

COTTONWOOD CITY COUNCIL AGENDA
INTERACTIVE ATTENDANCE | ZOOM ID 643-926-8757 & PASSWORD 866664
IN PERSON ATTENDANCE | FIRE HALL 100 WEST 2ND STREET
TUESDAY, JANUARY 3RD 2023 | 7:00PM



- I. CALL TO ORDER & FLAG PLEDGE
- II. OATHS OF OFFICE
- III. APPOINTMENT OF THE COUNCIL VICE PRESIDENT FOR 2023
- IV. APPROVAL OF DECEMBER 6, 2022 MEETING MINUTES
- V. APPROVAL OF DECEMBER 20 MEETING MINUTES
- VI. PUBLIC HEARING ON ROAD DESIGNATION (7:05PM)

VII. CONSENT AGENDA (*ONE MOTION APPROVES ALL ITEMS*)

- A. Designation of Tri-County Newspaper as the official City newspaper for 2023
- B. Designation of First Independent Bank and Bremer Bank of Marshall as the official City depositories for 2023
- C. Authorization of the City Administrator to pay regular city bills upon receipt prior to City Council meetings in 2023
- D. Authorization of the City Administrator to handle the idle investments of the City for 2023
- E. Authorization of the City Administrator to pay the set bond principal and interest for 2023
- F. Designations of 2023 Council Committees
- G. Designations of 2023 Deputy Weed Inspector
- H. Designation of 2023 Emergency Services Coordinator
- I.

VIII. AGENDA ADDITIONS

IX. FOLLOW UP

- A. RAINS PROPERTY

X. REPORTS & DEPARTMENT UPDATES

- A. SHERIFF'S DEPARTMENT REPORT
- B. PUBLIC WORKS DEPARTMENT REPORT – ALLEN OLSEN
- C. ADMINISTRATION REPORT – TEATHER BLISS
 - i. Review of Fee Schedule & Set Hearing Date
- D. FIRE DEPARTMENT REPORT
- E. AMBULANCE SERVICE REPORT

XI. NEW ITEMS

- A. ADMINISTRATION
 - i. Consideration to Approve Healthcare Savings Plan Policy
 - ii. Consideration to Approve Pay Equity Report
 - iii. Consideration to Approve Recommendations on Wages
 - iv. Consideration to Approve Ordinance 2023_01 Assigning Road Name & Address
 - v. Resolution 2023_0103 Proprietary Funds Budget Approval

XII. OTHER BUSINESS

- A. COUNCIL REQUESTS OR TASKS FOR CITY STAFF
- B. CONCERNED CITIZENS LOG

XIII. VISITORS TO BE HEARD

This portion of the agenda is reserved for citizens and other attendees, outside the regular meeting agenda, to address the City Council.

Presentations are limited to three (3) minutes per individual or fifteen (15) minutes for the total session.

Reminder to please remain professional and courtesy, offensive and derogatory behavior will not be tolerated.

XIV. MONTHLY SCHEDULES: FIRST TUESDAY – EDA @ 5:30PM & COUNCIL @ 7:00PM | SECOND MONDAY – FIRE @ 6:30PM | COTTONWOOD AMBULANCE – LAST MONDAY @ 6PM

XV. ADJOURNMENT



OFFICIAL OATH OF OFFICE

I, _____, do
solemnly (swear/affirm) that I will
support the Constitution of the
United States, the Constitution of
the State of Minnesota, and that I
will faithfully discharge the duties
of the office of Council Member of
the City of Cottonwood, Minnesota,
to the best of my judgment and
ability, (so help me God/And this I
do under the penalties of perjury).



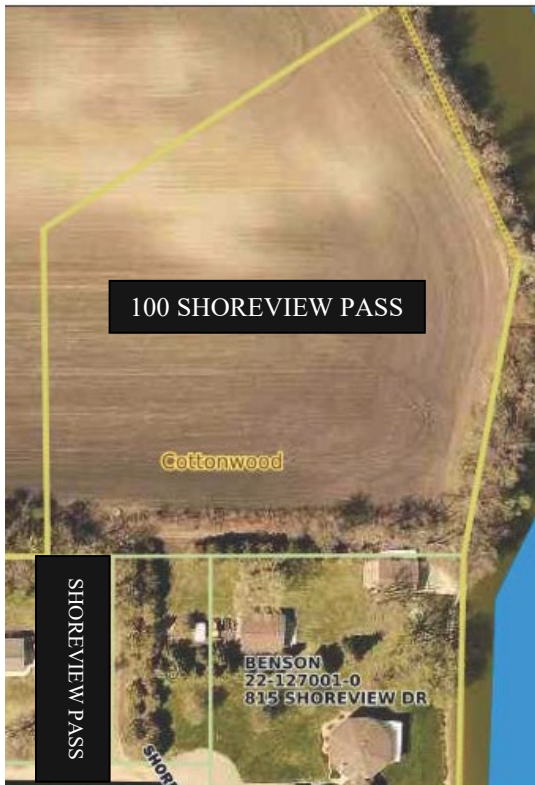
public notice

TO: CITY OF COTTONWOOD
DATE: DECEMBER 20, 2022
RE: PUBLIC HEARING

MESSAGE:

THE COTTONWOOD CITY COUNCIL HAS CALLED A
PUBLIC HEARING FOR TUESDAY, JANUARY 3, 2023, AT
7:05PM FOR THE FOLLOWING ITEM:

