

**Nowthen City Council
February 14, 2023
Regular Meeting Minutes**

1. CALL TO ORDER

Mayor Pilon called the meeting to order at 7:04 pm.

All present recited the Pledge of Allegiance.

Present: Mayor Pilon, Council Members Breyen, Fladebo, Alders

Also in attendance: Administrator Lehner, Deputy Clerk Johnson, Lieutenant Jacobson, Assistant Fire Chief Schrag and Fire Chief Schmidt.

Council Member Rainville participating via video; ineligible to vote.

Agenda: Move Item Consent D to authorize the hiring of Amy Hanson as the second part-time recycle attendant to 9B under Administrator's Update.

MOTION BY COUNCIL MEMBER BREYEN, SECONDED BY FLADEBO TO APPROVE THE AGENDA AS AMENDED. MOTION CARRIED. 4 AYES.

2. FLOOR ITEMS

Scott Schwartz from Oak Grove, representing the St. Francis School District, Bar None Facility. Mr. Schwartz had questions regarding if a permit was required for a greenhouse at the facility. It is stated that yes, a permit is required, and the mayor suggested he contact Administrator Lehner.

3. PRESENTATION by Ron Orlando, Vice President of External Affairs for Comcast.

Moved to Administrator's Update

4. CONSENT AGENDA

MOTION BY COUNCIL MEMBER BREYEN, SECONDED BY FLADEBO TO ACCEPT THE CONSENT AGENDA AS AMENDED. MOTION CARRIED. 4 AYES.

5. ENGINEERING DEPARTMENT: NONE

6. FIRE DEPARTMENT REPORT

Fire Chief Schmidt presented a new bar graph report showing a monthly comparison. The fire department responded to 12 incidents in the month of January 2023 (3 less than December). The average response time was 11 minutes, 59 seconds. The average number of firefighters attending the calls was 3.3. The fire department reports no dollar loss from fires during the month of January.

Notable calls: On January 9th, the fire department responded to a person not breathing; upon arrival it was determined the patient was deceased and no life saving interventions were initiated.

On January 10th, the fire department was dispatched to 2 separate vehicle accidents. The first was at the intersection of Viking and St. Francis Blvd and the second was at Viking and Twin Lakes Road. Neither incident resulted in any injuries and it was determined the icy roads contributed to the accidents.

The fire department is currently working on a grant application for a new turn out gear dryer. The grant is administered through the Department of Public Safety and if successful, the city would be required to match 10% of the total funding award (approximately \$500). This would be covered in the existing fire department budget.

The fire department had to replace some of the Duty Officer squad due to the decal coming off spontaneously. Unfortunately, this was not covered under warranty; however, the vendor did waive the trip charge to come out.

The fire department is in process of reporting our 2022 incidents to the State Fire Marshall office. All Minnesota Fire Departments report to annual run reports to the state as part of the National Fire Incident Reporting System. The fire department responded to 274 incidents for 2022.

The fire department received a fire code concern for one of the schools in town for exit lighting that was not operational, this has been addressed.

Fire Chief Schmidt, Assistant Chief Schrag and Mayor Pilon attended the Anoka County Fire Protection Council meeting on January 26, 2023. It was voted and approved for the County to move forward with a new Records Management System for all fire departments in the county. This will come with an increased share cost to all fire departments starting in 2024. The increased cost to the City of Nowthen has not been calculated, but an increase of roughly \$1,500 annually. This system will track many items including fire fighter training.

7. SHERIFF'S DEPARTMENT REPORT

Lt. Bill Jacobson reported 118 calls for service in January. These calls included 3 to Bar None, 3 alarms, 11 medicals and 9 animal complaints.

Bar None: 1/8/23 – A female resident damaged property then left campus on foot. She was located and returned safely to the facility. The facility did not want to press charges and she was left in the care of the Bar None staff.

1/21/23 – ACSO responded to a report of a vehicle being stolen from the campus by a resident. The investigation revealed the resident located keys in a building and then took the vehicle, fleeing with another resident. The vehicle was located then fled from law enforcement. The pursuit was terminated. The vehicle was recovered unoccupied in St. Paul the following day. The case remains under investigation by ACSO. Bar None is undertaking an administrative review of the incident. A question was asked how old the accused are and if they had driver's licenses? Lt. Jacobson to follow up as he didn't know.

