

Nowthen City Council
August 8, 2023
Regular Meeting Minutes

1. CALL TO ORDER

Mayor Pilon called the meeting to order at 7:00 pm.
All present recited the Pledge of Allegiance.

Present: Mayor Pilon, Council Members Rainville, Fladebo, Alders, and Breyen.

Also Present: City Attorney Bob Ruppe, Administrator Lehner, Deputy Clerk Johnson, Chief Deputy Jacobson, Fire Chief Schmidt.

Mayor Pilon would like to amend the agenda – Strike Item 4, the Lions will come to the September meeting to present the benches. Move 5F for discussion.

MOTION BY MAYOR PILON TO ACCEPT THE AMENDED AGENDA, SECONDED BY ALDERS. MOTION CARRIED. 5 AYES. MOTION CARRIED.

2. FLOOR ITEMS

None

3. Public Opportunity for Input Meeting – MS4 Stormwater Permit.

None

4. Stricken from this agenda.

5. CONSENT AGENDA

MOTION BY COUNCIL MEMBER RAINVILLE, SECONDED BY BREYEN TO ACCEPT THE AMENDED CONSENT AGENDA. MOTION CARRIED. 5 AYES.

6. CITY ATTORNEY – BOB RUPPE

a) Mr. Ruppe explained the 2023 state legislation regarding hemp and cannabis products use and sales. The legislation does not have regulations in place and will not until January of 2025.

As city attorney, he is recommending the following:

1. The city put in place a moratorium on any retail store to sell these products until January 1, 2025.
2. Ordinance 2023-02 – This ordinance would prohibit public use of hemp and cannabis products.
Please see Ordinance for details.

Both items require a public hearing. The first to be August 22, 2023, at 7:00 pm at the Planning and Zoning meeting to consider adoption of the Ordinance establishing Chapter 3, Section 5 of the Nowthen City Code to regulate Tetrahydrocannabinol products within the City of Nowthen.

The second public hearing will be held September 12, 2023, at the regular city council meeting to consider the adoption of "An Interim Ordinance Authorizing a Study and Imposing a Moratorium on the Operation of a Cannabis Business."

Mr. Ruppe explained that the city council will want to review this moratorium before it expires.

A question was asked regarding whether the Farmers Market would be able to sell the products. The answer was as of now – no. The retailer must be in a brick-and-mortar building.

7. ENGINEERING

None

8. FIRE DEPARTMENT REPORT

Presented by Fire Chief Schmidt:

For the month of July 2023, the Fire Department responded to 22 incidents (same as the previous month) with an average response time of 11 minutes and 19 seconds (1 minute and 21 second decrease from June). The average number of firefighters attending calls for service was 4.6. The Fire Department reports no dollar loss from fires during the month of July. The Fire Department assisted other agencies 2 times in the month of July and received assistance from other agencies 5 times for the month of July.

On July 9th, the Fire Department responded to a grass fire in the ditch at the intersection of 201st and Engen. Crews extinguished the fire that was approximately 20'x20' in size at the time of arrival.

On July 9th, a second grass fire was reported on the 18100 block of St. Francis Blvd. The fire was out when crews arrived but discovered spent fireworks in the area of the fire.

On July 19th, the Fire Department responded to a report of a vehicle that drove off the roadway on the 21200 block of St. Francis Blvd. Upon arrival, the driver was found to be in cardiac arrest and CPR was initiated along with application of an AED. Despite multiple shocks delivered from the AED and the Lucas Device, the patient did not survive.

On July 19th, the Fire Department responded to a report of a tree on fire. Upon arrival, crews found a pine tree on fire and were able to quickly extinguish the fire. The cause of the fire was determined to be a lightning strike.

Chief Schmidt informed the council that the department will be bringing four (4) firefighter candidates before the council next month for consideration. They have all begun the onboarding process.

