

Owatonna City Council Minutes

Council President Schultz called the regular session of the Owatonna City Council to order on Tuesday, September 20, 2022, at 7:00 p.m. in Council Chambers at City Hall. Present were Council Members Burbank, Boeke, Raney, Voss, Svenby, Dotson and Schultz; Mayor Kuntz; Finance Director Moen; Community Development Director Klecker; Park and Rec Director Tuma; Fire Chief Hoffman; Assistant City Engineer Murphy; City Attorney Walbran; City Administrator Busse, Administrative Specialist Clawson and most of the firefighters.

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.

Firefighter Swearing in Ceremony

Fire Chief Hoffman welcomed everyone to the city's first public swearing in ceremony for firefighters. After introductions with brief bios of each of the eight honorees, Mayor Kuntz administered the Oath of Office. As the family member, friend, or fellow fighter chosen by each of the firefighters were preparing to pin badges on their uniform shirts, a fire call came in and several firefighters had to leave. The eight firefighters and the positions they were sworn into are:

- Robert Hager – Fire Commander
- Broderrick Dalland – Fire Equipment Operator
- Benjamin Staska – Fire Equipment Operator
- Miguel Chacon – Paid-On-Call Firefighter
- Dakota Gaffke – Paid-On-Call Firefighter
- Benjamin Hanson – Resident Firefighter
- Madelyn Seykora – Resident Firefighter
- Noah Tesch – Resident Firefighter

Council President Schultz commented the Council and Mayor are very proud of the Owatonna Fire Department and thanked the firefighters for the work they do. Mayor Kuntz thanked the firefighter's families and friends and extended a special thanks to members of Combat for Veterans present to support Dakota Gaffke. Chief Hoffman extended an invitation to a reception in the Arts Center and Council President requested a brief recess.

Proclamation – Tracy DuChene Day

Mayor Kuntz proclaimed this Thursday, September 22, 2022, will be Tracy DeChene Day. Patrol Sergeant DuChene has been selected by the Moonlighters Exchange Club of Owatonna as the 2022 Police Officer. Patrol Sergeant DuChene has been selected by the Moonlighters Exchange Club of Owatonna as the 2022 Police Officer of the Year. Sergeant DuChene joined the Owatonna Police force in 2003, was promoted to Sergeant in and is the current Field Training Officer Supervisor.

Proclamation – Owatonna Foundation Week

Mayor Kuntz proclaimed the week beginning Sunday, October 2 through Saturday, October 8, 2022, as Owatonna Foundation Week. The Owatonna Foundation has goals to improve the quality of life for present and future generations of Owatonna residents by funding projects and scholarships to help further education goals.

Consent Agenda

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

Minutes – Council Meeting – September 4, 2022

Minutes - Airport Commission Meeting - August 11, 2022

Weed / Nuisance Inspection Report – September 2, 2022 – September 16, 2022

Council Member Boeke made a motion to approve these Consent Agenda Items, Council Member Voss seconded the motion and all members voted aye for approval.

Finance Report

Council Member Raney recapped payments made more than \$20,000 for this period. Bills presented for payment total \$683,552.24. Council Member Dotson made a motion to approve payment of these bills, Council Member Burbank seconded the motion and all members voted aye for approval.

Proposed Ordinance 22-11 for Updates to Stormwater Ordinances

Assistant City Engineer Murphy requested approval of these proposed updates to the City's Stormwater Ordinance.

- 1) Chapter 90 – Animals. Chapter 90 – Animals. Section 90.11 - Removal of Animal Debris :
The owner or agent of any animal in a public park or on public property shall remove animal feces left by the animal and deposit the same in a trash receptacle or otherwise remove the same from the premises.
- 2) Chapter 52 – Storm Water
 - a) Section 52.04 ERU increased 3% from the 2022 rate, effective January 1, 2023.
 - b) Section 52-28 Illicit Discharge Detection and Elimination
 - 1) Add Pet Waste
 - 2) Add Commercial, Industrial, and Industrial Salt Storage: All commercial, industrial, and institutional properties storing salt shall store the salt undercover or indoors. All salt must be stored on an impervious surface. Property owners shall implement best management practices to reduce exposure when transferring material in designated salt storage areas.
 - c) Section 52.29 Stormwater Management Plants (J) Post Construction Stormwater Management
- (3) Water Quality and Volume Control
 - i. Revise to new 1" WQV: All construction activity where the sum of the new impervious surface and the fully reconstructed impervious surface equals one or more acres shall provide post construction stormwater treatment and rate control. For non-linear projects, the water quality volume to be treated must be calculated as one (1) inch times the sum of the new and the fully reconstructed impervious surface. For linear projects, the water quality volume to be treat must be

