

Owatonna City Council Minutes

The Owatonna City Council met in regular session on Tuesday, September 15, 2020 at 7:00 p.m. in Council Chambers at the City Hall and virtually accessible for call-in. Present were Council Members Schultz, Raney, Voss, Burbank, Dotson and Okerberg; Mayor Kuntz; Community Development Director/Interim Parks and Recreation Director Klecker; Public Works Director Skov; Finance Director Moen; Sr Accountant Loken; City Attorney Walbran; City Administrator Busse; IT System Administrator Sticken and Administrative Specialist Clawson. Council Member Svenby was not present.

Following the Pledge of Allegiance, Council President Schultz welcomed everyone to the meeting and read a meeting statement advising of virtual participation and meeting compliance with COVID-19 Restrictions. Schultz advised addition of one item, Resolution 126-20, Authorization to Execute Deed for the Eastgate Development Project. Council Member Okerberg made a motion to approve the agenda with this item added, Council Member Voss seconded the motion, all members present voted aye for approval.

Mayor Kuntz made proclamation for this week, September 13-19, 2020 to be recognized as Direct Support Professional Recognition Week. Direct Support Professionals (DSPs) are the primary providers of community-based long-term support services for tens of thousands of individuals with disabilities in Minnesota. DSPs are valued for their work in building respectful and trusted relationships with individuals to assist them with their most intimate needs.

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

- Council Minutes: September 1, 2020 Council Meeting.
- Exempt Permit – Raffle – December 22, 2020 – Exchange Club of Owatonna.
- Minutes – Airport Commission – August 13, 2020.
- Minutes – Human Rights Commission – August 10, 2020.
- Minutes – Library Board – August 18, 2020.
- Building & Inspection Report – August 2020.
- Weed Inspection/Compliance Report – September 10, 2020.
- Ditch Assessment Division Agreement - Sanders South Addition.
- T-Hangar Lease Agreements – Scott Girtler and Clint Seveik.

Council Member Okerberg made a motion to approve these Consent Agenda Items, Council Member Burbank seconded the motion, all members present voted aye for approval.

Vice President Raney recapped expenses for the period. Bills presented for payment totaled \$529,601.72. Council Member Dotson made a motion to approve payment of these bills, Council Member Okerberg seconded the motion, all members present voted aye for approval.

Community Development Director presented the second reading of Proposed Ordinance 20-9, Application No. Z-344 received from Troy Schrom of Schrom Construction, an amendment to the Eden Valley Fourth Addition PUD. Five lots on the south side of El Dorado Street, currently approved to allow construction of duplexes, will be changed to allow construction of single family homes and reduced setback along the rear property line of the eastern two lots. Council approved the first reading of this ordinance during the August 18, 2020 and there have been no changes since. Council Member Raney made a motion to approve Proposed Ordinance 20-9, Council Member Dotson seconded the motion. With a roll call vote, voting aye were members: Voss, Okerberg, Dotson, Burbank, Raney, and Schultz; with no nay votes, the motion was approved. This will be Ordinance 1610 and effective upon publication.

City Administrator Busse requested approval of liquor license applications received from Foremost Brewing Cooperative for On-Sale Brewer's Taproom and Brewer Off-Sale licenses, each with Sunday Sales. Foremost Brewing Cooperative is redeveloping this downtown property at 131 W Broadway with plans to open mid-October. Council Member Dotson made a motion to approve these licenses, Council Member Voss seconded the motion; all members present voted aye in approval.

Public Works Director Skov requested approval of Resolution 112-20 declaring costs of the 2020 Curb and Gutter Project to be \$99,648.45. Streets affected by this project were Evergreen Place and Country Creek. Council Member Dotson made a motion to approve Resolution 112-20, Council Member Voss seconded the motion, all members present voted aye for approval.

Public Works Director Skov requested approval of Resolution 113-20 setting a public hearing for Tuesday, October 6, 2020 to consider the Proposed Assessments for the 2020 Curb and Gutter Project. Council Member Raney made a motion to approve Resolution 113-20, Council Member Okerberg seconded the motion, all members present voted aye in approval.

Sr Accountant Loken advised the 2021 Proposed Levy includes an increase of 3%; an increase lower than the estimated 8% growth increase of the City's Tax Base as provided by Steele County. The total Proposed Levy includes a City Levy of \$13,759,678 and the EDA and HRA Levies at \$185,000 each. Council will meet with Department Directors during study sessions to review Proposed Budgets and make recommendations for changes to the levy amounts and budget prior to the Truth in Taxation Meeting on December 1, 2020 at 6:00 p.m. Council Member Dotson made a motion to approve Resolution 114-20 setting the 2021 Proposed Levy amount for the City, Council Member Voss seconded the motion; all members present voted aye in approval. Council Member Okerberg made a motion to approved Resolution 115-20 setting the 2021 Proposed Levy amount for the HRA, Council Member Burbank seconded this motion; all members present voted aye in approval. Council Member Dotson made a motion to approved Resolution 116-20 to adopting the Proposed 2021 Budget, Council Member Voss seconded the motion, all members present voted aye in approval.