CONSIDERATION TO APPROVE ORDINANCE 2023_01
NAMING OF ROAD AND PROPERTY IN THE CITY OF
COTTONWOOD



Given under my hand this 20TH day of
December 2022

Teather Bliss

Teather Bliss
Clerk- Administrator, City of Cottonwood

Published in the Tri County News:
Wednesday, December 28, 2022

DECEMBER 6, 2022 MEETING MINUTES OF THE CITY COUNCIL

A meeting of the Cottonwood City Council was held on Tuesday, December 6 2022, 7:00 pm, in the Cottonwood Fire Hall with Joel Dahl, Mike Horner, and Shawn Myers present. Also, present were Clerk-Administrator, Teather Bliss; Public Works Supervisor, Allen Olsen; and Lyon County Sheriff's Sergeant, Adam Connor. Members of the public present were Tam French, Jill via Zoom, and Gretchen & Ron Noon via Zoom. Councilmember Shannon Geihl and Mayor Corey Moseng were absent.

Vice Mayor Shawn Myers called the meeting to order and led in the Flag Pledge.

A motion by Joel Dahl to approve the council meeting minutes from November 3, 2022. Seconded by Mike Horner. Carried.

A motion by Mike Horner to approve the council meeting minutes from November 15, 2022. Seconded by Joel Dahl. Carried.

A motion by Mike Horner to approve the consent agenda consisting of Resolution 2022_1206 Donation of \$5,000 from Lakeview Booster Club to the Cottonwood Fire Department. Seconded by Joel Dahl.

A motion by Joel Dahl to close the regular council meeting. Seconded by Mike Horner. Carried

A motion by Mike Horner to open the public hearing. Seconded by Joel Dahl. Carried at 7:05pm.

The public hearing was called to hear a variance request for the property at 333 Barstad Road for a rezoning from commercial to residential. Ron & Gretchen Noon presented information on the reasons for requesting a rezoning.

Council members asked questions including what type of interest there has been in the property for commercial purpose and if the property would be properly surveyed whether the rezone request is granted or not.

Noon's stated that there had not been any commercial interest and the plan is to split the property into two parcels as well as getting it surveyed.

A motion by Joel Dahl to close the public hearing. Seconded by Mike Horner. Carried.

A motion by Mike Horner to open the regular council meeting. Seconded by Joel Dahl. Carried at 7:26pm.

Council discussed the rezone request.

A motion by Joel Dahl to approve the rezone request for 333 Barstad Road from commercial to residential.

The motion failed to gain a second to the motion and would be rediscussed at the December 20, 2022 council meeting.

Follow up report was provided to the City Council on the repairs of the Senior Citizen Center and Shop insulation. Bliss also updated the City Council on the large continual leak in Lindsay Court as well as the outstanding balance due to the city.

A motion by Mike Horner to shut the water off to Lindsay Court on December 13, 2022, if the

leak is not repaired and payment is not received. Seconded by Joel Dahl. Carried.

Lyon County Sheriff's Sergeant Adam Connor presented the monthly Sheriff's Office report.

Public Works Supervisor, Allen Olsen presented information to Council on the Northwood Lift Station, the PCA required multi-gas detector that is needed by the department, PCA required upgrades to the ponds, and issues at the Main Lift Station over the weekend.

Funds for the purchase of the multi-gas detector would come from the sewer fund budget.

A motion by Mike Horner to purchase the multi-gas detector totaling \$1,395. Seconded by Joel Dahl. Carried.

The PCA required upgrades for the ponds are going to cost a potential \$170,890 in which the funds from the county could be best utilized for the pond project.

A motion by Joel Dahl to approve the Administration to request the Lyon County ARPA funds to be used towards the pond upgrades. Seconded by Mike Horner. Carried.

Over the weekend the Main Lift Station had issues that required Quality Flow to come out for an inspection where they found the transducer cord severed and sucked into the pump where it was damaged. The cost for parts and field labor totaled \$3,799.00.

A motion by Mike Horner to pay the bill to Quality Flow for \$3,799.00. Seconded by Joel Dahl. Carried.

Council reviewed the financial reports of the City.

Bliss presented an update on the EDA – land located on Lake Street was approved for sale to Paul and Karen Geihl for \$1,000.00.

Council reviewed the November Meeting Minutes of the Cottonwood Fire Department

Council reviewed the November Meeting Minutes of the Cottonwood Ambulance Service

Council reviewed the SCDP drawdown number 18 in the amount of \$26,609.00

A motion by Mike Horner to pay SCDP drawdown 18. Seconded by Joel Dahl. Carried.

Council reviewed the sump pump permit for Murl and Sharnee Fischer.

A motion by Mike Horner to approve the sump pump permit. Seconded by Joel Dahl.

Council reviewed the special assessment from West Central Sanitation to be certified to Lyon County.

A motion by Mike Horner to approve Resolution 2022_1206A Special Assessment Certification. Seconded by Joel Dahl. Carried.

Council reviewed the Minnesota Energy right-of-way utility permit for gas line installation for the Loe property.

A motion by Mike Horner to approve the ROW Permit. Seconded by Joel Dahl. Carried.

Council reviewed non-impervious affected permits 53 to 56. A motion by Joel Dahl to approve permits 53 to 56. Seconded by Mike Horner. Carried.

A motion by Mike Horner to adjourn the meeting. Seconded by Joel Dahl. Carried at 8:30pm

DECEMBER 20, 2022 MEETING MINUTES OF THE CITY COUNCIL

A meeting of the Cottonwood City Council was held on Tuesday, December 20, 2022, 7:00 pm, in the Cottonwood Fire Hall with Joel Dahl, Shannon Geihl Mike Horner, Shawn Myers, and Corey Moseng present. Also, present were Clerk-Administrator, Teather Bliss; Public Works Supervisor, Allen Olsen; and Sheriff Eric Wallen. Members of the public present were Gretchen & Ron Noon via Zoom.

