

Owatonna City Council Minutes - Draft Copy

The Owatonna City Council met in regular session on Tuesday, February 18, 2020 at 7:00 p.m. in Council Chambers. Council President Schultz called the meeting to order and welcomed everyone in attendance. Attending were Council Members Dotson, Burbank, Raney, Voss, Okerberg and Schultz; Mayor Kuntz; City Attorney Walbran; Community Development Director/Interim Parks and Recreation Director Klecker; Public Works Director Skov; Police Chief Hiller, Police Sergeant Schumacher, City Administrator Busse and Administrative Specialist Clawson. Council Member Svenby was not in attendance.

Following the Pledge of Allegiance, Council Member Raney made a motion to approve the Agenda as presented; Council Member Burbank seconded the motion and all members present voted aye in approval.

Council President welcomed everyone to the meeting and explained the protocol for the five public hearings planned during this meeting. Public Works Director Skov advised the 2020 Street and Utility Project affects separate areas to be addressed separately in hearings during this meeting: Greenhaven Lane has paving beyond repair, soil boring tests done last fall show there is an adequate aggregate base so plan to replace only where needed with a 5" asphalt pavement. This project is proposed at \$40.12/foot for assessment to the property owners. The neighborhood meeting last week was well attended, there were comments about prior heavy truck traffic on this street but in recent years has been more residential use. At 7:08 p.m. a public hearing opened for comments on the proposed 2020 Street & Utility Project on Greenhaven Lane. With no comments heard, at 7:09 pm Council Member Raney made a motion to close the public hearing; Council Member Voss seconded the motion; all members present voted aye.

The second area within this project, is Shady Avenue. Public Works Director Skov advised soil borings on Shady Avenue revealed no aggregate base present. The project for this street includes a new base, bituminous, cut the drain tile, repair curbs if needed, the curbs are in fair condition so will they be repaired and not overall replaced. Several comments were heard during the neighborhood meeting about heavy truck traffic on this street. Estimated costs for this portion of the project are \$70/foot; however, the City's Assessment Policy has a \$52.00/foot capped expense for assessments. At 7:10 p.m., a public hearing opened for comments.

Gary Swartz, 100 Shady Avenue, commented he moved to Shady Avenue in 1975 when it was a gravel street. There are a lot of kids in this neighborhood, a daycare on the street and he counted seven buses traveling the street this afternoon. Council and police have been asked to restrict truck use, this street is not a through way and should be used only if there is a delivery on the street. Anticipating the new soccer complex on Rice Lake Street will create parking problems on Shady Avenue so he recommended the City purchase right of way on the next block, East Partridge to divert traffic away from Shady Avenue and East Rice Lake. Also, believes street traffic will get busy when the new high school is built on the south side of town as traffic going east and north will be using Shady Avenue and East Rice Lake. Public Works Director Skov commented he has met with Steele County and ISD #761 for update on the county-wide Transportation Plan. The City will be creating a new Transportation Plan by a consultant within the next year which will include an Environmental Study and Traffic Impact Study. At 7:16 p.m., Council Member Raney made a motion to close the public hearing, Council Member Burbank seconded the motion; all members present voted aye in approval.

Council Member Dotson commented he has met with Public Works Director Skov regarding traffic patterns and signage in this area; Dotson Woodworking is in the 500 block of Partridge Avenue and some vendors use Shady Avenue as they are unaware of the designated truck route. Dotson said he will continue to encourage traffic restriction enforcement and requested consideration of adding another inch to the proposed aggregate base of this project. With no additional comments, Council Member Okerberg made a motion to approve Resolution 12-20 receiving the report and ordering the improvement of the 2020 Street and Utility Project; Council Member Voss seconded the motion; all members present voted aye in approval.