Council Member Fladebo asked if Bar None had a police presence like a school resource officer on staff? The answer no; however, the sheriff's department does have an active presence there. Bar None has been better than it has in previous years with consistent staff; however, recently it has been deteriorating. The school leaders have been contacted and know this needs to be addressed.

Noteworthy calls: 1/14/23 ACSO received a fraud report. The victim reported a phone call from a suspect claiming to be from Connexus Energy stating she had a past due account. She was instructed to pay the bill with gift cards. This is a common scam resulting in a loss of \$880.65. **Residents, please keep in mind** – Businesses **will not** ask you to pay a bill with a gift card, money lost in this type of scam cannot be recovered, do not rely on caller id, they can spoof the numbers. If you receive a call like this, hang up and call the company with a verified phone number (from your invoice or the company website) to verify the call you received was from them.

The Sheriff and Deputies will be at the March Meeting to meet the city council and answer any questions the city may have. The mayor stated that the City of Nowthen appreciates the partnership with the Sheriff's Department and backs the blue.

8. PLANNING AND ZONING: NONE

9. ADMINISTRATOR'S UPDATE:

Consent Agenda 4D: Approval of Resolution 2023-XX Authorizing the Hiring of Amy Hanson as the Second Part-Time Recycling Attendant. Last month the council approved the hiring of Keto. He was unaware of some medical issues that have come up that has made him unable to accept a position with the City of Nowthen at this time. We are hopeful that he may be available to help in the summertime. The office had received additional applicants and had interviewed 3. The third applicant was Amy Hanson, and it is the recommendation of the administration to offer her the second part-time position. Amy was invited up to introduce herself. She stated she is excited to be offered this position and loves recycling. City Council members welcomed her.

MOTION BY COUNCIL MEMBER ALDERS, SECONDED BY BREYEN TO APPROVE RESOLUTION 2023-XX AUTHORIZING THE HIRING OF AMY HANSON AS THE SECOND PART-TIME RECYCLING ATTENDANT. MOTION CARRIED. 4 AYES.

A.) Policy Update: While Interim Administrator Boyles was here, he started going through the city policies and recommending changes. Mayor Pilon, Council Member Breyen, and Administrator Lehner met to go through Chapter 1 and Chapter 2 to address changes and updates. If any other council members have any thoughts, please share them with Administrator Lehner. After the committee completes review and recommends changes and/or updates, a workshop will be scheduled to go through and approve changes to the policies.

B.) Health, Safety and Efficiency Improvements to City Buildings Update:

Interim Administrator Boyles had also begun to address safety concerns to be addressed immediately and other improvements to the city offices to improve efficiency. Some changes have begun including stairs to the mezzanine in the maintenance shop and new carpet, with additional improvements yet to be made. After discussion with Financial Consultant Yager, it has been confirmed that there is money available (\$60,000) from the 2022 budget that can be moved into the Capital Improvement Fund to make these improvements.

MOTION BY COUNCIL MEMBER BREYEN, SECONDED BY ALDERS TO APPROVE RESOLUTION 2023-XX AMENDING THE 2023 BUDGET TO MOVE AN EXISTING \$60,000 FROM THE 2022 GENERAL FUND TO CAPITAL IMPROVEMENT FUND WITH THE REMAINING EXCESS FUNDS ROLLING INTO THE 2023 BUDGET. MOTION CARRIED. 4 AYES.

C.) Leadership Team Meetings:

Twice a month, the City's Team Leaders are meeting to keep departments apprised of what is happening in the city in each department, keeping communication open throughout the departments. The leaders met for 2 hours at the first meeting and exchanged great dialogue. We will continue these meetings as long as they are productive.

D.) Welcome Packets idea:

This is an idea that came from the leadership meeting. The idea is still in its infancy, but the thought is to reach new residents with a Welcome Packet which would include city phone numbers, sheriff dispatch numbers for emergency, city council members and city website. The city is also looking for businesses to put in information, such as flyers, coupons, refrigerator magnets, etc. to promote their businesses to new residents. It was asked of the council if there was an objection to the mayor being a part of putting this packet together – there was no objection by any of the attending council members. Madeline is working on incorporating this idea with the solicitation of Newsletter ads to Nowthen Businesses. Administration will update Council as things progress.

