

## Owatonna City Council Minutes - Draft Copy

The Owatonna City Council met in regular session on Tuesday, September 21, 2021 at 7:00 p.m. in Council Chambers at City Hall. Present were Council Members Schultz, Raney, Voss, Svenby, Boeke, Dotson and Burbank; Community Development Director Klecker; Parks & Rec Director Tuma; Finance Director Moen; Police Chief Hiller; Fire Chief Hoffman; Mayor Kuntz; City Attorney Walbran; City Administrator Busse; Administrative Specialist Clawson and many (most) of Owatonna Police Officers and LEC Staff.

**Agenda**

Following the Pledge of Allegiance, Council President Schultz welcomed everyone to the meeting, Council Member Svenby made a motion to approve the agenda as presented, Council Member Boeke seconded the motion, all members voted aye for approval.

**Police Officer Swearing-in Ceremony**

Police Chief Hiller welcomed everyone present in support of our police officers. This ceremony is about serving others and about character. The legacy of the Police Department is reflective of all, and we try to cast a bright special shadow, our patrol officers shine most when they are out in the community as they watch over us and keep us in line. Introduction was made of Third Judicial District Judge Karen Duncan who administered the Oath of Office to:

Patrol Officers Michael Brein, Anthony Malepsy, Jeremy Holmes-Katz, Matthew Lounsbury and John Van Alstine

Police Sergeant Zackary Schumaker (promotion effective February 5, 2020)

Police Captain Joshua Sorensen (promotion effective September 26, 2021)

Chief Hiller commented Patrol Officers Zachary Plein and Kyle Martin were unable to attend this ceremony and will be administered the Oath of Office at another time. Members of the officer's family or a friend pinned their badge to their uniform. Garrick Comeaux, Director of Music and Pastoral Ministries at Sacred Heart Catholic Church gave a blessing. Council President Schultz commended Chief Hiller and all the police officers for the excellent work they do to keep the City of Owatonna safe.

**Mayor Kuntz**

Mayor Kuntz proclaimed this Thursday, September 23, 2021 will be Christian Berg Day. Detective Berg has been selected by the Moonlighters Exchange Club of Owatonna as the 2021 Police Officer. Christian joined the Owatonna Police force in 2011 and has served as a Detective since 2016. He is currently assigned to work alongside the Minnesota Bureau of Criminal Apprehension's Human Trafficking Investigators Task Force.

**Consent Agenda**

Council President Schultz explained council members review Consent Agenda items prior to the meeting for approval in one motion. Items on the Consent Agenda were:

Minutes - Council Meeting – September 7, 2021.

Building/Inspection Monthly Reports – August 2021.

Minutes – Planning Commission Meeting – September 14, 2021.

Minutes – Airport Commission Meeting – September 9, 2021.

Minutes – EDA Meeting – September 15, 2021.

Weed/Nuisance Compliance Report – September 17, 2021..

Event Permit – Pizza in the Park – Federated Insurance – October 5, 2021.  
Resolution 89-21 – Purchases at Fame Awards: \$1,434.40 purchased name plates, trophies, medals, and track ribbons.

Limited Use Agreement – 124 N Cedar Avenue – Barry Gillespie.

For reconstruction of stairwell to basement level retail space.

Change Order #1 – T-Hangar and Taxi-lane Project.

There have been significant increases in steel prices, this modification replaces cement treated subgrade with an alternative method using contract bid items that meet FAA requirements for subgrade stabilization. The cost savings in the foundation was moved to the increased cost of the 10-unit T-hangar. This Change Order results in no change to the overall contract price or the project schedule.

Council Member Voss advised he will recuse himself from voting as he is owner of Fame Awards, and one of the Consent Item involves his business. Council Member Voss made a motion to approve these Consent Agenda Items; Council Member Burbank seconded the motion; members voting, voted aye for approval.

### **Finance Report**

Vice President Raney recapped expenses for the period. Bills presented for payment totaled \$572,034.89. Council Member Boeke made a motion to approve payment of these bills, Council Member Voss seconded the motion, all members voted aye for approval.