Community Development Director requested approval of Resolution 117-20 to accept the Minnesota Department of Transportation (MnDOT) Aeronautics Grant Agreement for the T-hanger and Taxi Lane Design Project. This grant does not include state funding participation but necessary to facilitate reimbursement under the Federal Aviation Authority (FAA) Grant approved by Resolution 101-20 on August 18, 2020. Council Member Raney made a motion to approve Resolution 117-20, Council Member Burbank seconded the motion, all members present voted aye n approval.

Community Development Director presented Resolution 118-20 to approve Application No. V-1439 received from Wyonne and Ronald Priebe at 1460 Cottage Lane SE. This variance will allow an accessory structure, 12' x 16', 192 square feet within a utility easement where code permits up to a 120 square foot accessory structure. The Planning Commission held a public hearing on this request at which they received no comments. The Planning Commission recommends approval of this variance with the following conditions:

- 1) The applicant shall remove the shed from the easement within 48 hours' notice if work is going to occur within the easement.
- 2) The shed shall be compatible with the house.

Council Member Voss made a motion to approve Resolution 118-20, Council Member Dotson seconded the motion; all members present voted aye in approval.

Community Development Director Klecker requested approval of Resolution 119-20 to approve the Preliminary and Final Plat of North Street Retail. Coborn's Inc. requests their property at 495 North Street be combined to one lot and plat, currently the property is a combination of seven parcels within two plat and some is unplatted. This will meet the condition of Conditional Use Permit C-1434 authorized by Resolution 94-20 allowing construction of a gas canopy at this site. The Planning Commission held a public hearing and recommend approval with the following conditions:

- 1) The Final Plat shall be recorded within 60 days of the approval.
- 2) The Title Opinion shall be approved by the City Attorney prior to recording of the Final Plat.

Council Member Dotson made a motion to approve Resolution 119-20, Council Member Okerberg seconded the motion; all members present voted aye in approval.

Community Development Director Klecker presented Resolution 120-20 to approve the Preliminary Plat of the Behne Prairie Addition. Amy and Ben Behne request their properties at 1815 Creek View Lane NE and 1899 Creekside Dr NE be combined into one lot residential plat for purpose of constructing a pool. The Planning Commission held a public hearing and recommend approval with the following conditions:

- 1) The Final Plat shall be approved within one year of the date of approval of the Preliminary Plat.
- 2) The Title Opinion shall be approved by the City Attorney prior to recording of the Final Plat.
- 3) No fences shall be permitted within the utility easements without a Limited Use Agreement between the City and the current property owner addressing all current and future needs.

Council Member Dotson made a motion to approve Resolution 120-20, Council member Burbank seconded the motion; all members present voted aye in approval.

Public Works Director Skov requested approval of Resolution 121-20 authorizing a traffic control change at the intersections of Vine and Elm and Pearl and Elm. The existing all-way stop signs at these intersections would be replaced with stops on Vine and Pearl only, allowing Elm to flow through without stopping. Engineering staff evaluated both locations based on the warrants for all-way stop control at Vine and Elm and Pearl and Elm; copy of the Stop Control Evaluation Reports were included in Council Packet for reference. Skov explained any change requires an evaluation and staff is currently evaluating additional locations within the downtown area. Council Members expressed concern about how pedestrian traffic would be impacted and anticipated traffic pattern changes. Council President Schultz suggested a Study Session be held to review all Stop Control Evaluations; City Administrator Busse advised the next Study Session date available is in January and suggested combining this with another topic or holding a special session. Council agreed it would be best to hold a separate session and will plan for this during January 2021. Council Member Okerberg made a motion to table Resolution 121-20, Council Member Burbank seconded the motion; all members present voted aye in approval.

City Administrator Busse requested approval of Resolution 122-20 declaring the cost to be assessed for unpaid weed and nuisance expenditures incurred by the City during 2020. The total assessment amount of \$5,925.94 to reimburse the City for the cost of weed and nuisance enforcement. Council Member Dotson made a motion to approve Resolution 122-20, Council Member Voss seconded the motion, all members voted aye in approval.

City Administrator Busse requested approval of Resolution 123-20 setting a public hearing on Tuesday, October 20, 2020 at 7:00 to hear comments on the Proposed Assessments for the 2020 Weed and

Nuisance Costs. Council Member Okerberg made a motion to approve Resolution 123-20, Council Member Voss seconded the motion, all members voted aye in approval.

Interim Park Director Klecker requested approval of Resolution 124-20 Council approval of Resolution 124-20 authorizing a contract for Mohs Contracting to serve as the Construction Manager of the We All Play Project at Manthey Park. Mohs Contracting as the project's Construction Manager will be responsible for the completion of the project. Once the project is built, the We All Play Committee and Mohs Contracting will turn over the new amenities at Manthey Park thru this project to the City of Owatonna to maintain in the future. Council Member Dotson made a motion to approve Resolution 124-20, Council Member Burbank seconded the motion; all members present voted aye in approval.