E.) ITEMS HOT OFF THE PRESS:

Nowthen Threshing Show has requested the city's advertising in the Threshing Show brochure and website. It is a business card size and the price is \$180.00 for the advertising. Discussion about the Threshing Show and advertising. The council would like to participate in the advertising and request the Threshing Show reciprocate by advertising in the Semi-Annual City Newsletter. Administrator Lehner will reach out to Kurt Johnson from the Nowthen Threshing show to request they advertise in the city newsletter.

MOTION BY COUNCIL MEMBER BREYEN, SECONDED BY ALDERS TO CONTINUE TO ADVERTISE IN THE NOWTHEN THRESHING SHOW BROCHURE AND WEBSITE WITH CITY STAFF TO REVAMP THE AD IF POSSIBLE TO INCLUDE ADDITIONAL INFORMATION. MOTION CARRIED. 4 AYES.

MPCA AUDIT: The City of Nowthen has been notified recently that it will be subject to a MS4 Audit regarding our storm water plan and education. This audit has 34 pages with hundreds of questions. Our team of leaders in this area are City Engineer Shane Nelson, Planner Stockman, Joe Glaze, and Administrator Lehner. These leaders have met and agreed Shane Nelson will be the point man for this audit. All documents are due on February 21st with a ½ day audit over zoom or teams on February 27th. This was an unanticipated audit which will result in additional costs for Shane Nelson and Liz Stockman. Administrator Lehner has asked the Mayor to help with this process as he has been through similar audits in the past and this is Administrator Lehner's first time. The leadership is collecting supporting documents. This is a complex audit and it is something the city council / town board used to do regarding the storm water plan and storm water ponds. Council Member Rainville stated that with the previous administration had stated to the council that all areas of the storm water plans would be addressed and assigned to the appropriate departments and should be captured in previous records. Shane had met with previous staff regarding our MS4 plans to provide newer requirements, but the city administration has not found those records. Administrator Lehner is pleased with the information Joe has pulled together for this audit. It was asked if the council had any objections to the Mayor continuing to help with this audit. All council members present have no objections. Council Member Rainville stated that this should be a lesson to the city that we must stay on track and for our council to be updated with any new requirements along with who is tracking (with clear definitions) of who is responsible for ensuring correct records are kept. The council would like the audit to be an agenda item next month to update them as to the results of the audit and the city's compliance.

2023 Chevy Silverado Truck: Administrator Lehner addressed the council to let them know this is not the norm and will not be considered the norm; however, this needs to be addressed in a timely manner. The

city currently has 2 plow trucks and 2 commercial grade trucks; one with the new salter installed on it. One of the trucks is currently breaking down often and costing the city a significant amount of money each time it needs a fix. This truck has a box that is rusted through and can no longer be welded. The front end has been rebuilt multiple times and at this point it will not serve the needs of the city. This was brought to Administration several weeks ago and Joe Glaze was instructed to look for a truck that met the needs of the city and get all pertinent information. Joe was able to locate a truck that meets the specific needs of the city along with a plowing package, lights, and wrap. In this current market, trucks like this are hard to come by so the Administrator put a \$500 REFUNDABLE deposit down to hold it until this meeting to know if the city council will allow the purchase of this truck. After much discussion, it was decided that the maintenance department understands and knows the needs of the city more than the city council does. The total package for this truck and accessories is approximately \$104,513 with a warranty. Administrator Lehner has spoken with the city attorney to be sure all rules for purchase are being followed and touched base with Financial Consultant Yager to be sure we have funds available to make this purchase. Both have advised the city could proceed with the purchase if city council approves the request. Administrator Lehner apologized for not having an RCA or Resolution to make this purchase, but the truck just became available and will not be available for long. Discussion on whether this truck could accommodate a salter like the one purchased earlier? The answer is yes and would be a 2-yard at a cost of approximately \$9,100. The salter/sander is currently available as well. Additional discussion about what has been done to the older truck to make it suitable for the required needs of the city, the capabilities of the new truck, that a new truck was not in our discussions and that this truck does not replace the new plow truck which was scheduled to be ready in late spring 2023 and is now pushed to later 2024. That money is still set aside to pay for the new plow truck. Council Member Rainville stated it is a lot of money, that she appreciated Joe's diligence in locating the truck and though she cannot vote being on video, she feels comfortable with the council moving forward with this purchase. Council Member Breyen stated it is very difficult to find a truck that meets the needs of the city especially within one hour's drive of the city.