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

A motion by Shawn Myers to approve the consent agenda consisting of Resolution 2022_1220 Donation of \$200 from Tom Meinders to the Cottonwood Fire Department and Resolution 2022_1220A Donation of \$200 from Tom Meinders to the Cottonwood Ambulance Service. Seconded by Joel Dahl.

Sheriff Wallen presented the monthly Sheriff's Office report.

Council reviewed information for the setting of a public hearing for Ordinance 2023_1 Naming of a Road and Address for the date of January 3, 2023.

Council reviewed the SCDP drawdown number 19 in the amount of \$14,652.00

A motion by Joel Dahl to pay SCDP drawdown 19. Seconded by Shawn Myers. Carried.

Council reviewed the 2022 Kinner & Co Audit Engagement Letter.

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

A motion by Mike Horner to close the regular council meeting. Seconded by Shawn Myers. Carried

A motion by Shawn Myers to open the public hearing. Seconded by Joel Dahl. Carried at 7:05pm.

Bliss presented information on the final 2023 levy. The final levy is set at a 2.82% increase from 2022 and a decrease of 10.88% from the preliminary levy. The final general fund budgeted revenue totals \$1,330,842.00 and budgeted expenses totaling \$1,327,988.00 which includes the following budgeted lines:

\$35,000 for the relocation of the City Offices

\$76,000 for Public Works CIP and Street Sweeper Lease

\$150,000 for continued Street Maintenance and Repair

\$12,500 to repair Main Street Lights underwire

\$97,500 for Park CIP and Upgrades

\$30,000 for Repairs to the Library Garage and Basement Cleanup

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

A motion by Joel Dahl to open the regular council meeting. Seconded by Mike Horner. Carried at 7:28pm.

As a follow up item the Council discussed the rezone request that included weighing the Minnesota Statute standards of practical difficulties that include reasonable, uniqueness, and essential characteristics as well as other considerations that include economic factors, neighborhood opinion, conditions, and harmony with land use controls.

Council deliberated and weighed the request.

A motion by Joel Dahl to approve the following Resolution:

RESOLUTION NO. 2022_1220E

A RESOLUTION ADOPTING FINDINGS OF FACT AND REASONS FOR APPROVAL FOR VARIANCE APPLICATION OF GRETCHEN NOON AT 333 BARSTAD ROAD.

FACTS

1. Gretchen Noon is the owner of a parcel of land located at 333 Barstad Road, Cottonwood, Minnesota 56229; and,
2. The subject property is legally described as; *Section-09 Twp-113 Range-40 1.25 Acres M or L PT of E2NE4*; and,
3. Gretchen Noon has applied to the city for a variance to rezone the land at 333 Barstad Road from commercial property to residential property as described in Exhibit B.
4. The proposal would vary from the Official Zoning Map in that it would change the zoning of the property from Commercial to Residential.
5. Following a public hearing on the application, the City Council of the City of Cottonwood reviewed the requested variance at its meeting on December 6, 2022.
6. Due to a failure to gain a second motion at the meeting on December 6, 2022, the City Council of the City of Cottonwood will review the application and has approved the variance at its meeting on December 20, 2022.

APPLICABLE LAW

7. Minnesota Statute Section 462.357, subdivision 6 provides:
 - a. Variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) when the variances are consistent with the comprehensive plan.
 - b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.
8. City Zoning Map requires the property to be utilized in a commercial manner.

CONCLUSIONS OF LAW

9. Harmony with the purposes and intent of the ordinance does not apply as the city does not have an ordinance specific to variances.
10. The property owner's reason of request based on commercial property tax cost cannot alone create practical difficulties that would result in a granted variance per Minnesota Statute Section 462.357 subdivision 6.
11. The requested variance is not consistent with the comprehensive plan because the property is designated as commercial in the City of Cottonwood's adopted Comprehensive Plan.

12. The property owner does propose to use the property in a reasonable manner because the rezone from commercial to residential is not an unreasonable request.
13. There are not unique circumstances to the property not created by the landowner because the property does not pose a unique purpose to keep the zoning as commercial.
14. The variance will maintain the essential character of the locality because of other residential property that abuts the opposite side of the city owned park.

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

The application to issue a variance to allow Gretchen Noon the rezoning of 333 Barstad Road from commercial to residential to deviate from the Official Zoning Map is hereby approved.

Resolution 2022_1220E was seconded by Mike Horner. Carried.

Shawn Myers opposed the rezone based on reason that the property has unique circumstances being located next to a large public park and the variance would not maintain the essential characteristics of the locality because of the abutting next to a large public park and swimming beach.

Council reviewed changes to the Snow Removal Policy that included additions to the determination of snow and ice removal as well as the removal of the priority list for routes.

A motion by Joel Dahl to approve the Snow Removal Policy. Seconded by Shannon Geihl. Carried.

Council reviewed Resolution 2022_1220B Final Levy

**RESOLUTION NO. 2022_1220B
ADOPTION OF 2023 FINAL TAX LEVY**

BE IT RESOLVED, by the City Council of the City of Cottonwood, County of Lyon, Minnesota, that the following sums of money be levied for the current year, collectible in 2023, upon the taxable property in the City of Cottonwood, for the following purposes:

General Fund Levy	\$625,000.00
EDA Special Levy	\$15,000.00
Principal & Interest on 2012 City Maintenance Shop Lease	\$22,491.00
Principal & Interest on 2016 Fire Hall/Ambulance Garage Lease	\$55,356.00
Principal & Interest on 2016 GO Improvement Bonds	<u>\$84,000.00</u>
Total Proposed Certified Tax Levy	\$801,847.00

BE IT RESOLVED, by the City Council of the City of Cottonwood, County of Lyon, Minnesota, that the attached document is hereby approved as the 2023 Tax Levy of the City of Cottonwood.