Public Works Director Skov reviewed plans for the 2020 Truman Avenue Project. This is proposed as a full reconstruction project with OPU to replace service lines; new storm sewer as it is currently undersized, installation of a new sidewalk along the east side of Truman Avenue from 18th Street to Havana Road (this sidewalk was designated in the City's Sidewalk & Trail Plan when adopted in 2012). Last week during this project's Neighborhood Meeting, there were a lot of comments opposed to the proposed sidewalk as it will narrow the street 4' in some areas and will restrict parking on one side. Also, some property owners were upset the plan includes removal of 21 trees along the boulevard; several emerald ash, some silver maples and oak. The estimated costs for this project are \$170.00/foot; preliminary assessments were sent at \$52.00/foot, the maximum amount allowed per the City's Assessment Policy. Engineering staff believes the sidewalk is necessary along this street and recommend this project be tabled until 2021 to allow additional review of the plan with input from the property owners as plans develop.

At 7:22 pm, a public hearing was opened for comments. Glen Wolfe, 528 Truman Avenue, said he is opposed to narrowing and adding a sidewalk along this street and sent letters to the Mayor and Council Members prior to this meeting. Also, he asked his neighbors to sign statements in opposition to the narrowing of the street and addition of the from his neighbors. City Administrator Busse confirmed the petition received was signed by:

Glen Wolf, 528 Truman Avenue
Heather Thul, 803 Truman Avenue
Fran Pederson, 620 Truman Avenue
Brad Johnson, 610 Truman Avenue
Jeff Blum, 1045 Truman Avenue
Carolyn Huff, 1225 Truman Avenue
Jeana Snyder, 1013 Truman Avenue
Minh Ong, 625 Truman Avenue
Gerald Lewison, 909 Truman Avenue
Patrick Vizina, 711 Truman Avenue
Gene Schadllre, 631 Prospect Street

Randy Kircher, 630 South Street
Jason Dalen, 615 Truman Avenue
Rick Harsma, 619 Truman Avenue
Janet Dixon, 527 Truman Avenue
Betty Krause, 624 E University Avenue
James Malakowsky, 709 Truman Avenue
Theresa Harsma, 619 Truman Avenue
Ron Herzog, 715 Truman Avenue
Debbie Quaale, 509 Truman Avenue
Margaret McDonnough, 517 Elm Avenue
Jerry Lewison, 909 Truman via phone

Rick Harsma's statement also included comment requesting the trees be saved. A separate petition signed by Joan Dalen, Fran Pederson, Betty Krause, Theresa Harsma, Rick Harsma, Chad Wolf and Janet Dixon also requested the trees be protected as Owatonna is a Tree City.

Roger Wacek, 646 E Vine Street, commented he utilizes sidewalks and likes the idea of a sidewalk on one side of a main through way. Unfortunately, most of the property owners in this project area

are elderly on a fixed income. City should review criteria needed to determine when a sidewalk is added.

Ron Herzog, 715 Truman Avenue, commented the street is in poor shape and needs repair, hoping plans aren't delayed another year. The new high school will increase traffic on Truman so not a good time to narrow this street. The trail plan was made several years ago, it's 2020 and that plan could be changed. If a sidewalk is needed, make it four foot wide not five feet as proposed. There aren't a lot of people walking, there might be two or three people walking their dogs and maybe 8-9 students walking to Lincoln School. Couldn't we alter the trail plan and remove the designated sidewalk on Truman Avenue? There have been two broken mains in front of my house within the last year and a half. The patch repair isn't good, proposing to fix this street in a year is a long time. I am hoping this project moves forward and not just hold meetings to discuss how to do the repair.

Denise Va Den Hemel, 703 Truman Avenue, commented she likes the idea of adding sidewalk along Truman Avenue. Currently, she drives her kids to school every day, but they could walk if there was a sidewalk along the street. She likes trees in the neighborhood and hopes not too many are destroyed as several were lost to storms within the last two years. Prefer the project proceed with the sidewalk included.

David Thul, 800 Truman Avenue, commented he doesn't believe a sidewalk is necessary on this street. He said he works out of town and would not be able to clear the sidewalk until late in the day and unavailable to pedestrians during the day after snow. The City's Snow/Ice Policy now requires homeowners to clear their sidewalks within 24 hours, most times this will be at the end of the day when I get off work.

Roger Wacek, 646 E Vine Street, suggested the City consider clearing sidewalks as several suburbs in the Cities do. The City spends millions of dollars on the golf course so maybe we can also afford to clear sidewalks.