He also stated that one of the existing council members, Joe Muehlbauer, has been appointed to fill the vacancy of Mayor for the city of St. Francis. Since he is an existing member, the council will now have to appoint a council member to fill his vacancy.

9. SHERIFF'S DEPARTMENT REPORT

Presented by Chief Deputy Jacobson:

Calls for Service

Sheriff's Deputies responded to 126 calls for service.

July 2023 calls for service included:

3 to Bar None

5 Alarms
8 Medicals
7 Animal Complaints

Bar None

On 07/15/2023 at 1:51 AM, ACSO responded to the facility on a report of a person in crisis. The victim was reported to have a self-inflicted cut on their arm and was locked in their room. The arriving deputy began a dialogue with the victim through the door of the room and was ultimately able to convince the victim to place their hands on the window and allow deputies to take the victim into protective custody. The victim was transported to a nearby hospital for crisis care.

On 07/17/2023 at 12:22 AM, ACSO responded to the facility on a report of a juvenile who was armed with an improvised weapon and was threatening staff. Deputies arrived and encountered the juvenile in a common area. The juvenile was hiding their hands and indicated to deputies they had a weapon and would use it. Deputies engaged in a lengthy negotiation with the juvenile, but ultimately went hands-on with the juvenile when the juvenile tried to leave the area. The juvenile was found not to be armed with any type of weapon. The juvenile was booked at the Lino Lakes Juvenile Center on charges of 5th degree assault and obstruction of the legal process.

Noteworthy Calls for Service

On 07/07/2023 at 6:13 AM, an ACSO countywide unit was on patrol in the City of Nowthen when his squad car was passed by another motorist who had been traveling in the same direction as the squad. The sergeant noted the vehicle appeared to be traveling well beyond the posted speed limit of 55 miles per hour on Highway 47. The sergeant measured the vehicle's speed at 73 miles per hour and initiated a traffic stop. The driver, an adult male, was found to have an expired driver's license and a warrant for his arrest out of Isanti County for failure to appear in court. The driver was cited for speeding and driving on an expired license. He was released into the custody of an Isanti County deputy.

On 07/11/2023 at 10:43 AM, ACSO responded to a report of a crash in the area of Viking Blvd. NW and Baugh St. NW. The crash involved a 2009 Ford F150 and a 2007 Ford Econoline 100. The investigation into the accident showed the Econoline was westbound on Viking Blvd. NW and came to a stop at the posted stop sign at Baugh St. NW before proceeding through the intersection. A witness reported the F150 ran the stop sign for Baugh St. NW and struck the Econoline. The driver of the F150, an adult male, showed signs of impairment. A preliminary breath test showed his BAC to be .042, but the deputy had probable cause to draft a search warrant for a blood sample from the driver to check for additional intoxicants. The blood sample was taken from the suspect at a nearby hospital. The suspect was then booked on charges of DWI and failure to obey a traffic control device (stop sign). No one was injured in the crash.

The Chief Deputy stated that Night to Unite was a great success in Nowthen. The Sheriff's Department appreciates the overwhelming support of the city! He, the Mayor, and Administrator were able to attend 2 parties: one hosted by the Lions at Memorial Park and another in a neighborhood. Thank you to the hosts; it was fun meeting with residents!

Council Member Rainville wanted to shout out to the Lions a thank you for sponsoring Night to Unite for many years. They do a great job.

10. PLANNING AND ZONING

None

11. ADMINISTRATOR'S UPDATE

a) Night to Unite – was a great night. Thank you to the Chief Deputy for taking us along with him to visit residents. The Lions did a great job!