IN WITNESS WHEREOF, the City of Cottonwood, Minnesota, by its City Council, has caused this Resolution to be executed on its behalf by the signatures of the Mayor and City Administrator and has caused this Resolution to be certified to the County Auditor of Lyon County, Minnesota, as of the date set forth below.

A motion by Mike Horner to approve Resolution 2022_1220B. Seconded by Joel Dahl. Carried.

Council reviewed Resolution 2022_1220C General Fund Budget Approval

**RESOLUTION NO. 2022_1220C
ADOPTION OF 2023 FINAL BUDGET SUMMARY**

BE IT RESOLVED, by the City Council of the City of Cottonwood, County of Lyon, Minnesota, that the information provided below is hereby approved as the 2023 Final General Fund Budget of the City of Cottonwood.

2023 FINAL BUDGET SUMMARY		
DEPARTMENT	TWENTY TWO	TWENTY THREE
PROPERTY TAX LEVY	\$ 575,000.00	\$ 625,000.00
GENERAL FUND	\$ 615,936.00	\$ 533,229.00
DEBT SERVICES	\$ 204,879.00	\$ 172,613.00
GENERAL & DEBT REVENUES	\$ 1,395,815.00	\$ 1,330,842.00
GENERAL ADMINISTRATION	\$ 310,108.00	\$ 333,295.00
PUBLIC SAFETY	\$ 130,618.00	\$ 125,994.00
PUBLIC WORKS	\$ 617,421.00	\$ 503,800.00
RECREATION	\$ 127,825.00	\$ 192,286.00
DEBT SERVICES - PRINCIPAL	\$ 182,000.00	\$ 171,000.00
DEBT SERVICES - INTEREST & FEES	\$ 63,061.00	\$ 58,030.00
DEBT SERVICE FUND BALANCES	-\$ 37,967.00	-\$ 56,417.00
GENERAL & DEBT EXPENSES	\$ 1,393,066.00	\$ 1,327,988.00
GENERAL PROFIT & LOSS	\$ 2,749.00	\$ 2,854.00

IN WITNESS WHEREOF, the City of Cottonwood, Minnesota, by its City Council, has caused this Resolution to be executed on its behalf by the signatures of the Mayor and City Administrator and has caused this Resolution to be certified to the County Auditor of Lyon County, Minnesota, as of the date set forth below.

A motion by Mike Horner to approve Resolution 2022_1220C. Seconded by Shawn Myers. Carried.

Council reviewed the proprietary funds for the 2023 budget. A few item lines needed to be reviewed before approval at the January 3, 2023 Meeting.

Council reviewed the final bills for 2022.

Payments Made 12/7 – Total Payments \$50,975.04: \$37,838.63 GF | \$2,296.02 AMB | \$1,606.40 FD | \$3,592.19 WTR | \$5,641.80 SWR

Payments Made 12/20 – Total Payments \$14,934.79: \$9,352.95 GF | \$693.84 AMB | \$19.08 FD | \$783.40 WTR | \$4,085.90 SWR

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

A motion by Shawn Myers to adjourn the meeting. Seconded by Shannon Geihl. Carried at 9:25pm

2023 OFFICIAL DESIGNATIONS

1. **TRI COUNTY NEWSPAPER**
Official City Newspaper for 2023
2. **FIRST INDEPENDENT BANK & BREMER BANK OF MARSHALL**
Official City Depositories for 2023
3. **BOLTON & MENK**
Official City Engineering Firm for 2023
4. **KINNER & COMPANY LTD**
Official City Auditing Firm for 2023

2023 OFFICIAL AUTHORIZATIONS

1. **AUTHORIZATION OF THE CITY ADMINISTRATOR TO HANDLE THE FOLLOWING:**
 - a. Pay Regular City Bills Upon Receipt Prior to City Council Meeting
 - b. Handle Idle Investments and Funds
 - c. Pay Set Bond Principal and Interest

2022 COMMITTEE APPOINTMENTS & DISCUSSIONS FOR 2023

1. CITY COUNCIL VICE PRESIDENT: **Shawn Myers**
Presides over council and other duties in the absence of the mayor.
2. CITY COUNCIL COMMITTEES
 - Public Works Committee (*formerly Water, Sewer, Parks & Rec, Solid Waste, and Streets committees*): **Shawn Myers & Mike Horner**
 - Public Safety Committee (*formerly Fire, Ambulance, Law Enforcement, & Liquor committees*): **Joel Dahl & Shannon Geihl**
 - Planning & Zoning: **Shawn Myers & Corey Moseng**
 - Personnel: **Corey Moseng & Mike Horner**
 - Economic Development: **Corey Moseng & Shannon Geihl**
 - Revolving Loan & SCDP: **Mike Horner**
 - Housing & Redevelopment Authority Board: **Shawn Myers**
 - Finance Committee: **Corey Moseng & Mike Horner**
 - Ad Hoc (*to be formed, as needed, temporarily for a special project or task*)
 - Senior Citizen Center Facility: **Joel Dahl & Mike Horner**
 - Cottonwood Lake Initiative: **Joel Dahl & Shawn Myers**
3. DEPUTY WEED INSPECTOR: **Allen Olsen**
Works with Mayor & Administration to enforce the City Grass and Weed Ordinance
4. EMERGENCY SERVICES DIRECTOR: **Dale Louwagie**
Upon an emergency or public safety concern the Emergency Services Director is contacted and works in coordination with the City Administrator, City Department Heads, and other Agencies to address the issue.