With no additional comments heard, at 7:36 p.m., Council Member Voss made a motion to close the public hearing; Council Member Raney seconded the motion. All members present voted aye in approval.

Council Raney requested clarification on the number of trees proposed to be lost if the sidewalk is added. Public Works Director Skov responded it would be difficult to replace all the trees, the area is tight so several will be eliminated but the city will plant new trees along the boulevard.

Council Member Dotson commented he anticipates the number of pedestrians walking on Truman will increase after the high school is built. Also, his wife works at the preschool at Associated and frequently notices kids walking along the street, if there were a sidewalk available, there would probably be more kids walking in this area.

Council Member Raney asked if the trees planted would be larger and not small saplings or a be a quick maturing variety to offer shade within a few years. For safety concerns, this project needs to include a sidewalk, we can review the plans and ask for public input, but the sidewalk needs to be installed, safety for every child is our number one concern. Also, he clarified the City's new Snow/Ice Policy is not a new requirement; property owners have been required to clear their sidewalks; previously they were allowed 48 hours which is now 24 hours.

Council Member Voss questioned state aid availability if the project is delayed until 2021. Public Works Director Skov responded funding will continue to be available; however, anticipate delaying the project will increase costs an estimated 5%.

Council Member Raney questioned what the standard width of a sidewalk is. Public Works Director Skov answered ADA requires four foot sidewalks, we have installed five foot sidewalks on projects within the last few years.

Council President Schultz questioned if any trees would be removed if the project did not move the street or change the width during the project. Public Works Director Skov commented there are several silver maples that would need to be removed, we won't take any more than necessary.

Mayor Kuntz commented the City has been a Tree City USA for more than 25 years, a designation received for the number of trees planted each year.

Council Member Raney made a motion to move this project to 2021; Council Member Dotson seconded the motion; all members present voted aye in approval.

Council Member Raney made a motion to table Resolutions 13-20 and Resolution 14-20 regarding progression of the Truman Avenue Project; Council Member Dotson seconded the motion; all members present voted aye in approval.

Public Works Director Skov gave brief details on the proposed 2020 Bridge Street Project. The surface will be concrete, the current signal at Park Drive will be replaced and a roundabout will be constructed on the corner of 24th Avenue and Bridge Street. During the Neighborhood Meeting more comments were heard about accessibility during construction than design of the project. The estimated costs set the Preliminary Assessment at \$52.00/foot. Staff met with Rise Modular to discuss their concerns that the roundabout will restrict use by oversized trucks and the consultant has made a few modifications for this design to work.

At 7:51 p.m., a public hearing was opened for comments on the 2020 Bridge Street Project. Stephani Sundry, General Counsel at Rise Modular commented their company needs a second point to their plant on 24th Avenue. Their finished product can be up to 107 feet long and 16 feet wide and if the roundabout is completed as originally designed, they will not be able to turn onto Bridge Street to access I-35. Public Works Director Skov commented the consultant has modified the plan and it will allow an east turn off of 24th Avenue onto Bridge Street.

David Thul, 803 Truman Avenue, asked if the National Guard was consulted with the design plans. As a former member of the guard, he is aware there are distance requirements from the Armory. Public Works Director Skov explained the consultants have contacted the Safety Facility Manager to comply as needed.

Allan Terpstra, 4043 SW 8th Street, questioned the design including a roundabout and vegetation in the median, bushes will catch snow causing problems when clearing.

Public Works Director Skov explained the project is proposed with a roundabout for cost efficiencies. Installation of a signal mast and burying several power lines at this intersection

would be expensive. Plans were proposed for council review/approval with a roundabout proposed which is wider than the one on 26th Street, this has a larger curve for larger vehicle traffic. The video was prepared showing bushes, but this hasn't been discussed or included in the project plans. The corner with St John Avenue will become a right in/right out, the left turn out will be eliminated by this project. The consultants are currently reviewing drainage patterns; there has been a lot of work completed within the Industrial Park since the flooding of 2010 including creation of a large storm water pond at ProPet on the corner of Park and 24th Avenue. Also, new culverts were installed across Bridge Street and across I35, there has been quite a bit of improvement for this area.