- calculated as the larger of one (1) inch times the new impervious surface or one-half (0.5) inch times the sum of the new and the fully reconstructed impervious surfaces.
- ii. Minimum impervious area draining to BMPs: The minimum impervious area draining to BMPs providing required water quality volume shall be equal to the sum of new and fully reconstructed surfaces or to the maximum extent practicable as determined by the City Engineer.
 - iii. Cumulative impervious to run with land. Projects adding new impervious surfaces and/or fully reconstructed surfaces will be considered in cumulative over the life of the property. Land disturbance activity applicable to this requirement will be determined with respect to all development or redevelopment that has occurred from the time of ordinance adoption
 - iv. Mitigation Provisions: Mitigation provisions for linear projects. If the owner believes that the entire water quality volume requirements cannot be met on the site of the original construction activity, the owner must provide adequate documentation to the city as support including attempts to acquire additional right of way or other permission to provide treatment for the full water quality volume. The owner must provide treatment for the water quality volume to the maximum extent practicable. No further off-site mitigation is required.
- d) Section 52.31 Erosion and Sediment Control (G)(2) As-Built Drawings: Single-family residential construction may be required to submit as-built drawings.

Council approved the first reading of these proposed changes during their September 4, 2022, meeting. Council Member Voss questioned if these changes would add consultants and engineered drawings if adding pavement and parking lots, additional housing is a concern of Council and these additional costs for repaving requirements could be charged to small business owners which many can't afford. Murphy explained the changes are a MCPA requirement to confirm with the permit issued. Council Member Dotson commented he is also concerned that the MCPA adds regulations that continue to increase costs. Council Member Burbank commented he is opposed to the proposed changes as the increased MPCA requirements will add costs and he would prefer a flat dollar amount increase to property owner's costs. With no additional comments Council Member Raney made a motion for approval and Council Member Boeke seconded the motion. With a roll call vote, voting aye were Council Members Svenby, Dotson, Boeke, Raney and Schultz and Council Members Burbank and Voss voted nay, the motion carried. This will be known as Ordinance 1638.

Summary Publication Ordinance 1638

Council President Schultz requested approval of a Summary Publication of Ordinance 1638, Stormwater. A copy of the full ordinance is available for inspection during regular business hours in the City Administrator's Office at City Hall and will also be available on the City's website. The summary will be published on September 29, 2022 to be effective September 30, 2022. The new ERU rate becomes effective January 1, 2023. Council Member Svenby made a motion for approval, Council Member Boeke seconded the motion, all members voted aye in approval.

Resolution 73-22 Proposed 2023 Budget and Levy

Finance Director Moen advised the City is required to adopt a proposed budget for the following year and certify its proposed property tax levy to the county auditor on or before September 30th. Council received an overview of the 2023 proposed budget on September 6 and a more detailed presentation during Budget Sessions on September 13 and 14. The 2023 proposed levy includes an increase of 9.0% which is a reflection of the current growth mode of the City. Steele County provided a current year estimated growth rate at 17.0%; the total proposed City levy is \$16,669,797. The final levy amount and budget will be presented on December 6th at 6:00 p.m. Council Member Dotson asked what percentage of the estimated growth new construction was, Moen responded 13% of the 17% increase is new construction. Council Member Raney made a motion to approve Resolution 73-22, Council member Boeke seconded the motion, all members voted aye for approval.

Resolution 74-22 Proposed Housing & Redevelopment Authority 2023 and Levy

Finance Director Moen presented Resolution 74-22. The Housing and Redevelopment Authority (HRA) is considered a special taxing district and its levy is adopted separately from the City levy. The amount of the HRA Levy shall be an amount approved by the governing body of the city, but shall not exceed 0.0185 percent of estimated market value. Per the County Auditor & Assessor, the 2021 estimated market value was \$2,183,994,200; the allowable levy would be \$404,039 compared to the requested levy of \$195,000. A budget of \$1,459,037 is being proposed. The final levy amount and budget will be presented on December 6th at 6:00 p.m. Council Member Boeke made a motion to approve Resolution 74-22, Council Member Voss seconded the motion, all members voted aye in approval.

Resolution 75-22 Declare Costs to be Assessed – Weed and Nuisance Compliance Costs

City Administrator Busse presented Resolution 75-22 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 \$3,735.36 to reimburse the city for these costs. Council Member Dotson made a motion to approve Resolution 75-22 declaring these costs to be assessed, Council Member Raney seconded the motion; all members voted aye in approval.