- b) Project Manager Update – Putting the finishing touches on the job description and will get posted by the end of the week.
- c) Fall Newsletter Update – Madeline is working with Council Member Rainville and Sue Pilon. Ads and articles have been completed; they are working on the layout now.
- d) Jasper Street Phase One is completed and Phase Two is started using Public Works and local contractors. The worst sections are being repaired. It will sit for the winter to settle to be ready for asphalt next spring. The city appreciates our Public Works department working so diligently on these projects. If residents have questions, please have them contact the city administrator.
- e) Xenon Street Culvert – The culvert has been purchased through Dave Perkins Contracting. It is scheduled to be installed in October.
- f) Important Dates:

Budget Work Sessions: August 9, 23 and 29 Begin at 5:30

Nowthen Threshing Show August 18,19, 20

Heritage Festival September 23

Fall Recycle Day October 14

City Council Meeting – Acceptance of Preliminary 2024 Budget
September 12

- g) ATV Ordinance Work Session – Staff will work on scheduling in October.
- h) Last week Twin Lakes Park Restroom had no water. Public Works had two (2) companies look at it with the same conclusion—the pressure tank is saturated. While staff were getting bids, a portable handicap-accessible toilet was brought in for public use since the restrooms would be locked with no water. Nowthen Plumbing provided the lowest bid and a quick turnaround. Because the beach pavilion was rented over the weekend, and they were able to replace the tank on Friday, it was authorized to be completed. There was water when they left, no water again Saturday am. A huge shout out to Mork Well; they came through for the city! They sent techs out on Saturday to determine the problem; it was an electrical issue that they were able to correct. Mork Well waived the emergency call fee – they went above and beyond to service the city! Thank you Mork Well! We have prepared Resolution 2023-46, “Replacing the 120-Gallon Water Tank.”

MOTION BY COUNCIL MEMBER RAINVILLE, SECONDED BY ALDERS TO APPROVE RESOLUTON 2023-46 REPLACING THE 120-GALLON WATER TANK AT THE TWIN LAKES PARK RESTROOM. 5 AYES. MOTION CARRIED.

12. CITY COUNCIL

- a) Old Business – None
- b) New Business
 1. **Nowthen Threshing Show City Booth August 18, 19, 20** – City Staff has not had a city booth at the Threshing Show in the past. The Heritage Festival will have a booth again this year and the city council is invited to join in the booth to represent the city.
 2. **Heritage Festival City Booth – September 23** - City staff has not had a city booth for many years. Last year, there was a table next to the Merchandise tent. If city council would like to volunteer – there can be a table again this year.
 3. **Fall Recycle Day – October 14** – On the Spring Recycle Day, we had all staff available and most of the council was there. For the fall, there will be limited staff and city council members. (Mary stated

she would bring store-bought treats).

Please let Natalie know if you, as council, will be there so it can be promoted on the city website which council members will be at these events. The mayor and Council Member Rainville indicated they would be at all events.

- c) 5F removed from the consent agenda.
Authorize the Fire Department to post for promotion to the Open Captain – Training Position internally.
Discussion: This position and all captain positions will be amended to state the immediate supervisor is the Fire Chief.

MOTION BY MAYOR PILON, SECONDED BY FLADEBO TO AUTHORIZING THE FIRE DEPARTMENT TO POST FOR PROMOTION TO THE OPEN CAPTAIN -TRAINING POSITION INTERNALLY WITH THE AMENDED JOB DESCRIPTION. 5 AYES. MOTION CARRIED.

The mayor congratulated Administrator Lehner on his first anniversary with the City of Nowthen! Cake and coffee will be served after this meeting is adjourned.

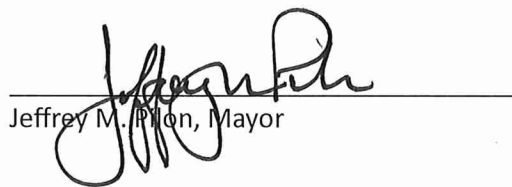
MOTION TO ADJOURN BY COUNCIL MEMBER FLADEBO, SECONDED BY BREYEN TO ADJOURN. 5 AYES. MOTION CARRIED.

The meeting adjourned at 7:45 PM.

Respectfully Submitted,



Scott Lehner, City Administrator



Jeffrey M. Pilon, Mayor