Public Works Skov requested approval of Resolution 125-20 accepting petitions received from property owners for improvements to the storm sewer system at Carriage Homes Addition. A large storm on June 28, 2019 caused this area to flood and improvements needed. This is currently a private storm sewer system and development plans were incomplete. This project will update the stormwater system, add a safety grid, and repair a failed retaining wall. Project costs are estimated at \$40,600 and will be assessed 100% to the property owners. Council Member Raney made a motion to approve Resolution 125-20, Council Member Dotson seconded the motion, all members present voted aye in approval.

Community Development Director Klecker requested approval of Resolution 126-20 authorizing the Development Agreement and Purchase Agreement with LWO Limited Partnership #116 for the development of Eastgate Apartments. Conditions and contingencies set forth in the Purchase Agreement approved July 21, 2020 have been met and closing has been set for next Tuesday, September 22, 2020. This resolution authorizes Mayor Kuntz and City Administrator to execute and deliver the documents required for this real estate transaction. Council Member Okerberg made a motion to approve Resolution 126-20, Council Member Voss seconded the motion; all members voted aye in approval

During Staff Comments, Staff Comments: Finance Director Moen commented the last FEMA Payment for the 2010 Flood Event was just finalized; there was a lot of documentation required and the City was successful in receiving almost all of the disaster funds requested. Public Works Director Skov commented the contractor finished paving the 2020 Street & Utility Project today and Proposed Assessments will be prepared for Council consideration. Council Member Okerberg asked if the Employee Breakroom Project at the City Shop is complete and if Council would tour. Skov replied the project is done; however, furniture has not been delivered so planning to tour when all in place. Community Development Director Klecker advised applications for the Business Grant Program are available on the City's website and due before Monday, September 21st at 5:00 p.m. Small business can apply to recoup expenditures/losses incurred from COVID-19. Ehlers is the Consultant processing these applications, 14 or 15 applications have been received but anticipating many more will be filed within this next week. Klecker advised applications must be timely filed and if anyone has questions they should call him, Bill Owens at the Business Center, or Ehlers.

During Public Comments, Roger Wacek Roger Wacek, 646 E Vine Street commented many decisions are made on implicit biases that we do not even know we have. He encouraged everyone to watch a recent TV PBS NOVA presentation, "Hacking Your Mind: Living on Auto-Pilot" to understand subconscious Auto-Pilot racist behavior and also encouraged additional training for police regarding racist, sexist and any form of discriminatory behavior.

During Council Comments, Council Member Voss commented he attended last night's Park Board Meeting at Manthey Park where the inclusive playground is planned. He thanked the Park Board Members for their service and then thanked several neighboring property owners who also attended this meeting and brought up some questions which he contacted City Administrator Busse and Chief Hiller about. Council Member Voss also encouraged everyone to support small local businesses which have taken steps to provide protection for both their staff and customers. Council Member Okerberg concurred with Council Member Voss's comments and asked everyone to be patient as improvement projects are nearing completion; today, there was an issue with phone lines in the downtown area which temporarily restricted service but infrastructure updates are nearing completion and the brewery is beginning to look nice. Council Member Raney commented he also attended the Park Board Meeting and pleased several neighbors attended; he also believes there should more patrol presence in the parks and along the trails and thankful for our police officers and the service they provide. After leaving the P&R Meeting last night, he saw an ambulance at a residence and noticed the first responders administering life saving measures were two police officers. Mayor Kuntz commented he was recently advised there are 600+ open jobs in our community and that he noticed Rise Modular has an interesting assortment of small boxy components that look like tinker toys along the south side of their building which are the building components for assemble into commercial buildings (office buildings or hotels) in the cities. City Administrator Busse reminded everyone the 12th Annual Watershed Cleanup will be this Saturday morning at Morehouse Park; there are some new restrictions this year for COVID concerns. Vegas, the Police Department's K9 Officer will receive a bullet and stab protective vest thanks to a charitable donation from the non-profit organization Vested Interest in K9s, Inc. In response to comments tonight, Chief Hiller provided a brief statement: The Owatonna Police Department is very supportive of services that lift up our community. We Partner with mental health services, community corrections, drug court, human services, emergency medical services and healthcare. We embrace a targeted team approach that helps our neighbors in acute crisis. We train our staff of Procedural Justice and Police Legitimacy, and we educate our staff on Implicit Bias, Mental Health, Prejudices, Impartial Policing, Persuasion and De-escalation, Ethics, Conflict Resolution and Use of Force. Most importantly, we participate in hundreds of community engagements a year; we may not be perfect but strive for excellence. Council Member Schultz thanked Tim O'Conner, IT Technician assisting at this meeting and then commented he wanted to reiterate Council Member Voss's statement, Council Members like to talk with people and there needs to be a two-way communication process within our community.

At 8:25 p.m., Council Member Raney made a motion to adjourn the meeting, Council Member Dotson seconded the motion, all members voted aye in approval.

Dated: September 29, 2020

Respectfully Submitted,

Jeanette Clawson, Administrative Specialist