### **New Garbage Haulers License – West Central Sanitation, Inc.**

City Administrator Busse requested approval of the application received from Don Williamson, President of West Central Sanitation, Inc. for a Garbage Haulers License. They have acquired Home Town Hauler's Owatonna customers. This 2021 license is for two trucks effective the remainder of the current licensing period which expires December 31, 2021. Council Member Raney made a motion for approval; Council Member Dotson seconded the motion and all members voted aye for approval.

### **Resolution 90-21 Declare Costs – Weed and Nuisance Compliance Costs**

City Administrator presented Resolution 90-21 to declare the costs to be assessed for weed and nuisance compliance costs and order preparation of the Proposed Assessments for unpaid weed and nuisance expenditures incurred by the City. The Owatonna Fire Department enforced the city codes on mowing of weeds, grasses, other harmful vegetation, and other services by using a mowing service to bring the non-compliant properties into compliance. The total assessment amount of \$3,665.96 to reimburse the city for these costs. Council Member Svenby made a motion to approve Resolution 90-21 declaring these costs to be assessed, Council Member Burbank seconded the motion; all members voted aye in approval.

### **Resolution 91-21: Set Date for Public Hearing – Proposed Assessments – Weed and Nuisance Compliance Costs**

Council Member Raney made motion to approve Resolution 91-21 setting a public hearing on Tuesday, October 19<sup>th</sup> at 7:00 p.m. in Council Chambers at City Hall to consider the assessments proposed for Weed and Nuisance Compliance Costs. Council Member Voss seconded this motion and all members voted aye for approval.

**Resolution 92-21: Declare Costs – W Bridge Street Project**

Public Works Director Skov requested approval of Resolution 92-21 to declare costs to be assessed for the 2021 W Bridge Street Reconstruction Project. The project is still in process; but the project cost exceeds the City's cap of \$52/foot for assessments to adjoining property owners so proceeding with the assessment process this fall prior to completion of the project. The total cost of this project is \$3,459,954.09 with \$241,644.00 being proposed as assessments. Council Member Dotson made a motion to approve Resolution 92-21, Council Member Burbank seconded the motion; all members voted aye in approval.

**Resolution 93-21: Set Date for Public Hearing – Proposed Assessments – W Bridge Street Project**

Council Member Voss made motion to approve Resolution 93-21 setting a public hearing on Tuesday, October 19<sup>th</sup> at 7:00 p.m. in Council Chambers at City Hall to consider the proposed assessments for the West Bridge Street Project. Council Member Svenby seconded the motion and all members voted aye for approval.

**Resolution 94-21: ADA Parking Space at 204 E Pearl Street – Law Enforcement Center**

Community Development Director Klecker presented Resolution 94-21 for an addition of a new handicap accessible stall on the north side of the 200 block of East Pearl Street for service to the Law Enforcement Center (LEC). They plan to install security gates to increase security at the LEC which will require relocation of the fencing for the parking area on the east side of the building. A full ADA compatible access can be added on Pearl Street with construction of a new sidewalk and curb cut for the landing area of the ADA parking stall. The Planning Commission recently assumed the role of the Downtown Parking Committee and recommend approval. Council Member Raney made a motion to approve Resolution 94-21, Council Member Burbank seconded the motion, all members voted aye for approval.

**Resolution 95-21: C-1449 at 160 28<sup>th</sup> Street NE – New Life Community Church**

Community Development Director Klecker requested approval of Resolution 95-21 authorizing Conditional Use Permit (CUP) No. C-1449 requested by NewLife Community Church to allow construction of a church with seating for 370 people at 160 28<sup>th</sup> Street NE. The applicant requests a revised CUP due to COVID and the need for a smaller space at this time. They are also reconfiguring the east side of the lot for option to split this area off in the future if desired. The structure will contain a sanctuary, lobby classrooms and office space. The structure greatly exceeds all required setbacks with 100' on the west side and more than 200' on all other sides. The Planning Commission held a public hearing on this request with two adjoining property owners expressing concern on stormwater runoff. With plans to include a holding pond onsite, the Planning Commission is recommending approval with these conditions:

- 1) All exterior signage shall meet all provisions of the sign ordinance and shall apply for and receive sign permits.
- 2) Prior to issuance of the building permit, the City and Owatonna Public Utilities shall approve all grading, drainage, and utility plans.

Council Member Raney make a motion to approve Resolution 94-21 with conditions as recommended by the Planning Commission, Council Member Burbank seconded the motion, all members voted aye for approval.