Filed in District Court
State of Minnesota
12/22/2022

State of Minnesota
Lyon County

District Court
Fifth Judicial District

Court File Number: **42-CV-22-1160**

Case Type: Civil Other/Misc.

FILE COPY

Notice of:

- Filing of Order**
- Entry of Judgment**
- Docketing of Judgment**

City of Cottonwood vs Joseph Rains

You are hereby notified that the following occurred regarding the above-entitled matter:

- An Order was filed on December 22, 2022.
- Judgment was entered on December 22, 2022.
- You are notified that judgment was docketed on
at in the amount of \$. Costs and interest will accrue on this amount from
the date of entry until the judgment is satisfied in full.

Dated: December 22, 2022

Aimee Primus
Court Administrator
Lyon County District Court
607 W Main Street
Marshall MN 56258
507-706-7050

cc: Joseph Rains
MATTHEW BRUCE GROSS

A true and correct copy of this Notice has been served pursuant to Minnesota Rules of Civil Procedure, Rule 77.04.

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF LYON

FIFTH JUDICIAL DISTRICT

City of Cottonwood,

Court File No.: 42-CV-22-1160

Plaintiff,

v.

**DEFAULT ENFORCEMENT
ORDER FOR JUDGMENT AND
JUDGMENT**

Joseph Rains,

Defendant.

The above-entitled matter came on for a default enforcement hearing before the Honorable Tricia Zimmer, Judge of District Court, via Zoom (video) at the Lyon County Courthouse in Marshall, Minnesota on December 21, 2022. Attorney Matthew B. Gross appeared on behalf of Plaintiff City of Cottonwood. There was no appearance by the Defendant.

Based upon information, evidence and arguments made at said hearing, the Court orders as follows:

ORDER

1. Pursuant to Minn. Stat. 463.21 and Cottonwood City Ordinance 92.23(B), the City of Cottonwood is authorized to enforce its Abatement Order dated September 13, 2022, and as amended in its October 4, 2022 Extension, and abate the nuisances on the property located at 90 Vermillion Street West in the City of Cottonwood, legally described as:

Lots Eleven (11) and Twelve (12), Block Three (3), Arneson & Olson's First Addition to the City of Cottonwood, Lyon County, Minnesota.

2. The City of Cottonwood, its officers, officials, and employees as duly designated by the City of Cottonwood, are hereby granted authority to enter the property located at 90 Vermillion Street West at any time after January 16, 2023, at a date and time that the City of Cottonwood deems fit and appropriate, to accomplish the provisions of this Order on such terms that the City of Cottonwood may deem appropriate.

3. The City of Cottonwood, its officers, officials, and employees, as duly designated by the City of Cottonwood, are authorized to remove all personal property constituting a nuisance and to remove all personal property and to place said personal property into storage at the expense of the owners.
4. The City of Cottonwood may assess a special assessment against the real property described herein for the costs of the abatement of the nuisances incurred by the City of Cottonwood in the enforcement of this Order.

Dated: December 22, 2022

BY THE COURT:

By: _____

Judge of District Court



TO: COTTONWOOD CITY COUNCIL
FROM: TEATHER BLISS – ADMINISTRATOR
DATE: JANUARY 3, 2023
RE: HEALTH CARE SAVINGS PLAN (HCSP) POLICY

MESSAGE

2008 HEALTH CARE SAVINGS PLAN | In discussing the current HCSP Policy with employees that were with the City at the time of the 2008 adoption, terminology that “employees have agreed to” was not clearly presented or known to them under the following terms:

1. **Employee contribution rises as City contribution stays the same.** This came to light when an employee moved into the 15-year employment tier and did not like that an additional \$10.00 was added as an involuntary benefit.
2. **100% of unused vacation and 50% of unused sick leave go into the employees HCSP Account at employment separation.**

2023 HEALTH CARE SAVINGS PLAN | The changed policy would adopt the following:

1. **The city would take over the tiered increase in contributions and employees would contribute \$15.00 per pay period for length of employment.**
2. **100% of unused sick leave would go into the employees HCSP Account at separation and the option to put up to 100% of unused vacation into the employees HCSP Account.**

ALTERNATE OPTIONS TO 2023 PLAN |

1. Change option one from a city tier contribution to a flat match of \$15.00 for the term of employment
2. Change option two from a set \$15.00 to allow employee to voluntarily increase from \$15.00 but contribute no less than \$15.00 per pay period.

RECOMMENDATION | Approve new 2023 plan as is or with alternate options.



Cottonwood™

CITY OF COTTONWOOD

86 West Main Street • P.O. Box 106
Cottonwood, Minnesota 56229-0106
Phone: (507) 423-6488
Fax: (507) 423-5368

HEALTH CARE SAVINGS PLAN CITY OF COTTONWOOD MN

City of Cottonwood employees are eligible to participate in the Minnesota Post Employment Health Care Savings Plan (HCSP) established under Minnesota Statutes, Section 352.98 (Minn. Supp. 2001) and as outlined in the Minnesota State Retirement System's Trust and Plan Documents. All funds collected by the employer on behalf of the employee will be deposited into the employee's post employment health care savings plan account.

