

**Nowthen City Council
September 13, 2022
Regular Meeting Minutes**

1. CALL TO ORDER

Mayor Pilon called the meeting to order at 7:05 pm
All present recited the Pledge of Allegiance

Present: Council Members Blake, Greenberg, Alders and Rainville.

Also in attendance: Administrator Lehner, Deputy Clerk Johnson, Lieutenant Jacobson, Fire Chief Schmidt, and Interim City Administrator Boyles

Mayor Pilon explained what the Consent Agenda is for the public to understand.

Agenda Amendments:

3c move to 8e for further discussion

3h move to 8f for further discussion

3o move to 8g for further discussion

Add: 8h – Internet Update

8i – Parks Update

**MOTION BY COUNCIL MEMBER GREENBERG, SECOND BY BLAKE TO APPROVE THE AGENDA AS AMENDED.
MOTION CARRIED. 5 AYES.**

2. PROCLAMATION

Jeffrey M. Pilon, Mayor of the City of Nowthen, MN proclaimed October as Domestic Violence Awareness Month in the City of Nowthen and urge our citizens to work together to eliminate domestic violence from our community.

3. CONSENT AGENDA

Mayor Pilon clarified that 3j will not be executed until the city receives a letter of indemnity from MN Pyrotechnics, LLC.

MOTION BY COUNCIL MEMBER BLAKE, SECONDED BY ALDERS TO ACCEPT THE CONSENT AGENDA AS AMENDED MOVING 3c to 8e, 3h to 8f, 3o to 8g, add 8h and 8i. MOTION CARRIED. 5 AYES.

4. FLOOR ITEMS

NONE

5. SHERIFF'S REPORT

The mayor mentioned that Saturday is Law Enforcement Appreciation Day, and the city is very appreciative of the Sheriff's Department.

Lieutenant Jacobson introduced Deputy Barrett and Deputy Jacobson (not related) to the city council. They provided a brief description of their background and experience. The city of Nowthen welcomes the deputies and appreciates their service. Side note: When asked how they were doing sharing a space with the fire department Deputy Jacobson states "The fire department has great food on Wednesday nights!"

Lieutenant Jacobson reported 143 calls in August.

Notable calls:

1. Hit and Run – a witness got the license plate. Thank you!
2. Rollover crash – driver got out with minor injuries; alcohol was a factor.
3. Crash – minor intentionally fish tailing on dirt roads
4. A grenade was found while a resident was cleaning out property. Minneapolis bomb squad was called in to dispose of it.
5. Theft in Progress at Bill's in front of a Deputy, a chase followed with a softball dad tackling the suspect. The suspect had an active warrant and was arrested.
6. High Speed stop when discovered the male was violating a protective order, a pursuit began. Lino Lakes K-9 unit was able to locate the offender and he was placed under arrest.
7. ATV accident – the driver hit a sign; alcohol was involved.

Lt. Jacobson stated the Sheriff's department will be at Heritage Days with a Sheriff's car and boat. Mayor Pilon again thanked the sheriff's department for their partnership. Lt. Jacobson stated it was wonderful to work in a community where the officer's felt the city "had their backs".

6. FIRE DEPARTMENT

Chief Schmidt had to leave on a call. Mayor Pilon read Chief Schmidt's written report stating 28 incidents in August with 4.03 average fire fighters responding per call. The estimated loss for the month of August was \$850,000 due to a large house fire.

The fire department will be holding an open house 12:00 – 3:00 on Saturday, September 24th during Heritage Days. All are welcome, including children!

7. PLANNING AND ZONING

None

8. CITY COUNCIL

8a) CONSIDER APPROVAL OF RESOLUTION 2022-XX ADOPTING THE PRELIMINARY LEVY AND BUDGET FOR 2023.

Discussion regarding the proposed budget for 2023. Summarizing the reasons for the proposed increase of 6.94%, higher – Staffing, loss of state funding (grants are not guaranteed), fiscal disparity funds, the city will use some of its reserves (currently at 88% - the state auditor likes to see reserves at 25-40%, Nowthen has consistently has 60-65%. After using some of the city's reserves, it will still have 67% in reserves. Inflation is a large factor in this increase of the levy, the city chose to add an administrator and is choosing to add additional staff in 2023.

Once the preliminary budget is adopted and sent to the County by the end of September deadline, the city may still adjust the budget, however, the levy may not be increased, only lowered. Administrator Lehner will be reviewing the preliminary budget to see if there are better ways or less expensive ways to accomplish the city council's goals. December 13th at the city council meeting the final budget for 2023 will be on the agenda for final approval.