**Professional Services Agreement – 26<sup>th</sup> Street Drainage Ditch Modifications – WHKS**

Public Works Director Skov requested approval of a Professional Services Agreement with WHKS for preliminary design of drainage ditch improvements for the 26<sup>th</sup> Street Drainage Ditch Modifications Project. After a flood event in July of 2019, the City evaluated condition drainage ditch located on the west side of the Brooks Senior Living facility and west side of Finholdt Repair on 26<sup>th</sup> Street. Additionally, the City of Owatonna has purchased outlots that contain the ditch on the south side of the Brooks to allow options to address the eroded ditch. The preliminary design will identify potential solutions to the eroded ditch and affected property owners, the proposed study cost is \$39,600 and will be paid for from Stormwater Funds. This will be a 2022 Capital Improvement Project and want to start on the design plans now. Council Member Boeke made a motion to approve this agreement with WHKS, Council Member Svenby seconded the motion; all members voted aye for approval.

**Supplemental Agreement – 100 Block N Cedar Avenue Street Scape Project – JJD Companies, LLC**

Public Works Director Skov requested approval of a Supplemental Agreement with JJD Companies, LLC to delay the start of construction in the 100 Block of the North Cedar Avenue Street Scape Project until the 2022 construction season. Also, the final completion date would be July 20, 2022 and all other deadlines remain the same as previously agreed in the contract. This is not poor reflection of JJD, there was a delay start of the first phase largely due to necessary asbestos abatement, they added an additional crew and plan to complete the 200 and 300 blocks and the alleyway in the 300 block which was previously planned to be done next spring. The intersection at Vine and N Cedar will be closed for a period this fall and again next spring, the City will add a 3" layer of asphalt prior to winter and JJD Companies, LLC will remove this at their expense next spring when construction resumes and has agreed to hold their prices for next year. Council Member Dotson made a motion to approve this Supplemental Agreement, Council Member Raney seconded the motion; all members voted aye in approval.

**Enterprise Resource Planning (ERP) Software Agreement – OpenGov**

Finance Director Moen requested approval of the contract with OpenGov to provide for implementation and use of their Software as a Service (SaaS). GFOA assisted in a year-long process to upgrade the City's financial software by helping to identify and improve business processes, develop a Request for Proposal (RFP) based on those processes, and to facilitate a selection process. With the better business processes there should be more efficient workflows, internal controls, and budget monitoring. With the use of cloud technology, it will aid in the City's continuity of operations plan. This is a five-year contract with minimal increases. There will be an annual cost of this service ranging from \$133,963-138,011 over the five years. There will be annual savings of \$40k in maintenance contracts plus future savings in hardware. Additionally, there will be significant savings in the efficiencies that will be gained. There is a one-time implementation fee of \$275,667. The implementation fee is planned to be paid for with American Rescue Plan funds. The annual subscription costs have been added to the 2022 budget. Holli Mabry, Senior Accountant will continue

to serve as the Project Manager of the ERP Project and was also present to answer questions. Council Member Voss made motion to approve this contract with OpenGov; Council Member Boeke seconded the motion; all members voted aye in approval.

### **Revision to Addendum 2 – Personnel Policy & Procedures Manual**

Finance Director Moen requested an amendment to Addendum 2 of the City's Policy and Procedures Manual for personal mileage and meal expense reimbursement amounts. Annually, the U.S. General Services Administration (GSA) publish new travel reimbursement amounts; these recommended changes will ensure we are reimbursing our employees within the guidelines specified by GSA. The current IRS regulation for mileage reimbursement is \$0.56/mile. The daily reimbursement amount increased by \$11 for most geographic areas and by \$6 for identified metropolitan areas; four additional cities were included: Los Angeles, Nashville, Portland, and San Diego. Council Member Dotson made a motion to approve this revision, Council Member Burbank seconded the motion, all members voted aye for approval.

### **Staff Comments**

**Community Development Director Klecker** commented we have issued 29 Single-Family Permits this year and two more are currently in review. There were 35 during 2020 and hope we will have a few more this year. Project updates include:

Apartment on Mound are now open and taking tenants, they do have units available to rent.

Cherry Street Apartments is adding the finishing and also grading on the streets, they will be opening in October.

Owatonna Glass is working to complete interior finishes.