Ron Herzog, 715 Truman Avenue, said he worked in the trucking business for 35 years and questions why a roundabout is being considered at this intersection. There are a lot of trucks using this street every day and a stop and go light would make it easier for the day-to-day traffic. A roundabout is going to make it harder for the truck drivers.

At 8:12 p.m., Council Member Raney made a motion to close the public hearing. Council Member Dotson seconded the motion; all members present voted aye in approval.

Council Member Raney commented he was recently on this street and was almost hit by a speeding truck, a roundabout is going to slow traffic on the street. The cost of to bury power lines is too significant to pay if other options are available.

Council Member Voss thanked staff for preparing the report.

Council Member Okerberg commented he attended the neighbor meeting and has heard a lot of negative comments about building a roundabout; but the taxpayer cost savings is significant and needs to be the chosen design plan.

Council Member Voss thanked Public Works Director and staff for the project presentation, there was a lot of work put into this presentation and helpful to see the projected traffic movements.

The 2020 Bridge Street Project will be paid for by federal grant, City funds, state aid, sanitary sewer and water from OPU and special assessments. The total cost is currently estimated at \$3,616,377; \$241,644 has been proposed as Preliminary Assessments to the property owners. Council Member Okerberg made a motion to approve Resolution 15-20 authorizing preparation of plans and specifications for the 2020 Bridge Street Project reconstructing Bridge Street from 1-35 to 24th Avenue. Council Member Voss seconded the motion; all members present voted aye in approval.

City Administrator Busse explained the next public hearing will consider comments regarding a street reconstruction plan and declaration of the City's intention to issue General Obligation Bonds to finance the cost of street reconstruction activities described in the Street Reconstruction Plan. Annually, the City prepares a five-year Capital Improvement Plan with detail of streets the City intends to reconstruct. There are various financing options available to the City. The projects are listed in the Street Reconstruction Plan by year and more detail by project is included in the 2020-2024 Five-Year CIP.

At 8:20 p.m., a public hearing was opened for comment but with no comments heard, Council Member Dotson made a motion to close the public hearing at 8:21 p.m. Council Member Burbank seconded the motion and all members present voted aye in agreement. Council Member Voss questioned if the decision to delay the Truman Avenue Project to next year would impact this plan. City Administrator responded this would have no impact on this plan. Council Member Raney made a motion to approve Resolution 16-20 adopting the Street Reconstruction Plan and authorizing issuance of Street Reconstruction Bonds in the maximum principal amount of \$3,200,000. Council Member Dotson seconded the motion; all members present voted aye in approval.

Community Development Director Klecker explained the last public hearing would be for comments on request received from CEFF Medford Property, LLC to annex 52.06 acres located between 46th and 50th Streets to the west of Frontage Road. This is a Joint Annexation Resolution with Clinton Falls Township; they approved this during their meeting earlier today. The property is within the 55049 Zip Code, USPS approved Owatonna as an additional mailing name within this zip code on February 5, 2020; the property will be officially known as 2781 50th Street NW, Owatonna MN 55049. At 8:25p.m. a public hearing was opened for comments regarding this annexation request or agreement. With no comments heard, at 8:26, Council Member Raney made a motion to close the public hearing, Council Member Okerberg seconded the motion; all members voted aye in agreement.

Council Member Raney asked how use of a different zip code would impact the City. Community Development Klecker explained this is no impact, a zip code is used only for mail delivery service.

Council Member Okerberg made a motion to approve Resolution 17-20 approving the Joint Annexation with Clinton Falls Township for annexation of the CEFF Medford Property commonly referred to as Revol Greens, Council Member Voss seconded the motion, all members present voted aye for approval.

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

- Minutes - Council Meeting – February 4, 2020.
- Exempt Permit – Raffle – Steele County Purple Ribbon Club – March 8, 2020.
- Exempt Permit – Raffle – Steele County Purple Ribbon Club – August 23, 2020.
- Minutes – Human Rights Commission Meeting – January 14, 2020.
- Monthly Building Inspection Report – January 2020.

Council Member Dotson made a motion to approve these Consent Agenda items; Council Member Okerberg seconded the motion, all members voting, voted aye for approval.