Nowthen is currently the 3rd lowest taxed city in Anoka County according to Mayor Pilon. The city council and staff are doing a good job keeping taxes low. For those interested in where your taxes go – please look at your tax statement, it will indicate what your county taxes are, what your school taxes are, 1% to Metropolitan

Council and your city tax is. Material is on the city website for review by the public. The information is also in the Fall Newsletter that was mailed to residents September 19, 2022.

MOTION BY COUNCIL MEMBER RAINVILLE, SECONDED BY GREENBERG TO APPROVE RESOLUTION 2022-XX ADOPTING THE PRELIMINARY LEVY AND BUDGET FOR 2023. MOTION CARRIED. 5 AYES.

8b) CONSIDER APPROVAL OF RESOLUTION 2022-XX APPROVING THE CANCELLATION OF DEBT FOR 2019A GENERAL OBLIGATION SPECIAL ASSESSMENTS BOND.

Discussion – the city has collected prepaid special assessments and has \$85,900 in unspent bond proceeds; therefore, the city does not require a debt service levy for 2019A bond issue in 2023.

MOTION BY COUNCIL MEMBER ALDERS SECONDED BY BLAKE TO APPROVE OF RESOLUTION 2022-XX APPROVING THE CANCELLATION OF DEBT FOR 2019A GENERAL OBLIGATION SPECIAL ASSESSMENTS BOND. MOTION CARRIED. 5 AYES.

8c) CONSIDER THE APPROVAL OF PROPOSAL TO SET THE DATE FOR THE 2022 CITY OF NOWTHEN FALL RECYCLING DAY AND RELATED MATTERS.

Discussing to name the date for recycling date as October 15, 2022, 8:00 am – 1:00 pm. Residents will receive a coupon in the city newsletter for a few FREE items: 4 free appliances, 4 electronics (not including TV's), 8 unrimed tires. Traditionally city council members volunteer and staff will be onsite to assist. Council member Rainville will not be available to be there this year (2nd time missed a recycle day in 10 years). If any other council member is not available, please let Administrator Lehner know as soon as possible. City Administrator Lehner will be there to assist and will bring treats. Recycling Coordinator Adrienne Christensen will be there to take payment and track the recycling for the day.

MOTION BY COUNCIL MEMBER RAINVILLE, SECONDED BY GREENBERG TO APPROVE OCTOBER 15, 2022, FOR THE 2022 CITY OF NOWTHEN FALL RECYCLING DAY. MOTION CARRIED. 5 AYES.

8d) CONSIDER APPROVAL OF A STATUS REPORT ON THE WELL AND PUMP INSTALLATION SERVING THE HISTORIC TOWN HALL, FIRE STATION, ICE RINKS AND MEMORIAL PARK.

Mayor Pilon indicated he is giving the update as he was overseeing the installation as both Administrator Lehner and Interim City Administrator Boyles were out of town while the work was happening. The old well pumped 2 gallons a minute. The new one now pumps 80 gallons per minute. Joe Glaze, our maintenance supervisor was able to save the city money with an idea to move the location of the well, therefore, creating an opportunity for a larger pump to allowing the higher gallons per minute. The way it works the fire department will be able to top off their trucks as well. (The city will still need the high capacity well for the Fire Department to refill tankers to speed up response to large fires).

The majority of the well installed was paid for without additional city tax. A big THANK YOU to the Elk River Youth Hockey Association which voluntarily donated a portion of their legal gambling proceeds to the city dedicated to be spent according to state law. The city buildings are not only serviced by this well, the ball fields can also be watered to have better fields, the ice rinks can be flooded without many trips hauling water, the fire department reserve tank can be filled more quickly for public safety. Council member Greenberg stated he was very pleased with the outcome; this has gone above and beyond expectations.

8e) APPROVAL OF ORDINANCE 2022-03 AN ORDINANCE AUTHORIZING AND REGULATING THE CONDUCT OF LAWFUL GAMBLING WITH THE CITY OF NOWTHEN.

Mayor Pilon pulled this item from the consent agenda to return to staff to answer additional questions, to put the ordinance into “lay” person’s understanding and for all to understand the process. The city of Nowthen does not intend for any “commercial” gambling, but to continue “charitable” gambling used to raise money for Non-Profit Organizations. Elk River Youth Hockey Association has been authorized by the city of Nowthen to have charitable gambling in Nowthen and have been voluntarily donating 10% of the proceeds each quarter to the city of Nowthen. The city needs to be sure all organizations are compliant with receiving approval and will abide by the allowable 10% donation to the city to be used for specific purposes to improve public safety, youth activities and other purposes as designated by State Law for charitable gambling proceeds. This does not include lottery sales. Nothing in the city will change, just cleaning up the process expected in the city of Nowthen.

Question posed: Does the council have the authority to deny charitable gambling in the city of Nowthen?
Short answer: Yes – but it must meet certain criteria to be denied.