MOTION BY COUNCIL MEMBER BREYEN TO APPROVE ADMINISTRATOR LEHNER AND THE MAYOR TO MOVE FORWARD WITH THE PURCHASE OF THE 2023 SILVERADO TRUCK WITH ALL NEEDED ACCESSORIES, NOT TO EXCEED \$110,000.

Additional discussion ensued. Should the city look at a 550? This truck met the specs talked about prior to finding this truck. Other trucks looked at are more money, more miles and very far away. This truck will be used both winter and summer, hauling trailers for park equipment, lawn equipment and summer staff. It could be used this season yet if we are to move forward.

COUNCIL MEMBER ALDERS OFFERED AN AMENDMENT TO THE MOTION TO NOT EXCEED \$120,000 AND TO INCLUDE A NEW 2 YARD SALTER/SANDER AS WELL. COUNCIL MEMBER BREYEN ACCEPTED THE AMENDMENT TO HIS MOTION. COUNCIL MEMBER ALDERS SECONDED THE MOTION. VOTING ENSUED. MOTION CARRIED. 4 AYES.

Administrator Lehner thanks the city council for this approval and stated the old truck will be traded or sold outright with any monies received to go back into the equipment fund.

10. City Council:

#3 – Ron Orlando, Vice President of External Affairs from Comcast – PRESENTATION

The mayor indicated that he has been working for solutions to the internet problem in the Nowthen area for many years. In December, Arvig was approved to come into Nowthen on the western side and will commence construction in the second quarter of 2024. 2 weeks ago, Comcast stated that rather than the 14 million to complete the balance of Nowthen, they could do it around 8.5 million. To achieve this, the City and Comcast would have to apply for a grant from the B2B program, apply for a grant from the county for an additional \$150,000 of ARPA funds, and apply to use the City of Nowthen's HRA money in the amount of \$800,000, leaving \$23,000 in the HRA fund. In the past week, there have been many conversations with the county and Comcast. There is a very quick deadline in which to accomplish this. The mayor indicated that he has been working with Mr. Orlando for approximately 5 years trying to get internet into Nowthen as he introduced Mr. Orlando to the council for his presentation. Mr. Orlando proceeded to give a presentation to the council stating all remaining homes and businesses not served by Arvig would have access to the fiber optic internet. All homes and businesses would have lines brought to their homes, regardless of the length of their driveways, something ARVIG did not offer. Comcast is willing to invest 5 million dollars into this project with the city contributing 11% (\$800,000 of HRA money and \$150,000 from the County ARPA funds refunded by another city dedicated to bring internet to underserved or unserved areas). The ARPA funds are first come, first serve so this is an immediate need to move forward with along with the request to use the HRA funds. The county will need a resolution for both along with applications. It has been suggested that the City of Nowthen would have a very good chance of receiving these grants along with Comcast; however, the deadlines are coming up very quickly. Comcast can move forward with less cost than anticipated because some of the fiber will be run underground and some will be run above ground on existing utility lines. Anoka County has agreed to fast track our requests. The grants are based on "points", so they are trying to request the grant with the highest amount of points. One way to get additional points is to have the mayor, council, administrator, residents and businesses send letters requesting this grant be approved. Sample letters will be posted on the website and some council members will post on Facebook asking for additional letters. The more collected, the better. Technically, the money needed for this project is not coming out of the city budget or our taxpayers. The HRA funds are there as well as the additional ARPA funds, if the county agrees to give it to us for this project. It is noted that the city does not have any projects that qualify for the HRA money, so this would be a good use of these funds. Mr. Orlando explained that Comcast is being very aggressive with this grant request. There are possible Franchise fees from future video and all future developments would work with Comcast and the City to bring in fiber with joint trenching, not to upset ROWs too much. If the grant application is approved, the speed of trenching and construction would be quick as well. The announcement for the grant winners should be in June of this year, summer engineering would begin, permits would be applied for and installation to start second quarter of 2024 (Same as Arvig) with completion estimated in 2025 dependent upon weather. Comcast would start north of Ramsey and move north. Comcast will create a micro site for the city to place on the website to show progress of the project to residents. Comcast is the largest internet provider in the region, they double their network capacity every 30 months and have easier access to fiber than other companies. Comcast will request a blanket ROW permit for all areas to speed up the process. Comcast also offers programs to families with income restraints. Comcast provides a POD to boost signals in dead areas of your home if needed. Residents and council are invited to stop in the Riverdale Coon Rapids store to see a demo of the wireless + services.

