

## MAY 7, 2024 MEETING MINUTES OF THE CITY COUNCIL

A meeting of the Cottonwood City Council was held on Tuesday May 7, 7 pm, in the Cottonwood Fire Hall with Shannon Geihl, Mike Horner, Joel Dahl, Shawn Myers, and Corey Moseng present. Also, present was City Administrator, Teather Bliss; Public Works Supervisor, Allen Olsen; Administrative Assistant Katie Ewing; and Stg. Louwagie. Present from the public was Tam French, Todd Nelson, Shannon Nelson, Doug Winn, and Bolten and Menk Engineer, Kent.

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

Council reviewed the minutes from the April 2, 2024 meeting.

A motion by Shawn Myers to approve the meeting minutes from April 2, 2024. Seconded by Shannon Geihl. Carried.

Council reviewed the minutes from the April 16, 2024 meeting.

A motion by Shannon Geihl to approve the meeting minutes from April 16, 2024. Seconded by Joel Dahl. Carried.

Stg. Louwagie presented the monthly incident report.

Council reviewed the Fire Department Meeting Minutes in April and the consideration to approve Ashton Percy to the Cottonwood Fire Department.

A motion by Mike Horner to approve Ashton Percy as a new hire on the Cottonwood Fire Department. Seconded by Joel Dahl. Carried.

Council reviewed the Ambulance Service Meeting Minutes in April and the consideration to approve Kenzi Herrick and Katie Ewing to the Cottonwood Ambulance Service.

A motion by Shawn Myers to approve Kenzi Herrick and Katie Ewing to the Cottonwood Ambulance Service. Seconded by Shannon Geihl. Carried.

A motion by Shannon Geihl to close the regular council meeting. Seconded by Mike Horner. Carried.

A motion by Joel Dahl to open the public hearing on Zoning Request. Seconded by Shawn Myers. Carried.

Application for a variance from Section 701 of the Zoning Ordinance of the City of Cottonwood to zone the property as commercial. The request is being proposed by Tam French.

A motion by Shawn Myers to close the public hearing on Zoning Request. Seconded by Shannon Geihl. Carried.

A motion by Shannon Geihl to open the regular council meeting. Seconded by Mike Horner. Carried at 7:09pm.

Bliss presented the following follow-up information:

RAINS PROPERTY | Motion for Default and Summary Enforcement of Hazardous Building filed May 6, 2024.

PUBLIC NOTICE FOR WATER | Included with the memo is the final draft of the notice for review. We will host an informational meeting on June 4, 2024 starting at 530pm that an MDH Environmental Surveillance and Assessment Section representative will answer questions from the public.

SENIOR CENTER | Closing will be done through the mail.

CITY OFFICE | Still waiting on the quote from Ace.

A motion by Mike Horner to remove the following under PUBLIC NOTICE FOR WATER:

If you have an in-home treatment option and want to ensure it is removing manganese, the following option will be provided:

A form will be supplied online and in the City Office requesting the Public Works Department to perform a manganese test in your home.

Seconded by Joel Dahl. Carried.

Olsen presented information to the city council on the following:

From the 2022 and 2023 budget, a total of \$163,766 of budgeted projects that were not completed was carried into the streets fund balance. The projects have consisted of the mill & overlay of Lake Street and the completion of Shoreview Pass and Tom Christy Lane.

Included with the memo is a quote from Duininck to do a 2' mill and overlay on Lake Street for \$79,451.00. This work is in the street plan presented by Bolton & Menk as the top priority road to get done.

This would leave \$84,315 from 2022 and 2023 in reserves for the continued planning of Shoreview Pass and Tom Christy Lane.

More information on the street pavement management plan will be discussed later in the agenda.

RECOMMENDATION | Approve the quote from Duininck for Lake Street.

A motion by Shawn Myers to approve Lake Street Mill and Overlay Quote to be done by Duininck. Seconded by Joel Dahl. Carried.

Bolten and Menk Engineer, Kent Louwagie gave an update which included the following:

### **1. Water Supply / Manganese / LPRW Connection**

We have submitted two funding applications to MN Public Facilities Authority (PFA) for the 2025 Project Priority List (PPL) for the Drinking Water Revolving Fund (DWRF). One application was for the connection to Lincoln Pipestone Rural Water (LPRW). The other was for water main replacement on Main Street. The Intended Use Plan (IUP) will be published by PFA this fall, which will show the ranking, and therefore funding eligibility, of each application.

We have a meeting scheduled with Jason from LPRW on May 9th to discuss the agreement, connection plans, timeline, and other relevant details.

## **2. Lead Service Line (LSL) Inventory**

We recently received the agreement with Minnesota Department of Health (MDH) to perform the lead service line inventory for the city. This inventory is required by MDH to be completed. The cost will be covered by grant funds issued by MDH. Data will be entered into a GIS application for ease of access. The initial LSL inventory is due to MDH by July 15. We anticipate that a mailing will be sent to all property owners with a water service connection in the coming weeks.