The city was surprised to hear an organization had left Nowthen and another moved in, that is what sparked this conversation and proposed ordinance.

MOTION BY COUNCIL MEMBER RAINVILLE, SECONDED BY BLAKE TO RETURN THE RCA TO STAFF FOR REVISION AND CITY COUNCIL WILL REVISIT THIS ISSUE AT THE OCTOBER 11TH MEETING. MOTION CARRIED. 5 AYES.

8f) APPROVAL OF RESOLUTION 2022-XX OUTLINING THE MISCELLANEOUS SPECIAL ASSESSMENTS PROCESS AND AUTHORIZING STAFF TO NOTIFY THOSE PRESENTLY ANTICIPATED TO BE ASSESSED.

Mayor Pilon explained the city code states any violations need to be paid by September 30th or the property may be assessed. The city has 24 open violations with citations from \$100 to \$3,200. In order to assess the property, the city needs to notify the county by November 15th. City council would like more clarification on what the process is for the amount of the fine, who is being fined and why.

MOTION BY MAYOR PILON, SECONDED BY BLAKE TO RETURN THIS RCA BACK TO STAFF FOR FURTHER CLARIFICATION ON WHO, WHY, AND HOW THE FINE IS DETERMINED; STAFF TO BRING BACK TO COUNCIL OCTOBER 11TH CITY COUNCIL MEETING. MOTION CARRIED. 5 AYES

8g) APPROVAL OF RESOLUTION 2022-XX APPROVING A ZONING ABATEMENT AGREEMENT WITH A AND B WELDING AND AUTHORIZING THE MAYOR TO EXECUTE THE AGEEMENT ON BEHALF OF THE CITY.

Council member Alders pulled this from the consent agent to understand this item. It was explained that A & B Welding would like a temporary building for a special project. The building will be there for 3-6 months, it will be climate control building as they are testing metals, there will be no additional parking needed, it would be a daytime shift and the building will be secure. A&B Welding will provide the city a \$7,500 escrow to ensure the building will be removed upon completion of the contract. The contract between A&B Welding and their vendor is not executed yet, once it is executed, the city will get more details. The structure building will be coming from Canada, there are others like it as far away as Texas. Once contract is complete, the building will be moved from Nowthen to another location.

MOTION BY COUNCIL MEMBER ALDERS, SECONDED BY RAINVILLE TO APPROVE OF RESOLUTION 2022-XX APPROVING A ZONING ABATEMENT AGREEMENT WITH A AND B WELDING AND AUTHORIZING THE MAYOR TO EXECUTE THE AGEEMENT ON BEHALF OF THE CITY. MOTION CARRIED. 4 AYES (COUNCIL MEMBER BLAKE WAS ABSENT FOR THIS VOTE).

8h) INTERNET UPDATE

Council Member Alders requested an update on the internet in the city of Nowthen.

Mayor Pilon noted that both Arvig and Anoka County have both applied for Border-to-Border grant money to help expand internet in rural areas. The state of MN did not pass any legislation so there won't be any money there to help expand the cities internet. Comcast wanted 14 million dollars to bring in fiber optic.

The city has reached out to Midco for the north side of the city (no response yet), and Arvig has stated they would be able to service 81 homes on the west side of Nowthen should the grant be given.

8i) PARK UPDATE

Council Member Greenberg advised the council of signs at the parks need replacement, much discussion regarding pickle ball courts and location, discussion regarding the basketball court, concrete edging for the fence posts for the pickle ball courts. Direction given by the council is for council member Greenberg to work with staff to get the estimates for the signs and installation of pickle ball fields.

Contracted Goats – the goats have eaten a portion of the buckthorn, but we are too late in the season for the taste of poison ivy to be delicious for the goats. The city will not be charged for this visit and the goats shall return in the spring to try again. The recommendation is a 3-step process with 3 visits from the goats to each area and that should help with the problem of the poison ivy and buckthorn. It is very generous of them to donate the services provided this fall.

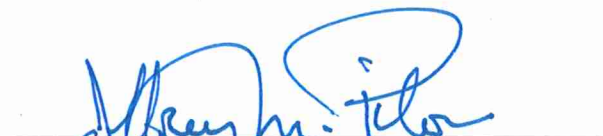
MOTION TO ADJOURN BY COUNCIL MEMBER BLAKE, SECONDED BY MAYOR PILON. MOTION CARRIED. 4 AYES.

The meeting was adjourned at 9:01pm

Respectfully submitted,



Scott Lehner, City Administrator



Jeffrey M. Pilon, Mayor

NOTE: Prior to the meeting being called to order, the mayor thanked Interim City Administrator Boyles for his expertise, support, and time serving the City of Nowthen informing the city council and residents that Mr. Boyles official last day with the city is September 14th, 2022.