The request of Council is to approve 10B1 – Approval of Resolution 2023-XX Authorizing the Approval of a Border 2 Border (B2B) Grant Application to Extend Broadband to 1,227 Passings (Residents and Businesses) in the Unserved and Underserved Areas of Nowthen with Comcast.

MOTION BY COUNCIL MEMBER ALDERS SECONDED BY BREYEN AUTHORIZING THE USE OF HRA FUNDS TO PROVIDE HIGH SPEED INTERNET TO RESIDENTS AND BUSINESSES IN UNSERVED AND UNDERSERVED AREAS

OF NOWTHEN IN PARTNERSHIP WITH COMCAST, ANOKA COUNTY AND THE CITY OF NOWTHEN. IN ADDITION TO THIS RESOLUTION, THE COUNCIL AUTHORIZES MAYOR PILON TO CONTINUE TO WORK WITH THE ADMINISTRATOR, THE COUNTY, AND COMCAST TO HELP PROGRESS THIS GRANT REQUEST AND PROJECT.

Discussion: Council Member Rainville stated even though she cannot vote on this matter, she would like it on record that she fully supports moving forward with this grant request, ARPA money request and HRA funds being used for this purpose. Thank you to the mayor and council member Breyen for continuing to work on getting internet to our businesses and residents and not giving up.

MOTION CONTINUED WITH VOTING: MOTION CARRIED. 4 AYES.

Mr. Orlando thanked the city council and stated that he and city staff will work diligently to get this grant. Thank you to the mayor and staff for moving quickly and efficiently with Comcast. He would love to be there to shovel dirt with the mayor at the acceptance of the grant to Comcast and the City of Nowthen!

10B2) Approval of Resolution 2022-52 Authorizing the Submission of a B2B Grant Application to Extend Broadband to Serve 81 Properties Within the City of Nowthen, MN. Previously approved July 25, 2022, but not submitted due to waiting for the grant approval.

Discussion: We will be submitting the grant request for the \$150,000 in ARPA funds to be given to ARVIG for the previously approved grant application. A new resolution is not needed, submit signed resolution to the county for the funds to be distributed.

10B3) Approval of Resolution 2023-XX Approving City Council Members and Administrator Lehner to Attend Day on the Hill.

Day on the Hill is brought by Small Cities. They are lobbying for the smaller cities in Minnesota, trying to get consistent road funding as smaller cities do not qualify for MSA money. While attending this day, city leaders will be able to meet with representatives, senators, and the League of MN leaders to do your own lobbying for your city needs. The mayor and Administrator Lehner would like to attend and invite other council members to attend as well. Carpooling is also an option.

MOTION BY COUNCIL MEMBER BREYEN SECONDED BY ALDERS TO APPROVE RESOLUTION 2023-XX APPROVING ADMINSTRATOR LEHNER AND CITY COUNCIL MEMBERS TO ATTEND CITY DAY ON THE HILL ON THURSDAY, MARCH 9TH, 2023 AT A COST OF \$99.00, PLUS MILEAGE AND STIPEND PER ATTENDEE. MOTION CARRIED. 4 AYES.


MOTION BY COUNCIL MEMBER BREYEN SECONDED BY ALDERS TO ADJOURN.

Meeting adjourned at 10:27 pm.

Respectfully submitted,



Scott Lehner, City Administrator



Jeffrey M. Pilon, Mayor