The City of Cottonwood's HCSP shall be funded in the following way:

1. The City of Cottonwood has agreed to contribute to the Post Employment Health Care Savings Plan described as follows:

The City shall contribute a lump sum payment in the amount of \$15.00 per pay period (every two weeks) for each full-time employee. The lump sum contribution shall be deposited in the employee's HCSP account at the end of each month.

2. Employees have agreed to contribute to the Post Employment Health Care Savings Plan through payroll withholding, described as follows:

Employees with less than 15 years employment, \$15.00 per pay period;
Employees with 15 years but less than 25 years employment, \$25.00 per pay period; and
Employees with 25 years or more employment \$75.00 per pay period.

3. All employees eligible for the severance payment will contribute to the Post Employment Health Care Savings Plan described as follows:

Employees shall contribute 100% of their unused vacation leave payment to the HCSP upon separation from employment from the City; and
Employees shall contribute 50% of their unused sick leave to the HCSP upon separation from employment from the City.

This plan becomes effective January 1, 2009.

City Council Adoption
Health Care Savings Plan
City of Cottonwood MN

This Health Care Savings Plan was passed by a motion of City Council Member Doom, seconded by Council Member Schultz, with all approving on December 16, 2008.

Ellen E. Long

Mayor

[Signature]
Clerk-Administrator

Dated: 12/16/08

SEAL

HEALTH CARE SAVINGS PLAN
CITY OF COTTONWOOD MN

City of Cottonwood employees are eligible to participate in the Minnesota Post Employment Health Care Savings Plan (HCSP) established under Minnesota Statutes, Section 352.98 (Minn. Supp. 2001) and as outlined in the Minnesota State Retirement System's Trust and Plan Documents. All funds collected by the employer on behalf of the employee will be deposited into the employee's post-employment health care savings plan account.

The City of Cottonwood's HCSP shall be funded in the following way:

1. The City of Cottonwood has agreed to contribute to the Post Employment Health Care Savings Plan described as follows:

Employees with less than 15 years employment, \$15.00 per pay period; and
Employees with 15 years but less than 25 years employment, \$25.00 per pay period; and
Employees with 25 years or more employment \$75.00 per pay period.

2. Employees have agreed to contribute to the Post Employment Health Care Savings Plan through payroll withholding, described as follows:

Employees shall contribute a lump sum payment in the amount of \$15.00 per pay period (every two weeks) for each full-time employee. The lump sum contribution shall be deposited in the employee's HCSP account at the end of each month.

3. All employees eligible for the severance payment will contribute to the Post Employment Health Care Savings Plan described as follows:

Employees can contribute 100% of their unused vacation leave payment to the HCSP upon separation from employment from the City; and
Employees shall contribute 100% of their unused sick leave to the HCSP upon separation from employment from the City.

This plan becomes effective January 1, 2023.

**City Council Adoption
Health Care Savings Plan
City of Cottonwood MN**

This Health Care Savings Plan was passed by a motion of City Council Member

_____, seconded by Council Member

_____, with all approving on January 3, 2023.

Mayor

Clerk-Administrator

Dated: _____

S E A L



TO: COTTONWOOD CITY COUNCIL
FROM: TEATHER BLISS – ADMINISTRATOR
DATE: JANUARY 3, 2023
RE: PAY EQUITY REPORT

MESSAGE

INFORMATION ON PAY EQUITY REPORTING PER MN MANAGEMENT & BUDGET |

State law requires all public jurisdictions such as cities, counties, and school districts to eliminate any gender-based wage inequities in compensation and submit reports to MMB. The Local Government Pay Equity Act, M.S. 471.991-471.999 and Minnesota Rules, Chapter 3920 require local government jurisdictions to submit a pay equity report to the State of Minnesota every three years. Your next report is due January 31, 2023. This report must show data in place as of December 31, 2022. Jurisdictions who do not submit a report on or before January 31, 2023, will be out of compliance. There are no provisions in the law for any up-front exceptions to the deadline. Approval from the governing body is required to submit a report; please plan accordingly. Once Minnesota Management and Budget reviews your report, you will receive a notice informing you whether your jurisdiction is “in compliance” or “out of compliance.” No penalties or other negative consequences will occur before you receive a formal notice of non-compliance. Please note you may also receive a request for additional information about your report if there is incorrect information, or if clarification is needed to evaluate your report. Please respond to these requests as soon as possible.

Pay Equity is a method of eliminating discrimination against women who are paid less than men for jobs requiring comparable levels of expertise. This goes beyond the familiar idea of equal pay for equal work where men and women with the same jobs must be paid equally. A policy to establish pay equity usually means: 1) that all jobs will be evaluated and given points according to the level of knowledge and responsibility required to do the job; and 2) that salary adjustments will be made if it is discovered that women are consistently paid less than men for jobs with similar points.