## **3. Wastewater Pond Control Structures Rehab**

The majority of the construction is completed, including the main splitter structure and a new slide gate gear box on structure 7. Water levels in the ponds have been too high recently to replace the remaining slide gates planned for replacement.

During construction, it was noted that the existing forcemain is in poor condition. Replacement of this pipe was included in the Phase 1 application for Clean Water Revolving Fund funding. That application is eligible for loan funding, and the city could pursue a forcemain replacement project if desired.

## **4. Tom Christy Lane & Shoreview Pass**

We are revising the proposed design based on recent discussion with city staff and will present a proposed layout with an estimated cost soon. Spot repair of the heaved and uneven pavement at the north end of Shoreview Drive is also being considered.

## **5. Pavement Management Plan**

A draft report has been developed and shared with staff. We are in the process of incorporating the proposed infrastructure improvements into the recommendations included in the pavement management plan.

## **6. CW Reishus Park**

We are planning to assist in developing a master plan for the proposed improvements at the park. A meeting is scheduled for May 9th to discuss the anticipated scope and associated costs.

## **7. Downtown Reconstruction**

Replacement of the watermain on Main Street from West 2nd Street to East 1st Street was included in the DWRP 2025 PPL application that was recently submitted. We will continue discussing this potential project with the Lyon County engineer.

## **8. Infrastructure Improvements**

We will continue working with city staff to identify the most pressing needs and applying for appropriate funding. It generally appears that the largest issues with the sanitary sewer may not be located in the same areas as the largest issues with the water system. The city may want to consider pursuing individual projects for each utility system.

Kent asked for the consideration to Approve Pay Application No. 3 for \$112,942.52.

Wastewater Treatment Facility Improvements

City of Cottonwood, Minnesota

Project No.: 0W1.131130

Pay Application No. 3 for the above-referenced project: the pay application is based on work completed to date and the schedule of values provided by the contractor as required in the contract documents. We are recommending, at this time, payment to Rubin Construction, LLC in the amount of \$112,942.52 with the total remaining construction cost plus retainage of

\$66,030.00. This pay application includes the invoice for the remaining equipment to be installed, that is currently stored at the pond system.

A motion by Shawn Myers to Approve Pay Application No. 3 for \$112,942.52. Seconded by Mike Horner. Carried.

Kent asked for the consideration to approve Part 1 of Change Order No 1 & Pay \$6,141.00.

The attached change order proposal is the cost to replace lengths of forcemain at the pond system. These are a result of unforeseen conditions from existing buried pipes. The change order is split into two parts. The first is a 20-ft. segment of pipe that the contractor already changed while they were working on the splitter structure. When they excavated the splitter structure to replace it, the forcemain was exposed and holes in the pipe were discovered. Once holes in wastewater forcemains are discovered, they must be replaced. Instead of waiting for formal approval, the contractor replaced the forcemain while it was exposed. The cost to replace this 20-ft. length of pipe was \$6,141.00. Bolton & Menk recommends this be paid to the contractor to reimburse them.

A motion by Joel Dahl to approve Part 1 of Change Order No 1 & Pay \$6,141.00. Seconded by Shawn Myers. Carried.

Bliss presented the financial report:

GENERAL FUND | Expenses in General Fund are operations. Property Tax Revenue will come in mid- to late May totaling around \$305,000. Local Government Aid will come in mid-July totaling \$188,856.50.

AMBULANCE | Large unbudgeted expenses include \$3,309 for the repair to NIBP issues with the Lifepak and \$2,870.15 to repair to the air ride suspension compressor on 921.

FIRE DEPARTMENT | Unbudgeted expenses in the repair of the Rescue Van that is up for sale - \$5,698.00. All fire contracts are paid.

DEBT SERVICE | Debt Levy Revenue will come in at the same time as property taxes and should total around \$102,564.00 – it will not offset the expenditures due to the 2016 Streets Project principal being due in February versus later in the year but the 105% tax levy from 2023 will cover as the FB for the 2016 Streets Project is sitting at \$110,000 which is what covers the \$107,000 February payment.

WATER | 2016 Water Bond payment and 2021A Water Bond payment total \$75,265.50.

SEWER | Final pond payment to PFA due in August for \$57,635.55.

As requested by the Council, Bliss presented the utility sales information:

At the time of the meter switch out in 2021 there were 51 Critical Leaks and 60 Leaks (Critical & Intermittent) that were over 25 days. When the data was pulled for the leaks that had been occurring for 25+ days – the amount of water leaking in the month of July was 120,000 gallon which was \$600 a month in additional revenue. This information does not include leaks occurring less than 25 days.

Based on the revenue generated in 2021, the budget was set to reflect that revenue. With the correction of leaks that extended past 25 days, we see the decrease in revenue and

water usage.