Vice President Raney recapped expenses for the period. Bills presented for payment totaled \$527,330.96. Council Member Voss made a motion to approve payment of these bills, Council Member Burbank seconded the motion and all members voted aye in approval.

Community Development Director Klecker requested approval of the first reading of Proposed Ordinance 20-2. This is Application No Z-345 received from Merchant Square Associates, LLC for a major PUD amendment for construction of a 43 unit apartment building and two office buildings at 345 Florence Avenue. The original PUD was designed for more commercial buildings

which is being amended to change to the apartment building. On February 11, 2020, the Planning Commission held a public hearing on this and recommend approval with the following conditions:

- a) Additional stone or brick shall be provided on the front elevation to more closely tie in with the existing building within the development.
- b) A minimum of 11 trees shall be planted with the first phase as proposed in the storm water plan, including all spruce trees shown on the south property line.
- c) The fire hydrant shall be relocated into one of the east parking lot islands.
- d) All exterior lights shall be shielded and meet all requirements.
- e) Approval of Z-340 shall be contingent upon the approval of Lasso Addition No. 4.

Council Member Voss questioned if a Traffic Study is warranted as this could make be a large addition of traffic in this area. Klecker commented there would be little impact on the proposed traffic changes from commercial to residential for this project. Council Member Dotson made a motion to approve the first reading of Proposed Ordinance 20-2, Council Member Raney seconded the motion. With a roll call vote, voting aye were Council Members Voss, Okerberg, Dotson, Burbank, Raney and Schultz; there were no nay votes, the motion carried. The second reading of this proposed ordinance will coincide with the final plat approval.

Interim Park Director Klecker presented the final draft of the Master Park and Trail Plan prepared by the City's consultant, WSB. This has been a year-long process and included multiple meetings and much input from the public. Having an approved plan will be beneficial in future grant application processes. Council Member Burbank made a motion to approve Resolution 18-20 adopting the Parks and Trail Master Plan as prepared by WSB, Council Member Voss seconded the motion; all members voted aye in approval.

Interim Park Director Klecker requested authorization to apply for a Minnesota DNR Local Trail Connections Grant for Kaplan's Crossing. The Master Park and Trail Plan has identified gaps in the current trail system. This 0.16 mile of paved trail would cross the railroad tracks and then traverse through the edge of Kaplan's Woods and connect with the 18th Street Trail providing users a safe route by avoiding traffic. The grant calls for a 25% match of total project cost, which can consist of contracted services and can be satisfied by using the correctional work crew to clear the trees prior to construction of the trail. Council Member Okerberg made a motion to approve Resolution 19-20 approving the Local Trail Connections Program Grant Application for Kaplan's Crossing, Council Member Dotson seconded the motion; all members present voted aye in approval.

Administrative Assistant Clawson requested approval of Resolution 20-20 appointing Election Judges for the 2020 Presidential nomination Primary Election on Tuesday, March 3, 2020. Council Member Dotson made a motion to approve Resolution 20-20, Council Member Burbank seconded the motion; all members voted aye in approval.

Public Works Director Skov requested approval or Resolution 21-20 setting a public hearing for the 2020 Curb and Gutter and Bituminous Project on Wednesday, March 4, 2020. A petition was received from all nine property owners for construction of improvement on portion of Country Creek Lane NE and Evergreen Place NE. Cost for this project will be 100% assessed equally to these property owners. Council Member Okerberg made a motion to approve the Resolution 21-20, Council Member Voss seconded the motion; all members present voted aye for approval.

Community Development Director Klecker requested approval of Resolution 22-20 supporting application for a Job Creation Fund by Cybex. Cybex is proposing to relocate at least 75 jobs from a plant that is closing in Illinois. They have requested an extension in the time frame to meet the job creation number required on the original Development Agreement and increase the number of jobs created from 50 to 75. There will be approximately \$3,000,000 of Capital Investment as part of this project. Council Member Raney made a motion to approve Resolution 22-20, Council Member Dotson seconded the motion; all members present voted aye in approval.

Community Development Klecker requested approval of Resolution 23-20 setting a public hearing on Wednesday, March 4th to consider modification of the current Development Agreement with Cybex. Council Member Okerberg made a motion to approve Resolution 23-20, Council Member Burbank seconded the motion; all members present voted aye in approval.