ADDITIONAL RESOURCE | <https://mn.gov/mmb/employee-relations/compensation/laws/local-gov/local-gov-pay-equity/>

RECOMMENDATION | Approval of Pay Equity Reporting to State of Minnesota Management & Budget

	Title	Job Function	Job Points	% of Title	Total
1	Administrator				1,307
		Administrator	496	100%	496
		Clerk Treasurer	289	100%	289
		Planner/EDA	511	50%	256
		Accounting	342	50%	171
		Grants/Funding	382	25%	96
2	Public Works Supervisor				1,287
		Maintenance Super	218	100%	218
		Mechanic	237	50%	119
		Heavy Equipment	163	50%	82
		Utilities Super	353	100%	353
		Wastewater Operator	180	100%	180
		S&W Maintenance	152	20%	30
		Water Operator	180	100%	180
		Street Maintenance	252	50%	126
3	Deputy Clerk				589
		Admin Assistant	238	100%	238
		Account Clerk	151	100%	151
		Office Services	200	100%	200
4	Public Works Foreman				430
		General Main. Worker	124	100%	124
		Street Maintenance	252	50%	126
		Mechanic	208	25%	52
		Heavy Equipment	163	50%	82
		S&W Maintenance	152	20%	30
		S&W Operator	180	5%	9
		Meter Reader	144	5%	7
5	Public Works Technician				707
		Laborer	124	100%	124
		Street Maintenance	252	50%	126
		S&W Operator	180	25%	45
		Mechanic	208	75%	156
		Heavy Equipment	163	50%	82
		S&W Maintenance	152	20%	30
		Meter Reader	144	100%	144

Compliance Report

Jurisdiction: Cottonwood
 78 West Main St

 PO Box 106
 Cottonwood, MN 56229

Report Year: 2023
 Case: 1 - 2022 DATA (Private (Jur Only))

Contact: Teather Bliss

Phone: (507) 423-6488

E-Mail: teather@cityofcottonwoodmn.com

The statistical analysis, salary range and exceptional service pay test results are shown below. Part I is general information from your pay equity report data. Parts II, III and IV give you the test results.

For more detail on each test, refer to the Guide to Pay Equity Compliance and Computer Reports.

I. GENERAL JOB CLASS INFORMATION

	Male Classes	Female Classes	Balanced Classes	All Job Classes
# Job Classes	3	2	0	5
# Employees	3	2	0	5
Avg. Max Monthly Pay per employee	4933.33	4880.00		4912.00

II. STATISTICAL ANALYSIS TEST

A. Underpayment Ratio = 0 *

	Male Classes	Female Classes
a. # At or above Predicted Pay	3	2
b. # Below Predicted Pay	0	0
c. TOTAL	3	2
d. % Below Predicted Pay (b divided by c = d)	0.00	0.00

*(Result is % of male classes below predicted pay divided by % of female classes below predicted pay.)

B. T-test Results

Degrees of Freedom (DF) = 3	Value of T = 0.000
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a. Avg. diff. in pay from predicted pay for male jobs = 0

b. Avg. diff. in pay from predicted pay for female jobs = 0

III. SALARY RANGE TEST = 100.00 (Result is A divided by B)

A. Avg. # of years to max salary for male jobs = 3.00

B. Avg. # of years to max salary for female jobs = 3.00

IV. EXCEPTIONAL SERVICE PAY TEST = 100.00 (Result is B divided by A)

A. % of male classes receiving ESP = 100.00 *

B. % of female classes receiving ESP = 100.00

*(If 20% or less, test result will be 0.00)

Job Class Data Entry Verification List

Case: 2022 DATA

Cottonwood

LGID: 664

Job Nbr	Class Title	Nbr Males	Nbr Females	Non-Binary	Class Type	Jobs Points	Min Mo Salary	Max Mo Salary	Yrs to Max Salary	Yrs of Service	Exceptional Service Pay
4	Public Works Foreman	1	0	0	M	430	4625.00	4720.00	3.00	25.00	Performance
3	Deputy Clerk	0	1	0	F	589	3440.00	4480.00	3.00	3.00	Performance
5	Public Works Technician	1	0	0	M	707	3748.00	4480.00	3.00	4.00	Performance
2	Public Works Supervisor	1	0	0	M	1287	4440.00	5600.00	3.00	17.00	Performance
1	Clerk-Administrator	0	1	0	F	1307	4323.00	5280.00	3.00	4.50	Performance

Job Number Count: 5

Pay Equity Implementation Report

Part A: Jurisdiction Identification

Jurisdiction: Cottonwood
 78 West Main St
 PO Box 106
 Cottonwood, MN 56229

Jurisdiction Type: City

Contact: Teather Bliss

Phone: (507) 423-6488

E-Mail: teather@cityofcottonwoodmn.com

Part B: Official Verification

1. The job evaluation system used measured skill, effort responsibility and working conditions and the same system was used for all classes of employees.

The system was used: State Job Match

Description:

2. Health Insurance benefits for male and female classes of comparable value have been evaluated and:
 There is no difference and female classes are not at a disadvantage.

3. An official notice has been posted at:

City Office

(prominent location)

informing employees that the Pay Equity Implementation Report has been filed and is available to employees upon request. A copy of the notice has been sent to each exclusive representative, if any, and also to the public library.

The report was approved by:

Cottonwood City Council

(governing body)

Corey Moseng

(chief elected official)

Mayor

(title)

Part C: Total Payroll

\$246912.00

is the annual payroll for the calendar year just ended December 31.

- Checking this box indicates the following:
- signature of chief elected official
 - approval by governing body
 - all information is complete and accurate, and
 - all employees over which the jurisdiction has final budgetary authority are included
- Date Submitted: 12/14/2022



TO: COTTONWOOD CITY COUNCIL
FROM: TEATHER BLISS – ADMINISTRATOR
DATE: JANUARY 3, 2023
RE: COST OF LIVING WAGE ADJUSTMENTS

MESSAGE

REQUEST FOR WAGE INCREASES FOR 2023 | 5% WAGE INCREASE FOR ALL FULL TIME EMPLOYEES.

REASONING FOR INCREASES | SOLELY BASED ON COST-OF-LIVING ADJUSTMENTS. DUE TO ECONOMIC AND REAL-WORLD FACTORS BEYOND OUR CONTROL – COLA IS UP 2.8% FROM JANUARY 2022, INFLATION REMAINS AT A 40 YEAR HIGH OF 7.1%, AND THE CONSUMER PRICE INDEX HAS SEEN A MASS PERCENTAGE FLUCTUATION IN ESSENTIAL GOODS & SERVICES.