Since the meter switch and the actions taken to correct leaks, we are currently at 17 Critical Leaks for May 2024 with 9 of those leaks being over 25 days.

RLF, SCDP, & ECONOMIC DEVELOPMENT UPDATE presented by Bliss on the bid package information follows:

ADVERTISEMENT FOR BIDS PROPERTY AT  
32 WEST MAIN & 20 WEST MAIN STREET  
COTTONWOOD, MINNESOTA 56229

The Cottonwood Economic Development Authority is accepting sealed bids for the purchase of the bare lots located at 32 West Main Street and 20 West Main Street.

The lot located at 32 West Main Street is 6,897 square feet and zoned for central business district commercial use.

The lot located at 20 West Main Street is 16,933 square feet and zoned for central business district commercial use.

Complete bid packages can be picked up at the City Office located at 78 West Main Street or by request at [teather@cityofcottonwoodmn.gov](mailto:teather@cityofcottonwoodmn.gov)

Bids should be sent to the City Administrator, Attention EDA, PO Box 106 Cottonwood, Minnesota 56229. The bids will require an official bid packet, business plan, and a \$2,000 payment of bid security included with submission. Sealed bids will be received until 5:30pm on Tuesday, July 2, 2024. Bids will be opened and read aloud at 5:31 p.m. on Tuesday, July 2, 2024 in the City Office at 78 West Main Street.

The bidder must meet all bid package requirements, or the bid will be rejected. The \$2,000.00 bid security payment shall be in the form of cashier's check or money order. The City/EDA reserves the right to reject any and all bids for any reason.

For more information contact Teather Bliss at the City of Cottonwood at (507) 423-6488

Published in the Marshall Independent on: May 11, May 25, June 15, and June 29

Council reviewed the building permit 2024\_05 Justin Gustman at 32 East Park Street for a shed.

A motion by Shawn Myers to approve building permit 2024\_05 at 32 East Park Street. Seconded by Mike Horner. Carried.

Council reviewed the building permit 2024\_06 Alan and Barbara Grube at 169 West 5<sup>th</sup> St N to pour cement on where existing cement pavers had been placed, remove, and replace existing deck, and put a privacy fence up.

A motion by Joel Dahl to approve building permit 2024\_06 at 169 West 5<sup>th</sup> St N. Seconded by Shannon Geihl. Carried.

Council reviewed the following Resolution 2024\_0507 Finding of Facts:

**RESOLUTION NO. 2024\_0507**  
**A RESOLUTION ADOPTING FINDINGS OF FACT AND REASONS FOR**  
**\_\_\_\_\_ FOR VARIANCE APPLICATION OF TAM FRENCH**  
**FACTS**

1. Tam French is the owner of parcel 22-148041-0 in Cottonwood, Minnesota and,
2. The subject property is legally described as; *.75 acres pt e2 ne4 between st to lake 370' on st to cd #2 ex 1.25 a m or l to gilb*
3. Tam French has applied to the city for a variance at the above parcels of land for the zoning to commercial as described in the included Exhibits.
4. The proposal would vary from the Official Zoning Map in that it would change the zoning of the property from Residential to Commercial.
5. Following a public hearing on the application, the City Council of the City of Cottonwood reviewed the requested variance at its meeting on May 7, 2024.
6. On May 7, 2024 the City Council of the City of Cottonwood \_\_\_\_\_ the variance.

A motion by Shawn Myers to approve Resolution 2024\_0507 Finding of Facts. Seconded by Shannon Geihl. Carried.

Council reviewed the following Resolution 2024\_0507A Assigning an Address:

**RESOLUTION 2024\_0507A**  
**A RESOLUTION ASSIGNING ADDRESSES WITHIN THE**  
**CORPORATE CITY LIMITS OF COTTONWOOD, MINNESOTA**

WHEREAS, parcel 22-148041-0 is located within the corporate city limits of Cottonwood, Minnesota and

WHEREAS, the City Council has the authority to determine property numbers within the City pursuant to Minnesota Statute §412.221, subdivision 18.

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

1. Parcel 22-148041-0 shall be assigned the address, 301 Barstad Road North

Passed by the City Council of Cottonwood, Minnesota this seventh day of May 2024.

A motion by Joel Dahl to approve Resolution 2024\_0507A Assigning an Address. Seconded by Shannon Geihl. Carried.

The council asked the status of the dangerous dog, Lady, and update followed as microchip and spay with paperwork has happened and fence is in progress.

Council also requested an update with Chippewa County.

Council reviewed bills totaling \$63,831.11.

A motion by Joel Dahl to pay the bills. Seconded by Shawn Myers. Carried.

No members of the public were to be heard from.

A motion by Shawn Myers to adjourn the meeting. Seconded by Shannon Geihl. Carried at 8:04pm.