Resolution 76-22 Set Date for Public Hearing – Proposed Assessments - Weed and Nuisance Compliance Costs

Council Member Voss made motion to approve Resolution 76-22 setting a public hearing on Tuesday, October 20th at 7:00 p.m. in Council Chambers at City Hall to consider the assessments proposed for Weed and Nuisance Compliance Costs. Council Member Svenby seconded this motion and all members voted aye for approval.

Resolution 77-22 Set Date for Public Hearing – Proposed Assessments – Delinquent Accounts – Owatonna Public Utilities

City Administrator Busse presented request from Owatonna Public Utility to proceed with assessment process for unpaid utility accounts. Council Member Burbank made a motion to set a public hearing on Tuesday, October 18th at 7:00 p.m., Council Member Boeke seconded the motion, all members voted aye in approval.

Resolution 78-22 Amend Development Agreement – Gerald Monson and Lois Monson

Community Development Director Klecker presented Resolution 78-22, the City currently has a development agreement with Gerald and Lois Monson to construct a new eye clinic at the corner of West Pearl Street and North Oak Avenue. The City and the Monsons swapped properties so the Monsons could build a new building and the City would demolish their existing building on West Vine Street to build a new parking lot. The agreement states that the project must be completed by December 31, 2022. There were delays to the project including reworking access to the site and parking due to staff concerns. The project was planned to start in April, but a building permit was not issued until July. Because of the delays in starting the project, the Monsons are requesting the development agreement be changed to state that the project is completed by May 31, 2023. Council Member Raney made a motion to approve Resolution 78-22, Council Member Voss seconded the motion.

Resolution 79-22 Consent to Sublease - Monson Eye Care Center, PC

Community Development Director Klecker requested approval of Resolution 79-22. The City currently owns the building the Monson Eye Care Center is operating in. Per our Lease Agreement, the eye clinic is allowed to operate at that facility until the new building is completed. The lease agreement states the property cannot be subleased unless approved by the City. There will be some changes to the ownership of the business that enacts the subleasing clause in the agreement. The Monsons are requesting the City approve the subleasing of the property to TZVECL Management of SC, LLC. All terms of the agreement will remain the same and the leasing of the property will end May 31, 2023. Council Member Dotson made a motion to approve Resolution 79-22, Council Member Svenby seconded the motion, all members voted aye in approval.

Resolution 80-22 Federal Airport Expense Reimbursement – MnDOT

Community Development Director Klecker requested approval of Resolution 80-22 authorizing MnDOT Agreement 1049617 for Grant Agreement for Federal Airport Expense Reimbursement. The Federal Aviation Administration (FAA) distributes funding under the American Rescue Plan Act 2021. The federal ARPA Grant Agreement was approved in January. In order to receive the reimbursements from FAA/MnDOT, this MnDOT agreement needs to be approved to allow the Office of Aeronautics to make payments under the FAA grant per the Channeling Act. The purpose of these funds is to provide economic relief to airports in response to the COVID-19 pandemic. The FAA will distribute these grants under the new Airport Rescue Grant Program (ARGP). The grant provides funding for eligible costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport. This amendment allows MnDOT to facilitate the ARPA grant funding that reimburses 100% of

allowable costs incurred by the airport up to the grant amount of \$32,000. Council Member Voss made a motion to approve Resolution 80-22, Council Member Boeke seconded the motion, all members voted aye in approval.

River Springs Water Park Capital Project Agreement – Horizon Pool Supply, LLC

Jenna Tuma, Director of Parks and Rec presented proposals received for mechanical improvements at the waterpark. This is a Capital Improvement Project approved by Council in the 2022 budget with the remaining balance proposed in the 2023 Budget. In February of 2022, the City entered into an agreement with Aquatic Design Solutions, LLC to study the best replacement solution, create construction documents, and to provide bid management and construction administration services. In August, the project was posted to the City's procurement system and four bids were received. This project is slated to begin this fall and carry over into 2023 with a completion deadline of May 1, 2023. The balance of the approved CIP funds will be used to replace two water heaters, pool boilers or pump VFD's. This part of the project will be completed by internal staff and through the City's contracted electrician. Bid received were:

Horizon Pool Supply	\$436,200
Global Specialty	\$498,000
Aqua Logic	\$506,000
Badger Swim Pool	\$514,000

Council Member Boeke requested detail of costs incurred for pool improvements since opening in 2009, Council received some information during the Budget Sessions and he is requesting itemized detail. Council Member Dotson requested this report also show the revenues received during operation over these years. Council Member Svenby made a motion to accept the proposal from Horizon Pool Supply and award contract for \$436,200. Council Member Boeke seconded the motion, all members voted aye in approval.

Staff Updates

Finance Director Moen invited members of the public to visit the Finance Page on the City's website to become familiar with the new interactive budget document. There is a tutorial available for use and if anyone has questions, they can contact her.