Morton has the building all enclosed and drywall on the interior.

Pearl Street Apartments is adding the 4<sup>th</sup> floor to the structure and will then begin adding the roof so they can be working on the interior this winter

Old Town Bagel is finishing interior of their new location and should be opening in a few weeks.

Downtown Hotel is starting to assemble the steel structure which should be fun to watch as the four stories go up.

Most of these projects will be completed this year and there shouldn't be a lot of winter construction this year. Council Member Burbank asked if the Apartments on Mound are Market Rate or Subsidized. Klecker advised these apartments are Market Rate Apartments. They haven't done a lot of pre-advertisement as were waiting for items and unsure of exactly when they would be opening. They are now open and taking tenant applications.

**Public Works Director Skov** gave a brief update on four current street improvement projects:

Truman Avenue Project is 3-4 weeks behind schedule. Met with the contractor last Friday and working to get everything all done prior to winter.

North Cedar Streetscape Project was discussed during this meeting. We need the roadway in place for winter and there are no current concerns about completing the 200 & 300 blocks and 300 block alleyway this year; the Supplemental Agreement approved tonight extends beginning work in the 100 block until spring.

West Bridge Street Project has a Nov 8<sup>th</sup> completion date, and everything is currently on schedule to meet this deadline. We were hoping it would be done prior to that but progress has been slow but the pleased the quality of the project is good.

County Project for Roundabout on 26<sup>th</sup> & State is scheduled to open mid-October. Progress is going well, and it will be good when the project is complete and street accessible for traffic to the clinic.

### **Public Comments**

**Glen Wolf**, 528 Truman Avenue commented he has been sharing e-mails with City Staff as several years ago, there was a problem with the prior storm sewer when a large root ball was found and were promised this would be taken care of when our street was done. I am asking for written confirmation my sump pump line will be properly sealed. Also, I am waiting for response to my letter to the City's Engineering Department regarding the plaster in my home cracking because of the heavy construction on the street; there are significant cracks in every ceiling in my home. I have plaster not sheetrock and it is going to cost me a lot to do repairs needed to my home. Council President Schultz thanked him for his comments and will contact staff regarding this matter.

**Roger Wacek**, 646 E Vine Street, added to his comment to Council during their August 17, 2021 Meeting regarding renewable energy. Has anyone checked on small solar or small wind for any of our county, city, or school district facilities? For those that say there is no money for small solar or small wind, I ask you to consider using some of the money spent satisfying the turf grass lawn obsession for small wind or solar. Are the new County Public Works Building, new OHS building, renovations planned for at the old OHS building, or the City Administration Building with renovations LEED Certified? LEED Building Certification is a sustainable architectural movement that began in 1989, 33 years later and many do not know what LEED Certification is. This repeats by example, I suggest we start by rewriting our curriculum, building costs and local economy; this can start by educating on energy which can start with LEED Certifications for buildings. Amory Lovin's book "Reinventing Fire, Bold Business Solutions for the New Energy Era" suggests converting all US power to solar energy and wind power which would be cheaper and allow further reductions in the energy crisis. Also, I just received an e-mail about an event for Climate Action at the St John School of Theology this Sunday at 7:00 p.m. which I am planning to attend.

### **Council/Administration Comments**

**Council Member Voss** commented was special to have all the police officers here tonight and he congratulated the new officers and those receiving promotions. Also thanks to Kyle as it has been a long summer with construction, and we have been short staffed and getting it done.

**Mayor Kuntz** commented applications are being sought to fill the open seat on the OPU Commission representing the 5<sup>th</sup> Ward. The application form is available on the City's website and if anyone has questions, they should call him or Roger Warehime, OPU General Manager.

**City Administrator Busse** advised the Fire Department will not holding the annual Chili Feed this year because of current COVID concerns. She also thanked Finance Director Moen and Holli Mabry, Senior Account and ERP Project Manager for their work on the ERP Project; this was a big task, and both have done an excellent job.

**Council President Schultz Greg:** Nice to see OPD here tonight and congrats to all.

### **Adjournment**

At 7:57 p.m., Council Member Raney made a motion to adjourn, Council Member Voss seconded the motion and all members voted aye in approval.

Dated: September 24, 2021.

Respectfully Submitted,  
Jeanette Clawson, Administrative Specialist