Community Development Director Klecker requested approval of Resolution 24-20 to approve the Preliminary Plat of Lasson Addition No. 4. Merchant's Square Associates LLC request this 3.23 acres at 345 Florence Avenue will contain five total lots when completed. The Planning Commission held a public hearing and recommend approval with the following conditions:

- a) The final plat shall be approved within one year of the date of approval of the preliminary plat.
- b) The title opinion shall be approved by the City Attorney prior to recording of the final plat.
- c) The applicant shall amend the declarations and covenants for the lots to adjust for the new legal descriptions and design of the property.
- d) The final plat is contingent upon the approval of the PUD Amendment referred to as Z-340.

Council Member Dotson made a motion to approve Resolution 24-20, Council Member Raney seconded the motion; all members voted aye in approval.

Public Works Director Skov requested authorization to bid Phase I of the Cardinal Drive Stormwater Improvement Project. Barr Engineering evaluated the existing conditions and proposing improvement to alleviate flooding in the Cardinal Drive SE area during large rain events. The preferred alternative is to construct a new 66" reinforced concrete pipe stormsewer from an outlet on the east side of the railroad tracks, through CSAH 48 (Bixby Road) and into the west ditch on Bixby Road. The existing stormsewer will then be replaced from the ditch up to Cardinal Drive. Due to the complications with crossing Bixby Road and the Canadian Pacific Railroad, the project will be completed in phases, the installation of the pipe from the outlet to the west ditch of Bixby Road is proposed as Phase 1. The estimated cost to construct Phase 1 is \$415,000, the project was previously bid in 2019 but came in over cost estimate and bids were rejected with the intent to rebid early 2020. Council Member Dotson made a motion to authorize bids for this project, Council Member Raney seconded the motion; all members present voted aye in approval.

Public Works Director Skov requested authorization to advertise bids for the 2020 Cured in Place Pipe System (CIPPS) Project. The project will line clay sanitary sewer lines to improve the carrying capacity and reduce inflow and infiltrations. Approximately 10,300 feet are planned for lining in 2020. Council member Dotson made a motion to proceed with plans for the 2020

CIPPS Project, Council Member Voss seconded the motion; all members present voted aye in approval.

Public Works Director Skov requested authorization to advertise bids for the 2020 Crack Sealing and Sealcoating Project. Annually, roadways are crack sealed in advance of sealcoating, this is the third year this project will be contracted. Approximately 4.5 miles are planned for crack sealing and sealcoating this year. Council Member Raney made a motion to approve advertisement of bids for this 2020 project; Council Member Dotson seconded the motion; all members voted aye in approval.

During Staff Comments, Police Chief Hiller introduced Officer Schumacher who was recently promoted as a Sergeant. Sergeant Schumacher stated he is excited and thankful for this opportunity. Community Development Director Klecker gave brief updates on commercial construction projects and the roofing project on the City's Administration Building. The project is mainly done with a few touchups to do in the spring, the building's sandstone will also be power washed in the spring. Public Works Director Skov explained the City's salt supply is getting low; barge traffic on the Mississippi River last year limited the salt shipped and 20% of the order was not received. Anticipating the street crew will be sanding more and using less salt when clearing the roadways this month.

During Public Comment, Roger Wacek, 464 E Vine Street requested consideration of a pollinator rain gardens at the library. Last year, the City was designated a Pollinator Friendly City and he hopes projects promoting Environment Science and Energy Science will be considered.

During Council Comments, Council Member Okerberg congratulated the OHS Wrestling team for advancement to the state meet. Council Member Raney thanked Administrative Clawson for assistance in implementing the website Agenda Center to view the Council Meeting Packet and Minutes. Mayor Kuntz thanked everyone who participated in this meeting; it is nice to see citizen comments and council response/action to get things done in an order manner. City Administrator Busse reminded everyone the next meeting date will be Wednesday, March 4th.

At 9:05 p.m., Council Member Raney made a motion to adjourn the meeting, Council Member Voss seconded the motion, all members voted aye in approval.

Dated: March 2, 2020

Respectfully Submitted,

Jeanette Clawson, Administrative Specialist