FURTHER RESOLVED that City of Cottonwood has the legal authority to apply for financial assistance, and it has the financial capability to meet the match requirement (if any) and ensure adequate inventory, operation, maintenance, and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that City of Cottonwood has not incurred any costs and has not entered into a written purchase agreement to acquire the equipment described in Attachment A of this application.

BE IT FURTHER RESOLVED that, upon approval of its application by the State, City of Cottonwood may enter into an agreement with the State for the above-referenced project, and that City of Cottonwood certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the equipment for uses consistent with the funding grant program into perpetuity.

NOW, THEREFORE BE IT RESOLVED that the City Administrator is hereby authorized to execute such agreements as necessary to implement the project on behalf of the applicant.

I CERTIFY THAT the above resolution was adopted by the City Council of Cottonwood on June 4, 2024.

A motion by Mike Horner to approve Resolution No. 2020_0604 DPS ECN ARMER Grant. Seconded by Joel Dahl. Carried.

The council reviewed the bids for the tree maintenance on Front Street. Resolution 2024_0604E Award of RFP for Tree Maintenance on Front Street.

A motion by Shawn Myers to approve RUGGED TREE SERVICE LLC for \$11,500 for Resolution 2024_0604E Award of RFP for Tree Maintenance on Front Street. Seconded by Mike Horner. Carried

Council reviewed the following Resolution 2024_0604F Grant Navigator Funds. RESOLUTION NO. 2024_0604F

A RESOLUTION AUTHORIZING APPLICATION FOR GRANT NAVIGATION SUPPORT FOR THE CITY.

WHEREAS, the League of Minnesota Cities (“LMC”) has created a pilot Grants Navigation Program (“Program”) in which LMC will provide grants up to \$5,000 per city to use with industry partners to ease the process of identifying matching funds to city projects and aid in the grant application projects.

WHEREAS, the Program is limited to providing services to help obtain grant funding for one project per city.

WHEREAS, the Program is limited to providing support in obtaining grant funding, and LMC does not provide funds to implement projects.

WHEREAS, the City of Cottonwood (“City”) wishes to apply to the Program to for support in finding grant funding for Housing Expansion Needs (“Project”).

WHEREAS, the City recognizes that if approved, any funds received through the Program must be used in a manner consistent with the conditions above as well as all other conditions or limitations of the Program.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COTTONWOOD, MINNESOTA AS FOLLOWS:

1. The City names Teather Bliss as its fiscal agent (“Fiscal Agent”) for the purposes of applying to the Program on behalf of the City.
2. The City authorizes the Fiscal Agent to act on its behalf when communicating with LMC in all matters related to the Program application for the Project.
3. If the City is awarded a grant under the Program, it agrees to use the funds to engage with industry partners who will aid in the grant matching and application process consistent with the terms and conditions of the Program.
4. If a state, federal, foundation, or nonprofit grant match is not found, or is applied to but not awarded, the City will seek feedback on why the project was not eligible and report back to the LMC with these findings consistent with the terms and conditions of the Program.
5. If a state, federal, foundation, or nonprofit grant is awarded, a project assessment will be submitted to LMC within six months of the application's approval and then periodically until after project completion consistent with the terms and conditions of the Program.

Passed by the City Council of Cottonwood, Minnesota this fourth day of June, 2024.

A motion by Mike Horner to approve RESOLUTION NO. 2024_0604F Grant Navigator Funds. Seconded by Joel Dahl. Carried.

Council reviewed the following Building Permits 2024_07 – 2024_09 Non-Impervious Fence (Reviewed by P&Z).

A motion by Mike Horner to approve Building Permit 2024_07 – 2024_09 Non-Impervious Fence. Seconded by Joel Dahl. Carried.

Council reviewed Building Permit 2024_10 Concrete Patio.

A motion by Joel Dahl to approve Building Permit 2024_10 Concrete Patio. Seconded by Mike Horner. Carried.

The council reviewed the May bills of \$71,386.10 plus the addition of audit services of \$18,000.

A motion by Joel Dahl to approve the total of bills \$89,386.10. Seconded by Mike Horner. Carried.

Doug Winn was present to discuss the property violation sent to him regarding the accumulation on both properties. Winn informed the council that everything on his property was for sale.

The council discussed the need to maintain his property and the important of compliance or else the council will move forward with the next steps.

A motion was made by Joel Dahl to extend the deadline by two weeks, June 21, 2024. Seconded by Mike Horner. Opposed Shawn Myers.

A motion by Shawn Myers to adjourn the meeting. Seconded by Joel Dahl. Carried at 802pm.