ADDITIONAL INFORMATION | IN ORDER TO CONTINUE TO BOOST THE PRODUCTIVITY AND MORALE OF EMPLOYMENT, I WOULD LIKE TO GET INTO EFFECT BY MAY 1ST THE FOLLOWING DOCUMENTS – NEW PERSONNEL POLICY, NEW JOB DESCRIPTIONS, NEW STANDARDS FOR EVALUATIONS, AND SALARY SURVEY ADOPTION. I WOULD ALSO LIKE TO BEGIN AGAIN SEPERATING OUT COST OF LIVING ADJUSTMENTS AND PERFORMANCE REVIEWS AS I FEEL LIKE THEM BEING DONE AT THE SAME TIME OVERSHADOW THE EVALUATION OF AN EMPLOYEE’S PERFORMANCE.

WITHIN THE 2023 BUDGET, MAX PERCENTAGES FOR EACH EMPLOYEE WERE BUILT INTO THE RESPECTIVE DEPARTMENTS SO THAT PERFORMANCE EVALUATIONS CAN BE DONE ON ANNIVERSARY DATES AND ALLOW PERFORMANCE BASED RAISES TO BE CONSIDERED AT THAT TIME.

ORDINANCE 2023_01

AN ORDINANCE ASSIGNING A STREET NAME AND ADDRESS WITHIN THE CORPORATE CITY LIMITS OF COTTONWOOD, MINNESOTA

WHEREAS, on June 28, 2022, the City Council of the City of Cottonwood approved Ordinance 2022_03 annexing property in Lucas Township with the following legal description:

All that part of Government Lot 3 in Section 5, Township 113 North, Range 40 West, Lyon County, Minnesota, being more particularly described as follows:

Beginning at the northeast corner of Lot 1 Block 1 of Idso 2nd Addition to the City of Cottonwood as filed and recorded in the office of the County Recorder in and for said Lyon County; thence South 89 degrees 11 minutes 53 seconds West, bearing based on Lyon County Coordinate System (1996 Adj.), along the south of said Government Lot 3, a distance of 50.00 feet; thence North 00 degrees 48 minutes 07 seconds West a distance of 300.00 feet; thence North 56 degrees 51 minutes 04 seconds East a distance of 386 feet, more or less, to a point on the shore line of Cottonwood Lake, said point here after know as Point "A"; beginning again from said point of beginning; thence North 89 degrees 11 minutes 53 seconds East, along the south line of said Government Lot 3, a distance of 331, feet more or less, to a point on the shoreline of Cottonwood Lake; thence northerly, along said shoreline, a distance of 550 feet, more or less, to said point "A", description there terminating.

WHEREAS, Parcel 22-129001-1 is property owned by the City of Cottonwood containing an easement for the purpose of a road.

WHEREAS, the City Council has the authority to determine street names and house numbers within the City pursuant to Minnesota Statute §412.221, subdivision 18.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COTTONWOOD DOES HEREBY ORDAIN:

Section 1. Parcel 22-129001-1 located within the corporate limits of the City of Cottonwood and owned by the City of Cottonwood for the purpose of a roadway shall bear the name, Shoreview Pass.

Section 2. The property annexed into the corporate limits of the City of Cottonwood per Ordinance 2022_03 shall be assigned the address, 100 Shoreview Pass.

Section 3. This Ordinance shall be effective immediately upon its passage and publication.

Adopted and passed by the City Council of Cottonwood, Minnesota this third day of January 2023.

City of Cottonwood, Mayor

SEAL

City of Cottonwood, City Administrator

RESOLUTION NO. 2023_0103
ADOPTION OF 2023 FINAL PROPRIETARY FUNDS BUDGET SUMMARY

BE IT RESOLVED, by the City Council of the City of Cottonwood, County of Lyon, Minnesota, that the information provided below is hereby approved as the 2023 Final Proprietary Funds Budget of the City of Cottonwood.

2023 FINAL PROPRIETARY BUDGET SUMMARY		
DEPARTMENT	TWENTY TWO	TWENTY THREE
WATER REVENUE	\$ 265,430.00	\$ 226,730.00
SEWER REVENUE	\$ 319,780.00	\$ 856,580.00
WATER & SEWER REVENUE	\$ 585,210.00	\$ 1,083,310.00
WATER DEBT	\$ 53,253.00	\$ 66,225.00
WATER CAPITAL	\$ 26,250.00	\$ 0.00
WATER OPERATIONS	\$ 185,750.00	\$ 159,750.00
WATER EXPENDITURES	\$ 265,253.00	\$ 225,975.00
SEWER DEBT	\$ 63,409.00	\$ 85,595.00
SEWER CAPITAL	\$ 26,250.00	\$ 577,000.00
SEWER OPERATIONS	\$ 229,670.00	\$ 192,951.00
SEWER EXPENDITURES	\$ 319,329.00	\$ 855,546.00
PROPRIETARY PROFIT & LOSS	\$ 628.00	\$ 1,789.00

IN WITNESS WHEREOF, the City of Cottonwood, Minnesota, by its City Council, has caused this Resolution to be executed on its behalf by the signatures of the Mayor and City Administrator as of the date set forth below.

Adopted and passed by the City Council of Cottonwood, Minnesota this third day of January 2023.

Mayor, Corey Moseng

SEAL

City Administrator, Teather Bliss