Community Development Director Klecker commented Bird Scooters have been available in Owatonna since July 5, 2022. There was a two-week period at the end of July when no scooters were available as the company was changing their local Fleet Manager. To date, 3,902 rides have been taken by 1,010 riders, this is average of 43 rides per day. There are usually 20-30 scooters available. On their busiest day, there were 148 rides. The longest ride was 296.8 miles which was on the first day they were offered. They have identified 53 commuters using the scooters as their mode of transportation. We have heard comments about underage riders and the company will increase their message to deter underage use and they will not offer near the middle school. Council Member Dotson commented this is not a city service, Community Development Director confirmed the scooters are offered by Bird Scooters, a private company. Council Member Raney commented the city has a contract for scooter services with Bird Scooters and one of conditions of the contract is there not be underaged riders, he has received multiple calls about underage riders and hopes this is corrected prior to consideration of renewing this contract.

Parks and Rec Director Tuma commented projects for tuck pointing are in process at City Hall and the Fire Hall. The registration for deer culling just ended with 33 of the 34 spots filled, this will use 10 parks for two sessions, applicants will complete accuracy testing this next month. Rededication of the Central Park Fountain will be Monday, October 3rd and we want to thank the Owatonna Foundation for their donation towards this project. Also, a reminder that October 22nd, is OktoberFest at Brooktree Golf Course from 1-7.

Fire Chief Hoffman thanked Mayor Kuntz and Council for participating in the Swearing-in Ceremony tonight. Staff recently received a thank you for accommodating visitors at the Fire Hall. Currently looking to add Paid-On-Call FireFighters for the Day Squad. The Chili/Wild Rice Feed is coming up on Sunday, October 9th. Will be announcing Firefighter of the Year tomorrow, the annual banquet will be Tuesday, October 11th.

Assistant City Engineer Murphy commented the project at the Waste Water Treatment Plant is well underway. The N Cedar Streetscape Project is wrapping up and the Street & Utility Project has started working on Linn Street and Selby Avenue. The Truman Avenue Project is wrapping up a few final things. Council Member Raney commented 15th Street was originally included as a potential option of the 2022 Street & Utility Project so wanted to know if work would begin this year on 15th Street. Murphy responded no, during the original construction meetings it was discussed that there were many structures involved and would not be able to begin work this year on this street.

Public Comments:

Brad Meier, President/CEO of the Owatonna Chamber commented that this afternoon he attended a joint meeting for the community wide branding project with Communications Manager Sheely. He thanked the City for sharing proposed budget information during the budget process. The OCC and Rotary Clubs will be hosting candidate forums this fall, City Candidate Forum is planned for Monday, October 10th at the Owatonna Country Club at noon.

Annie Harmon, Associate Editor of Owatonna Peoples Press commented the Owatonna Businesswomen and Foremost Brewing are also hosting candidate forums this fall for city offices and the school board member seats. The City Candidate Forum will be held on Wednesday, October 19th at 6:00 pm at the Middle School. The School Board Member Forum will be held the following week, October 26th at the same time and place.

Council/Administration Comments and General Information

Council Member Voss thanked Assistant City Engineer Murphy for attending tonight's meeting and then asked staff add a link on the City's Facebook page to the Budget information on the City's website. Yesterday, he attended the dedication of the Human Rights Commission Mural along the city's trail near the Blast, he was impressed with the mural and invited everyone to view it along the trail.

Council Member Boeke commented he also likes the new mural; he believes the community is moving in the right direction for equity. Last year he received only one call with questions or concern about the proposed city budget, if anyone has any questions, he encouraged them to call any of the Council Members.

Council Member Raney reminded everyone to be careful of children walking to school, hopefully everyone will slow down when youngsters are out walking.

Mayor Kuntz commented it was nice to start a new tradition and hold the Firefighter Swearing In Ceremony during a Council Meeting.

City Administrator Busse commented the ribbon cutting for the Downtown Streetscape Project will be Thursday, October 13th. This event will be similar to the Downtown Thursday events with food vendors, music, and games so hoping many will attend. Yesterday was the beginning of Welcome Week, this started with the ribbon cutting of the OHRC mural and Welcome Walk. On Thursday, there is a traveling photography exhibition, "*When Home Won't Let You Stay*" at the Owatonna Public Library by James A Bowey beginning at 6:30 p.m.

Council President Schultz congratulated the new firefighters and also added this is a great new tradition to hold during tonight's meeting.

Adjournment: At 8:17 p.m., Council Member Raney made a motion to adjourn, Council Member Dotson seconded the motion, and all members voted aye in approval.

Respectfully Submitted,

Jeanette Clawson, Administrative Specialist